

APPLICATIONS:

APPEAL APPLICATION

This application is to be used for any appeals authorized by the Los Angeles Municipal Code (LAMC) for discretionary actions administered by the Department of City Planning.

1.	APPELLANT BODY/CASE INFORMATION						
	Appellant Body:						
	☐ Area Planning Com	mission	☐ City Planning Commission	☑ City Council	☐ Director of Planning		
	Regarding Case Number: CPC-2014-1771-GPA-VZC-SN-VCU-MCUP-CUX-ZV-SPR						
	Project Address: 1900 South Broadway						
	Final Date to Appeal: 09/26/2016						
	Type of Appeal: ☐ Appeal by Applicant/Owner ☐ Appeal by a person, other than the Applicant/Owner, claiming to be aggrieved ☐ Appeal from a determination made by the Department of Building and Safety						
2.	APPELLANT INFORMATION						
	Appellant's name (print): Joe Donlin						
	Company: United Neighbors In Defense Against Displacement (UNIDAD)						
	Mailing Address: 152 W. 32nd St						
	City: Los Angeles		State: <u>C/</u>	State: <u>CA</u>			
	Telephone: (213) 745-	9961	E-mail: jdonlin@s	saje.net			
	 Is the appeal being filed on your behalf or on behalf of another party, organization or company? Self Other: United Neighbors In Defense Against Displacement (UNIDAD) 						
	● Is the appeal being filed to support the original applicant's position? ☐ Yes ☑ No						
3.	REPRESENTATIVE/AGENT INFORMATION						
	Representative/Agent name (if applicable):						
	Company:						
	Mailing Address:						
	City:		State:		Zip:		
	Telephone:		E-mail:				

4.	JUSTIFICATION/REASON FOR AP	PEAL							
	Is the entire decision, or only parts o	f it being appealed?	☑ Entire	☑ Part					
	Are specific conditions of approval b	eing appealed?	☐ Yes	☑ No					
	If Yes, list the condition number(s) here:								
	Attach a separate sheet providing your reasons for the appeal. Your reason must state:								
	The reason for the appeal How you are aggrieved by the decision								
	 Specifically the points at issue Why you believe the decision-maker erred or abused their discretion 								
5.	APPLICANT'S AFFIDAVIT								
	I certify that the statements contai ned in this application are complete and true:								
	Appellant Signature: Date: 9/24/16								
6.	FILING REQUIREMENTS ADDITIONAL INFORMATION								
	• Eight (8) sets of the following	documents are required fo	or <u>each</u> appeal filed	(1 original and 7 duplicates):					
	Appeal Application (for the street of t								
	 Justification/Reason for Appeal Copies of Original Determination Letter 								
	 A Filing Fee must be paid at the time of filing the appeal per LAMC Section 19.01 B. 								
	 Original applicants must provide a copy of the original application receipt(s) (required to calculate their 85% appeal filing fee). 								
	 All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of the receipt. 								
	 Appellants filing an appeal from a determination made by the Department of Building and Safety per LAMC 12.26 K are considered Original Applicants and must provide noticing per LAMC 12.26 K.7, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt. 								
	 A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self. 								
	Appeals of Density Bonus cases can only be filed by adjacent owners or tenants (must have documentation).								
	 Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the <u>date of the written determination</u> of said Commission. 								
	 A CEQA document can only be appealed if a non-elected decision-making body (ZA, APC, CPC, etc.) makes a determination for a project that is not further appealable. [CA Public Resources Code ' 21151 (c)]. 								
	This Section for City Planning Staff Use Only								
E	ase Fee:	Reviewed & Accepted by	DSC Planner):	Date:					
	89	Junen bo		Spt- 26, 2016					
F	eceipt No: 0.1144	Deemed Complete by (Pro	oject Planner):	Date.					
-	Determination authority notified	☐ Origina	receipt and BTC rec	eipt (if original applicant)					

Exhibit A

EXHIBIT A

APPEAL OF CPC-2014-1771-GPA-VZC-SN-VCU-MCUP-CUX-ZV-SPR

I. Introduction

On August 11, 2016 the Los Angeles City Planning Commission ("Planning Commission") considered Case No. CPC-2014-1771-GPA-VZC-SN-VCU-MCUP-CUX-ZV-SPR. The Planning Commission approved General Plan Amendments, a Zone Change, the creation of a Supplemental Use Sign District, three Conditional Use Permits, an Off-Street Parking Reduction, three variances, and Site Plan Review; adopted Conditions of Approval and Findings; and recommended that the City Council find that the project was assessed in the Reef FEIR (ENV-2014-1773), and adopt the General Plan Amendments, Zone Change, Supplemental Use Sign District, and the Findings and Conditions of Approval (together, the "Planning Commission action"). United Neighbors In Defense Against Displacement ("UNIDAD") herein appeals the Planning Commission action to the Los Angeles City Council.

The project site is located at 1900-1933 Broadway, 104-122, 132-150 Washington Blvd.; 1900-1912 Hill St.; and 1905-2009 Main Street. PHR LA MART, LLC (the "Applicant") has requested all of the above-mentioned discretionary approvals – over a dozen in total – to enable the development of multiple high- and mid-rise buildings with 1,444 market rate condominiums and apartments, significant retail use, a 208 key hotel, and an unprecedented display of intense signage ("the Project" or "the Reef"). Currently, the project site is zoned M1-2-O, and has a General Plan land use designation of "Limited Manufacturing." The M1 zone does not permit the uses proposed for the Project. As a result, the Applicant seeks to change the zone to (T)(Q)C2-2-O-SN. The "Limited Manufacturing" land use designation does not permit the uses proposed for the Project either. As a result, the Applicant also seeks a General Plan Amendment to change the General Plan use designation to "Community Commercial." However, the "Community Commercial" use designation does not permit the density proposed for the Project, so the Applicant seeks another General Plan Amendment to exempt the Project from the density limitation set forth in Community Plan Footnote 1 and allow the Project to be built at Height District 2.

As described below, UNIDAD appeals the Planning Commission's action because the findings and conclusions contained therein are not supported by substantial evidence, and because the decision to approve the Project is an abuse of discretion, lacking in evidential support and arbitrary and capricious. UNIDAD is a coalition of tenants, homeowners, workers, business owners, students, teachers, healthcare providers and advocates, faith congregations, and community-based organizations who work together to create a healthy and strong South Los Angeles community by ensuring that the interests of low-income communities, especially low-income communities of color, are represented in the decisions and processes that drive development in South Los Angeles. UNIDAD appeals the Planning Commission action because its members will be adversely affected by the Project, as proposed.

¹ Determination Letter is attached at Exhibit B.

Further, UNIDAD hereby adopts as part of this appeal, and incorporates by reference the comments regarding the Project contained in the September 19, 2016 UNIDAD Appeal of VTT-72914 to the City Council (Exhibit C); the July 15, 2016 UNIDAD Appeal of VTT-72914 to the City Planning Commission (Exhibit D); the August 8, 2016 Comment Letter to the City Planning Commission (Exhibit E); the June 20, 2016 UNIDAD Comment Letter (Exhibit F); the August 10, 2016 UNIDAD FEIR Comment letter (Exhibit G); the November 2, 2015 Public Counsel DEIR Comment Letter (Exhibit H); and the November 2, 2015 UNIDAD DEIR Comment Letter (Exhibit I).

II. The City Planning Commission Affordable Housing Recommendations.

In its application, the Applicant proposed to construct 549 market rate rental units, 895 market rate condominium units, and zero affordable units on a site that is less than a quarter mile from a major transit stop. At its August 11, 2016 hearing, the Planning Commission recommended a new Development Agreement term that would provide for "five (5) percent of the approved number of rental dwelling units to be reserved for Low Income Households." However, with 549 proposed rental units, the Planning Commission recommendation amounts to just 28 units of affordable housing -1.9% of the total units in the Project. Moreover, because the Planning Commission's recommendation is tethered to the number of rental units, and not a percentage of the total, the number of affordable units could actually decrease even further if the rental-to-condo ratio changes.

III. The Project Is Inconsistent With Numerous General Plan Policies and Programs, and Does Not Conform to Good Zoning Practice.

The Project requires over a dozen different discretionary land use entitlements, including General Plan Amendments, a Zone Change, a Tentative Tract Map, multiple Conditional Use Permits and Variances, FAR averaging and the creation of a new Sign District. Each of these entitlements requires the City to find that the Project is consistent with the General Plan and/or in conformity with good zoning practice. As the Project is currently proposed, the City cannot make these findings.

In a letter to Department of City Planning Staff dated June 20, 2016 and a letter to the Planning Commission dated August 8, 2016, incorporated herein by reference, UNIDAD identified numerous General Plan policies and programs intended to: (a) protect affordable housing incentive programs; (b) increase affordable housing near transit; (c) prevent displacement and avoid the loss of affordable housing; and (d) reduce homelessness. As described below, the Planning Commission Findings improperly fail to acknowledge or assess the Project's consistency with many of these relevant General Plan policies and programs. Moreover, the Project is plainly inconsistent with many of these General Plan policies and programs. As a result, the Planning Commission Findings are not supported by substantial evidence and the Planning Commission's decision to approve the Project was arbitrary and capricious, lacking in evidentiary support, and an abuse of discretion.

² Los Angeles City Planning Commission, Letter of Determination for Case No. CPC-2014-1772-DA, 8.

a. As proposed, the Project would improperly undermine existing affordable housing programs.

A number of General Plan policies and programs direct the City to bolster, and to avoid undermining, existing affordable housing incentives. For example:

General Plan Housing Element Program 73: "When building envelopes are increased, take care not to undermine the density bonus program. Aim to attach community benefits, including affordable housing, to significant bonuses in floor area and density."

General Plan Housing Element Program 99: "Explore ways to improve affordable housing production under the [Downtown Affordable Housing Bonus] program..."

General Plan Housing Element Program 101: "Take care to not undermine the density bonus program by providing significant land-use incentives without an affordable housing provision..."

General Plan Framework Element Policy 4.1.6: "Create incentives and give priorities in permit processing for low- and very-low income housing developments throughout the City."

General Plan Framework Element Policy 4.2.1: "Offer incentives to include housing for very low- and low-income households in mixed-use developments."

Whether the Project includes zero affordable housing as proposed by the Applicant, or 1.9% affordable housing as recommended by the Planning Commission, it is clearly inconsistent with the above General Plan programs and policies relating to the integrity of existing land use incentives. Well-established state and local policies dictate that increases in the building footprint should be aligned with the provision of certain minimum percentages of on-site affordable housing. The State Density Bonus law, the City's Density Bonus ordinance, the Downtown Housing Incentive floor area bonus, the Draft Southeast LA Community Plan and numerous other local programs are all predicated on aligning density increases with on-site affordable housing. The General Plan plainly calls on the City to strengthen affordable housing incentive programs and avoid undermining the density bonus. State law requires the same.³

Because current zoning does not allow residential use on the site, the Applicant is seeking a Zone Change and a General Plan Amendment to change the use designation from "Limited Manufacturing" to "Community Commercial." But the General Plan limits the "Community Commercial" zone to a floor-area-ratio (FAR) of 1.5:1 for this site. So the applicant seeks another General Plan Amendment to exempt the Project from the density limits of Community Plan Footnote 1 and instead allow Height District 2 and 6:1 FAR on the site. The first part of the General Plan Amendment would allow residential use where none was previously allowed. The second part would create a 400% increase in allowable residential density (from 1.5 FAR to 6 FAR) just for this single Project site. Under state and local density bonus law, to achieve a

³ California Government Code § 65917 ("a locality shall not offer a density bonus or any other incentive that would undermine the intent of [state density bonus law].").

density increase of 35% or greater, the Project would need to provide at least 11% units affordable to Very Low Income Households or 20% units affordable to Low Income Households.⁴

Here, the Applicant proposes to bypass the requirements of state and local density bonus law under the guise of a Zone Change and General Plan Amendment. These requested changes would increase the allowable density for only this Project. The Applicant proposes zero on-site affordable housing, while the Planning Commission recommends just 1.9%. In either case, the Project would enjoy the maximum benefits of the density bonus law without meeting even the minimum requirements to qualify. This is the very definition of undermining the density bonus. Thus the Planning Commission action is contrary to state law, entirely inconsistent with the City's General Plan, and further, represents a failure to implement the mandatory programs of the Housing Element described in detail above.

b. The Project conflicts with General Plan policies to increase affordable housing near transit.

A number of General Plan objectives, policies and programs highlight the importance of creating significant new affordable housing, especially in developments near transit. As proposed, the Project is inconsistent with these objectives, policies and programs. For example:

Southeast LA Community Plan Policy 1-2.2: "Locate senior citizen housing and mixed income housing, when feasible, near commercial centers and transit and public service facilities." <u>Program</u>: "Utilize the incentive programs such as the Density Bonus Program, F.A.R. allowances to encourage the development of these units in the desired locations."

Southeast LA Community Plan Policy 11-2.3: "Maximize opportunities for affordable housing and pedestrian access adjacent to rail stations."

General Plan Housing Element Policy 1.1.2: "Expand affordable rental housing for all income groups that need assistance."

General Plan Housing Element Policy 2.5.1: "Target housing resources, policies and incentives to include affordable housing in residential development, particularly in mixed use development, Transit Oriented Districts and designated Centers."

General Plan Housing Element Policy 2.5.2: "Foster the development of new affordable housing units citywide and within each Community Plan Area."

⁴ See Cal. Gov. Code § 55915 (f) ("the amount of density bonus to which the applicant is entitled *shall* vary according to the amount by which the percentage of affordable housing units *exceeds* the percentages established in subdivision (b).")(emphasis added); Los Angeles Municipal Code § 12.22A25 (c)(1). Under the DTHI floor area bonus (Los Angeles Municipal Code §12.22 A.29), the Reef would need to provide 5% units for Very Low Income Households, and either 10% for Low Income or for 15% Moderate Income Households.

⁵ State law defines a "density bonus" as any "density increase over the otherwise maximum allowable residential density as of the date of the application." Cal. Gov. Code § 65915(f).

General Plan Housing Element Program 8: "Explore the feasibility and appropriateness of creating affordable housing requirements for projects that receive benefits from the City, including projects that receive City subsidies or City land, projects receiving zone changes that result in significantly more units than otherwise permitted, as well as projects that obtain a Development Agreement."

A Project with zero affordable housing, or – as modified by the Planning Commission recommendation – with 1.9% affordable housing, is a Project that fails to maximize affordable housing near transit and fails to contain any meaningful percentage of affordable housing. As such, approval of the Project is in direct contradiction of the General Plan policies and programs described above.

The Planning Commission also finds that the Project is consistent with Southeast Los Angeles Community Plan ("SELA CP") Objective No.1-2, which calls for reducing vehicle trips. The Project cannot be found to comply with this Objective because it will actually generate hundreds of additional daily vehicle trips. To truly reduce vehicle trips consistent with Objective No. 1-2, the Project should include adequate on-site affordable housing. In California, higher income households own twice as many vehicles and drive twice as many miles as extremely low-income households living near transit. Siting affordable housing near transit is a "powerful and durable GHG reduction strategy." This is why SELA CP Policy 1-2.2 and its implementing program specifically call for locating mixed-income housing near transit, and other amenities, through use of the density bonus and other affordable housing incentive programs. Without sufficient on-site affordable housing, the Project misses a valuable opportunity to reduce vehicle trips and is inconsistent with SELA CP Objective No. 1-2, SELA CP Policy 1-2.2 and its implementing program.

c. The Project fails to adequately address displacement and community destabilization impacts.

Numerous General Plan objectives, policies and programs involve preventing displacement and avoid the loss of affordable housing and local small businesses. As proposed, the Project is inconsistent with these objectives, policies and programs. For example:

Southeast LA Community Plan Policy 1-5.2: "Ensure that new housing opportunities minimize displacement of the residents." Program: "Require that a decision-maker adopt a finding which addresses any potential displacement of residents as part of any decision relating to the construction of new housing."

Southeast LA Community Plan Policy 2-1.4: "Ensure the viability of existing neighborhood stores (i.e., mom-and pop) which support the needs of local residents and are compatible with the neighborhood."

⁷ Los Angeles City Planning Commission, Letter of Determination for Case No. CPC-2014-1771-GPA-VZC-SN-VCU-MCUP-CUX-ZV-SPR (hereafter, "Planning Commission Determination Letter"), F-2, F28, F-32,F-49, F-51.
⁸ See Reef Project DEIR, section IV.N Transportation at IV.N-22, (September 2015).

⁹ See California Housing Partnership Strategy & Transform, Why Creating and Preserving Affordable Homes Near Transit Is a Highly Effective Climate Protection Strategy, 3, 2014.

General Plan Housing Element Objective 1.2: "Preserve quality rental and ownership housing for households of all income levels and special needs."

General Plan Housing Element Policy 1.2.2: "Encourage and incentivize the preservation of affordable housing, including non-subsidized affordable units, to ensure that demolitions and conversions do not result in the net loss of the City's stock of decent, safe, healthy or affordable housing."

General Plan Housing Element Policy 1.2.8: "Preserve the existing stock of affordable housing near transit stations and transit corridors. Encourage one-to-one replacement of demolished units."

General Plan Health Element Policy 1.7, Displacement and Health: "Reduce the harmful health impacts of displacement on individuals, families, and communities by pursuing strategies to create opportunities for existing residents to benefit from local revitalization efforts by: creating local employment and economic opportunities for low-income residents and local small businesses; expanding and preserving existing housing opportunities available to low income residents; preserving cultural and social resources; and creating and implementing tools to evaluate and mitigate the potential displacement caused by large-scale investment and development. [...] While communities naturally change over time, major revitalization efforts that have the potential to cause displacement should be evaluated and mitigated."

General Plan Health Element Program 86, Displacement: "To mitigate displacement, leverage government resources (including land) to preserve the social, cultural and economic diversity of the city. Evaluate best practices to develop criteria to assess the displacement potential of low-income and vulnerable populations; identify and implement an array of mitigation tools that can preserve existing small businesses and affordable housing for low-income households; and create opportunities for low-income and vulnerable populations to access the benefits created by new development and investment in their neighborhoods."

As proposed, the Project threatens to add to the daunting displacement pressures experienced by lower income, rent burdened households in the area. According to the Reef Project Health Impact Study (included in Exhibit I), over 40,000 people have a moderate to very high risk for financial strain and/or displacement as a result of the Project's impacts on housing cost in the surrounding area. Within the South Central community that would be impacted by the Project, thousands of households are already rent burdened, and a large number of subsidized affordable housing units are at risk of converting to market rate in the near future. The Health Impact Study also highlights the potential for this Project to contribute to disruption and

¹⁰ Human Impact Partners, Assessing Health and Equity Impacts of the Proposed Reef Development Project in South Central Los Angeles, 19-20 (October, 2015) (hereafter, "Reef Project Health Impact Study"). Available at http://www.humanimpact.org/news/reefdevelopmentproject/.
http://www.humanimpact.org/news/reefdevelopmentproject/.

destabilization for small local businesses. ¹² In a letter to the City Council, the Los Angeles County Department of Public Health further advises that "[m]oving frequently leads to housing instability and has negative impacts on children including increased absenteeism and poor performance in school, which is linked with negative health and social outcomes." ¹³

Unmitigated, these displacement and community destabilization risks cause the Project to conflict with numerous General Plan policies, and clearly implicate the public health considerations outlined in the City's Health Element. The Planning Commission Findings fail to acknowledge the health impacts of displacement and the Project's inconsistency with programs and policies aimed at addressing these impacts. It is not sufficient to merely state that construction of the Project will not remove housing from the Project site. The Findings should acknowledge the broader impacts of large-scale development in historically disinvested communities. Per the direction of Health Element Program 86, the City should consider and require an "array of mitigation tools that can preserve existing small businesses and affordable housing for low-income households; and create opportunities for low-income and vulnerable populations to access the benefits created by new development and investment in their neighborhoods." Absent this assessment and mitigation, the Project is inconsistent with the General Plan objectives, policies and programs described above.

d. The Project threatens to exacerbate our City's homelessness crisis.

The General Plan includes objectives, policies and programs to reduce homelessness and provide resources and opportunities to individuals and families experiencing homelessness. As proposed, the Project is inconsistent with these objectives, policies and programs. For example:

General Plan Housing Element Objective 4.1: "Provide an adequate supply of short-term and permanent housing and services throughout the City that are appropriate and meet the specific needs of all persons who are homeless or at risk of homelessness."

General Plan Housing Element Objective 4.2: "Promote outreach and education to: homeless populations; residents; community stakeholders; health, social service and housing providers and funders; criminal justice system agencies; and, communities in which facilities and services may be located."

General Plan Housing Element Policy 4.2.3: "Strengthen the capacity of the development community to locate, construct and manage housing facilities for the homeless."

Council District 9 has the second largest homeless population in the City, and a number of individuals and families experiencing homelessness currently live near the Project site. The Reef Project Health Impact Study notes that local residents and focus group participants fear becoming homeless as a result of increasing displacement pressures in the area. ¹⁴ Yet, as proposed, the Project provides zero affordable housing, (or, under the Planning Commission's

¹² *Id.* at 33-35.

¹³ The County of Los Angeles, Department of Public Health May 23, 2016 Project letter to PLUM (hereafter "DPH Letter").

¹⁴ Reef Project Health Impact Study, 21.

recommendation, a mere 1.9% affordable housing) and fails to address or evaluate opportunities to support community stakeholders, health, social service and housing providers and funders to provide crucial services to the homeless population and to construct and manage housing facilities for the homeless.

In sum, the Findings fail to adequately evaluate consistency with the Community Plan, fail entirely to evaluate consistency with other General Plan policies and programs, and the Project is in fact inconsistent with many General Plan policies and programs. As a result, the Findings are unsupported, and the decision to approve the Project was arbitrary and capricious, lacking in evidentiary support, and an abuse of discretion.

- IV. The Planning Commission's Conditional Use Permit Findings Are Not Supported by the Evidence and Certain Planning Commission Decisions Are Not Supported by the Findings.
 - a. The Planning Commission Findings that the Project will enhance the built environment in the surrounding neighborhood or perform a function or service that is essential to the community is unsupported.

In order to approve a Conditional Use Permit ("CUP"), the Planning Commission must find that the Project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.¹⁵

With respect to the CUP to allow floor area ratio averaging, Conditional Use Finding 3a provides no evidence at all that the Project meets the above requirement. The Finding simply asserts that "[t]he development of the project, including the employment, community serving and residential uses near transit, will enhance the built environment in the surrounding neighborhood and will perform a function and provide a service that is essential or beneficial to the community, city or region." This assertion follows three paragraphs describing the Project in neutral terms with no analysis regarding its likely benefits or detriments to the surrounding community. The Finding provides no reasoning to "bridge the analytic gap" between the description of the Project and the legally required findings. This single, conclusory sentence is inadequate to constitute the finding necessary for approval of a Conditional Use Permit to allow floor area ratio averaging.

¹⁵ LAMC § 12.24E.

¹⁶ Planning Commission Determination Letter, Conditional Use Findings, F-21-24.

¹⁷ Id at F-22

¹⁸ Topanga Assn. for a Scenic Community v. County of Los Angeles, 11 Cal.3d 506, 515 (1974)(finding that "the agency which renders the challenged decision must set forth findings to bridge the analytic gap between the raw evidence and ultimate decision or order.")

b. The Conditional Use Permit Finding that the Project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety is not supported by substantial evidence.

The Conditional Use Findings inadequately analyze the Project's potential to adversely affect adjacent properties, the surrounding neighborhood, public health, welfare and safety. Specifically, the Findings contain no discussion of the potential adverse effects associated with construction of 1,444 market rate housing units in a low-income neighborhood with a high incidence of rent burdened households. ¹⁹

In contrast, the Reef Project Health Impact Study demonstrates that the Project will adversely affect the health and welfare of the surrounding community by increasing the cost of housing, and in turn, increasing financial strain and exacerbating displacement pressures.²⁰ For example, the Reef Project Health Impact Study found:

"Housing instability, living in substandard housing, overcrowding, and homelessness are all determinants of poor health that can be caused by the financial strain of gentrification. These health determinants can have negative impacts on mental and physical health for adults, and can also specifically impact children...There are significant associations between high housing costs and hunger, inadequate childhood nutrition, and poor childhood growth." ²¹

The Reef Project Health Impact Study also notes:

"Disruption of social networks through forced serial displacement and root shock can lead to additional health challenges including exposure to fragmented social environments that have higher rates of violence and sexually transmitted diseases. Multi-generational traumas of this nature can potentially influence the genetic makeup of future generations, leaving them more physiologically susceptible to the impacts of stress."²²

Furthermore, as discussed above, in a letter to the City Council, the Los Angeles County Department of Public Health further advises that "[m]oving frequently leads to housing instability and has negative impacts on children including increased absenteeism and poor performance in school, which is linked with negative health and social outcomes." And the City of Los Angeles' own General Plan Health Element explicitly acknowledges the many negative public health consequences of displacement.²⁴

¹⁹ Planning Commission Determination Letter, Conditional Use Findings, F-25-27.

²⁰ Reef Project Health Impact Study, 19-20.

²¹ *Id.* at 25.

²² *Id.* at 4.

The County of Los Angeles, Department of Public Health May 23, 2016 Project letter to PLUM (hereafter "DPH Letter").

²⁴ See Plan for a Healthy Los Angeles, A Health and Wellness Element of the General Plan, at 32 (March 2015). Available at http://planning.lacity.org/cwd/gnlpln/PlanforHealthyLA.pdf.

Given the demonstrated displacement threats posed by the Project and the corresponding public health risks, the Planning Commission Finding that the Project "will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety" is without merit, and not supported by the evidence.²⁵

Additionally, the Project may result in secondary land use impacts on surrounding properties. As demonstrated in DEIR Figure IV.J-4, most of the surrounding properties are zoned M1 or M2. Pursuant to the City of Los Angeles Zoning Code, certain allowable uses on M1 and M2 parcels may be limited when a more restrictive use is in the vicinity. As well, a significant mixed use project with 1,444 new residential units in the immediate vicinity of industrial zoned property will likely result in those nearby locations no longer being marketable as industrial sites. The Findings fail to discuss the impact the Project will have on otherwise allowable uses on nearby M1 and M2 parcels. As such, the Planning Commission Findings are insufficient and not based on substantial evidence.

c. The Project does not substantially conform to the purpose, intent and provisions of the General Plan, the applicable Community Plan, and any applicable Specific Plan.

In order to approve a CUP, the City must find that the Project substantially conforms to the purpose, intent and provisions of the General Plan, the applicable Community Plan, and any applicable Specific Plan. For the reasons described below, the evidence does not support this Finding and the Planning Commission's approval of the CUPs is an abuse of discretion.

The Conditional Use Findings for all three CUPs state that the Project is consistent with the Southeast LA Community Plan. As noted in Section III above, the Project is in fact inconsistent with numerous relevant policies and programs in the Community Plan. And, as also noted above, the Project is inconsistent with numerous other General Plan policies and programs. As a result, the Planning Commission Conditional Use Findings are unsupported and the decision to approve the CUPs is an abuse of discretion.

The Conditional Use Findings for a Major Development CUP state that the Project is consistent with certain objectives of the "Council District Nine Corridors South of the Santa Monica Freeway" Redevelopment Plan relating to job retention, business expansion, consumer retail, transportation services, and an objective for "housing for all income levels to be provided..."²⁹

The Project cannot be found to be consistent with an objective promoting housing for all income levels when the Applicant proposes zero affordable housing and the Planning Commission recommends only 1.9% units be affordable for Low Income Households. Moreover, the Findings plainly ignore Objective 7: "The cultural heritage of the area to be preserved and promoted." In reality, the Project threatens to immediately impact and over the long term erase

²⁵ Planning Commission Determination Letter, Conditional Use Findings, F-26.

²⁶ See, e.g., LAMC § 12.19A4(b)(3); LAMC § 12.17.6A.10; LAMC § 12.17.6A.11.

²⁷ Planning Commission Determination Letter, Conditional Use Findings, F-26.

²⁸ *Id.* at F-27-34.

the cultural heritage of this traditionally lower-income community of color. As noted by the Los Angeles County Department of Public Health, the Project's lack of affordable housing is likely to result in the displacement of current neighborhood residents, many of whom have lived there for generations. A project that stands to displace existing residents through gentrification and rent pressures cannot be described as preserving the cultural heritage of the area. Until these risks are addressed, the Project, as proposed, is inconsistent with this Objective.

The Conditional Use Findings for a Major Development CUP also state that the Project incorporates certain elements of the Downtown Housing Incentive Area (DTHIA), including unlimited density within the relevant FAR. This assessment of the DTHIA is incomplete at best.

The Planning Commission Findings fail to note that the DTHIA ordinance includes a floor area bonus program, and fail to address the Project's consistency with that program. Like the density bonus, this program aligns increased FAR with the provision of minimum percentages of on-site affordable housing. Here, the Project proposes a site-specific General Plan Amendment that would exempt the Project from Community Plan Footnote 1 for the sole purpose of allowing greater density than otherwise allowed. The proposed modification of Footnote 1 is an end-run around the DTHIA floor area bonus in that it provides increased allowable floor area for an individual project without the corresponding level of on-site affordable housing that would otherwise be required by the DTHIA. This evasion of the floor area bonus program renders the Project inconsistent with the DTHIA regulations. As a result, the Conditional Use Finding alluding to DTHIA consistency is unsupported.

d. The additional Planning Commission Findings necessary to approve a Conditional Use Permit for alcohol sales are not supported by substantial evidence.

The Planning Commission has approved a Master Conditional Use Permit allowing 20 on- and off-site licenses for the sale of alcohol, despite the Project's close proximity to a high school and the resulting undue concentration of establishments selling alcohol in the area.

In order to approve a Conditional Use Permit for alcohol sales, the City must find that "the granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involves public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area."³³

³⁰ Planning Commission Determination Letter, Conditional Use Findings, F-30.

³¹ LAMC §12.22 A.29.

³² Id.

³³ LAMC §12.24 W.1(a)(2) (emphasis added).

The Conditional Use Finding for Alcohol Sales, South Los Angeles Alcohol Sales Specific Plan Finding b³⁴ acknowledges that the subject census tract already includes licensed alcohol retailers in excess of the Department of Alcoholic Beverage Control guidelines, including four times the number of off-site alcohol retailers.³⁵ If the alcohol licenses contemplated by the Conditional Use Permit are issued, the census tract will include *six times* the number of off-site licenses and *over ten times* the number of on-site licenses allocated by the Department of Alcoholic Beverage Control guidelines. The Planning Commission Findings further acknowledge that the number of crimes reported to the relevant LAPD crime reporting district far exceeds the citywide average and is more than twice the average for "high crime" reporting districts.³⁶ Both the above Findings militate toward denying the Conditional Use Permit for alcohol sales. Nevertheless, the Planning Commission Finding merely notes that standard conditions requiring surveillance cameras and age verification have been imposed. This anemic response fails to demonstrate that the Project will not result in an undue concentration of establishments selling alcohol. As a result, the Findings are not supported by substantial evidence.

Furthermore, in direct contradiction of the Municipal Code requirements, the Findings do not include any assessment of the number and proximity of establishments selling alcohol within a one thousand foot radius of the site, nor do the Findings assess whether revocation or nuisance proceedings have been initiated for any use in the area.

e. The additional Planning Commission Major Development Project Findings are not supported by substantial evidence.

In order to approve a CUP for a Major Development, the City must find "that the project provides for an arrangement of uses, buildings, structures, open spaces, and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood."³⁷

The Planning Commission Conditional Use Finding 3d for a Major Development Project goes into great detail describing the proposed building design, materials to be used, and amenities future residents will enjoy (e.g. multiple swimming pools, a spa, and a "yoga lawn"). Despite these details, the Finding includes little discussion of whether the Project is compatible with the scale and character of the surrounding neighborhood.

The Finding neglects to acknowledge or adequately evaluate the compatibility of the Project, including the proposal to erect large signage next to major freeways, the impacts of luxury housing on neighboring rental housing stock, and other important considerations regarding such a substantial change of use on the site.

³⁴ Planning Commission Determination Letter, Findings, F-38-39.

³⁵ *Id.*, at F-38.

³⁶ *Id.*, at, F-39.

³⁷ LAMC § 12.24U.13.(b)(1).

³⁸ Planning Commission Determination Letter, Findings, F-34-36.

The Finding that the project will provide "much-needed housing ... to meet the needs of the growing residential population in the area" ³⁹ is an affront to the surrounding community, which is intensely rent-burdened, financially strained, and too often living in overcrowded housing. The Applicant has proposed this Project with *zero* affordable housing, and the Planning Commission has recommended that it include only 1.9% affordable housing. Clearly, a project where over 98% of the units will be unaffordable is not providing housing to area residents (though such housing is "much-needed"). The Planning Commission Finding that the use of the buildings, structures, and open spaces is compatible with the surrounding neighborhood is not supported by substantial evidence.

Furthermore, the Finding states that existing buildings in the surrounding area include "the Panama Travel Agency, Sports Museum and Santee Education Complex to the east; a furniture store, 12-story creative office building, and a variety of retail stores to the north; the Los Angeles Municipal Court building and DMV vehicle inspection site to the west; and a variety of retail and commercial supply stores to the south." As none of these uses are residential, none are comparable to the Project. It goes without saying, but high schools and retail stores without residential uses are clearly inappropriate and non-instructive examples when considering the impacts of adding 1,444 housing units on an industrially zoned site. The nearest residential use is the Rutland apartment building directly north of the Project site. The Rutland building contains 127 residential units. In contrast, the Project would create 1,444 residential units among 10 low- and mid-rise buildings, a 35-story residential tower, a 32-story residential tower, and another 19-story hotel tower. None of the uses discussed in the Findings are instructive in evaluating the Project's compatibility with the surrounding neighborhood, and, therefore, the Planning Commission Finding is not supported by substantial evidence.

V. The Project is Inconsistent with the Draft Southeast Los Angeles Community Plan.

The Department of City Planning is currently in the process of updating the Southeast Los Angeles Community Plan. The most recent draft of the plan was revised in October 2014, while a new draft of the Community Plan Implementation Overlay (CPIO) was released in July, 2016.

To support the approvals, the Planning Commission Findings imply consistency with the Draft Community Plan's programs and proposed use designation, stating that "[t]he Draft Southeast Los Angeles Community Plan seeks to amend the community plan map," and "seeks to change the project site...from 'Limited Manufacturing' to 'Community Commercial.'" While noting the Project's consistency with the proposed change of use for the site, this Finding completely fails to account for the Project's dramatic *inconsistency* with the Draft Community Plan's density regulations. The Finding also neglects to mention that the Project is inconsistent with many of the Draft Community Plan's fundamental policies and programs.

³⁹ *Id.* at F-36.

⁴⁰ *Id.* at F-34.

⁴¹ See, e.g., Planning Commission Determination Letter, Findings, F-1, F-11, F-52

The draft CPIO would allow density greater than 1.5:1 FAR on the Project site *only for projects that provide minimum percentages of on-site affordable housing*⁴² In addition, the CPIO would only permit the type of parking reduction sought by the Applicant if the Project included on-site affordable housing.⁴³ As the Project would have an FAR at 6:1 and reduced parking, but fails to provide more than 1.9% affordable housing, it is patently inconsistent with the CPIO. Thus the Finding alluding to the Project's consistency with the Draft Community Plan is unsupported.

In addition to the affordable housing provisions in the CPIO, the Draft Community Plan also contains a number of policies and programs that are inconsistent with the Project. For example:

<u>Policy LU 1.5</u>: "Encourage affordable housing options by promoting ... the density bonus ordinance."

<u>Policy LU4.1</u>: "Maintain and increase the commercial employment base for community residents through local hiring, job resource centers and job training."

<u>Policy LU5.6</u>: "Prioritize housing that is affordable to a broad cross-section of income levels and that provides the ability to live near work."

<u>Policy LU18.3</u>: "Prioritize new housing for the transit-dependent community and discourage upscale luxury housing at TODs in Southeast Los Angeles, which has a large transit-user and low income population."

<u>Policy LU18.4</u>: "Promote and incentivize mixed income and/or affordable housing in TODs"

<u>Policy LU 18.7</u>: "Discourage the displacement of existing residents in TODs and encourage the protection of affordable housing units protected by the Rent Stabilization Ordinance."

<u>Program 17</u>: "The CPIO provides incentives for the development of mixed-income and affordable housing within LRT station areas, along commercial corridors that are well-served by transit and in close proximity to jobs, services and facilities."

As set forth in the above programs and policies, the Draft Community Plan clearly advances a comprehensive vision for transit-oriented development in the Southeast LA Community Plan Area. The Draft Community Plan calls for TOD projects that include meaningful housing opportunities for low-income core riders and contribute economic opportunities to local residents. Lacking a meaningful on-site affordability component, the Project is inconsistent with this vision, and the Community Plan programs and policies described above. It also threatens the kind of community destabilization that directly contradicts the goals

⁴² Draft Southeast Los Angeles Community Plan Implementation Overlay, Table 2-2, requiring at least 11% Extremely Low Income, 12% Very Low Income or 14% Low Income units.

⁴³ *Id.* at 32.

and objectives outlined above. The Findings fail to address any of these issues, and fail entirely to discuss the Project's consistency with the above programs. As a result, those Planning Commission Findings that suggest consistency with the Draft Community Plan are not supported by the evidence.

VI. The Project is Inconsistent with the City's Industrial Land Use Policy.

The Planning Commission recommended approval of a General Plan Amendment to convert the Reef property's land use designation from "Limited Manufacturing" to "Community Commercial." The City's Industrial Land Use Policy (ILUP) sets forth the procedures for evaluating and approving General Plan amendments and zone changes for industrial sites. This well-established city land use policy dictates that in order to qualify for the proposed change of use, the Reef must provide specific Community Benefits, including certain percentages of on-site affordable housing.⁴⁴

The ILUP Staff Directive literally directs Department of City Planning (DCP) Staff to "recommend approval of applications for changes of use or zone provided Community Benefits are incorporated," and states that "[w]hen considering approval of projects within ... 'transition' Districts, staff recommendations should include Community Benefits set forth below."45 [Emphasis added.] The enumerated Community Benefits include on-site affordable housing units at percentages that meet or exceed 10% for Very Low Income Households or 15% for Low Income Households. 46 This directive is repeated throughout the ILUP. To be very clear: the ILUP does not require the City to retain the Reef's industrial land use designation. However, if a conversion is approved, the ILUP does call for specific Community Benefits, including minimum percentages of on-site affordable housing.

The Commission approved the General Plan Amendment and recommended 1.9% (or 28 units) affordable housing for Low Income Households. This is an improvement from the Applicant's proposal of zero affordable units, but is still 189 units short of what the ILUP calls for. The Planning Commission Findings acknowledge the applicability of the ILUP to this Project – but fail to mention the on-site affordable housing provisions.⁴⁷ This omission is both alarming and deeply troubling. Planning Commission Findings should provide a complete account of the policies they cite, not just cherry-picked provisions that support approval. Without accounting for the ILUP's on-site affordable housing provisions, the Planning Commission Findings are unsupported.

⁴⁴ Los Angeles ILUP, Staff Direction Memorandum Regarding Industrial Land Use and Potential Conversion to Residential or Other Uses [hereafter, "Staff Directive."], 5. Available at http://planning.lacity.org/Code_Studies/LanduseProj/Industrial_Files/StaffDirections.pdf.

45 Id., at 5 and 8.

46 Id., at 8.

⁴⁷ Planning Commission Determination Letter, Findings, F-1.

VII. The Sign District Should Not Have Been Approved.

a. The proposed Sign District does not conform to public necessity, convenience, general welfare and good zoning.

The Applicant has requested a Supplemental Use District - Sign District to allow the Project to erect nearly a *quarter million* square feet of signage, including animated digital signs and off-site advertising. As On August 11, 2016, the City Planning Commission approved the creation of a Sign District that, while not including all of the Applicant's outlandish requests, still allows over 50,000 square feet of signage, exempts the signage from the City's "Freeway Exposure" and "Hazard to Traffic" regulations, and includes digital signs and off-site advertising. As

Approval of a Sign District requires the Planning Commission, and the Council, to find that the Supplemental Use Sign District will be in conformity with public necessity, convenience, general welfare and good zoning practice. ⁵⁰ For either the sign district originally proposed by the Applicant, or the sign district approved by the Planning Commission, there is not adequate evidence to support the necessary findings.

The Planning Commission found that "[t]he Sign District will enhance the environment by complementing the existing uses in the area". and that the large-scale signage is oriented towards Washington Boulevard "away from existing residential neighborhoods." However, the Findings make no mention of the 127 unit residential Rutland Apartment building just across Washington Boulevard. The Sign District will allow large-scale signs, illuminated into the evening hours, oriented toward this existing residential use. Public Counsel's DEIR Comment Letter cited studies showing the negative impact on human health from exposure to excessive artificial nighttime lighting. As discussed below, the impacts of large-scale illuminated signage will be detrimental and significant – contrary to the general welfare. Approval of the Sign District was arbitrary and capricious.

Additionally, approval of the Sign District, which exempts signs from the City's Sign Ordinance "Hazard to Traffic" and "Freeway Exposure" regulations, threatens to invalidate the City's hard fought restrictions on freeway facing signs. The Staples Center and the Fifteenth Street SUD similarly exempted signs from the freeway exposure regulations, leading to a lawsuit challenging the constitutionality of the City's ban on freeway facing signs. The freeway restrictions survived the legal challenge in *World Wide Rush LLC et al v. City of Los Angeles* only because those districts furthered the City's objectives in "traffic and aesthetics." Here, those arguments are absent. The Planning Commission Findings include a section titled "The

⁴⁸ DEIR at II-30.

⁴⁹ See, Planning Commission Determination Letter, The Reef Transit-Oriented Sign District Ordinance, Section 3.B (allowing off-site advertising), Section 8.C(exempting signs from the "Hazard to Traffic" and "Freeway Exposure" regulations), and Section 8.D(b)(allowing digital displays in Vertical Level 2 of Sign Zone A).

⁵⁰ LACC § 558(b).

⁵¹ Planning Commission Determination Letter, Findings, F-18.

⁵² *Id.* at F-17.

⁵³ See, infra, Section IX(h).

⁵⁴ Word Wide Rush LLC et al., vs. City of Los Angeles, 606 F.3d 676 (9th Cir. 2010).

Proposed Sign District Would Directly Advance the Purposes of Aesthetics and Traffic Safety," but nowhere in the section does the Planning Commission actually find that traffic safety will be improved by the Sign District. Thus, the Project threatens the City's continued ability to restrict freeway facing signs, and opens up the entire length of every freeway to signage the City has fought so hard to restrict. Adopting a Sign District which threatens to invalidate a bedrock policy of the City's sign regulations, and threatens a proliferation of freeway facing signs that would create hazards to drivers, cannot be considered consistent with good zoning or the general welfare. Approval of the Sign District was arbitrary, capricious, and lacking in evidentiary support.

b. The Planning Commission Sign District Findings are inconsistent with the Planning Commission's approved Sign District Ordinance.

The Planning Commission Findings regarding the approved Sign District state that "[d]igital, supergraphic, and roof signs are prohibited," and that "[t]he Sign District prohibits *all digital signs* including aerial view signs, architectural ledge signs, banner signs, building identification signs, channel letter signs, freeway edge signs, and wall murals." ⁵⁶ Despite these explicit and unequivocal Findings, the Sign District Ordinance proposed by the Planning Commission appears to allow digital signs in Sign Zone A, Vertical Sign Zone Level 2. ⁵⁷ That is, the ordinance appears to allow 3,747 square feet of new digital signage on the existing Reef building in the vertical zone spanning 25 feet to 75 feet above grade. ⁵⁸ Clearly, approval of the Sign District allowing new digital signs is not supported by findings which state that the Sign District prohibits "all digital signs."

VIII. The Planning Commission Site Plan Review Findings Are Not Supported by Substantial Evidence.

The Planning Commission Site Plan Review Findings are unsupported.⁵⁹ As discussed in Section III and Sections IV(c) and (d) above, the Planning Commission Finding that the Project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan is not supported by substantial evidence. For the reasons discussed in Sections IV(a),(b) and (e), and Section VII(a), the Planning Commission Site Plan Review Finding that the project will be compatible with existing and future development on adjacent properties and neighboring properties is not supported by substantial evidence. For all of the foregoing reasons, the Planning Commission Finding that the Project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties is not supported by substantial evidence.

⁵⁵ Planning Commission Determination Letter, Findings F-19-21.

⁵⁶ *Id.*, at Findings F-15-17.

⁵⁷ See Planning Commission Determination Letter, The Reef Tansit-Oriented Sign District Section 8.D(1)(b)(i)(listing "Digital Displays" and "Integral Digital Displays" as allowed signs.)

⁵⁸ *Id*.

⁵⁹ Planning Commission Determination Letter, Findings F-50-57.

IX. The Project's Request for a Variance with Respect to Tree Planting Should be Denied.

City zoning requires the Project to plant 361 trees. Despite its purported commitment to green, sustainable design, the Project seeks a variance to reduce its tree planting obligation to 289 trees – 72 fewer than required. The Planning Commission Variance Findings on Reduction of On-Site Trees attempts to justify this significant reduction by claiming that so many trees would interfere with the Project's open space design. The Findings also assert that the City's tree planting requirement is out of step with high density urban construction. These Findings are unsupportable. Urban settings, if anything, have greater needs for maximal tree plantings than suburban environments. Urban settings such as the site of the proposed Project are shade starved and in desperate need for more tree canopy. The Findings fail to adequately explain why this variance is necessary. It is unclear how trees interfere with open space, given that trees are traditionally needed for open space to be welcoming and comfortable to human users. Moreover, the Project's request to plant fewer than the required numbers of trees conflicts with the self-described "green" nature of the Project's design.

X. The Evidence Does Not Support Approving a General Plan Amendment, and the Proposed Amendment Was Not Properly Initiated.

The Planning Commission failed to provide sufficient evidence to support the findings required under Charter Section 555 and Municipal Code Section 11.5.6. Moreover, the proposed General Plan Amendment was not properly initiated. Pursuant to the City Charter, a General Plan amendment may only be initiated by the Director of Planning, the City Planning Commission, or the City Council. The Findings state that "the Director of Planning proposed the amendment to the Southeast Los Angeles Community Plan (General Plan Land Use Element), pursuant to Council instructions to the Department of City Planning in a motion by Councilmember Curren Price on May 13, 2014 (Council File No.14-0620)." However, the motion referenced in the Findings was pending in committee for two years, until it expired due to inactivity in July, 2016. As a result, the directive was never adopted by a majority vote, as required for the City Council to initiate a General Plan amendment. Because the Findings state that the General Plan Amendment was initiated "pursuant to Council instructions" in a motion that was never actually adopted by the City Council, the proposed amendment was not properly initiated and the Planning Commission's review and recommendation is not valid.

⁶⁰ The negotiated development agreement approved by the Planning Commission would require the Applicant to pay an "in lieu" fee for the reduced trees. Planning Commission Determination Letter, F-42. An in lieu fee is an inadequate substitute for on-site trees because it does not guarantee that trees will be placed near the Project site or improve the open spaces available to the surrounding community.

⁶¹ *Id.* at F-42-43.

⁶² *Id.* at 44.

⁶³ *ld.* at F-11.

⁶⁴ LAMC § 11.5.6(B).

XI. The FEIR's Conclusions and the Planning Commission's CEQA Findings Are Not Supported by Substantial Evidence.

UNIDAD hereby adopts and incorporates by reference the comments regarding the Project's environmental impacts contained in the September 19, 2016 UNIDAD Appeal of VTT-72914 to the City Council (Exhibit C); the July 15, 2016 UNIDAD Appeal of VTT-72914 to the City Planning Commission (Exhibit D); the August 8, 2016 Comment Letter to the City Planning Commission (Exhibit E); the June 20, 2016 UNIDAD Comment Letter (Exhibit F); the August 10, 2016 UNIDAD FEIR Comment letter (Exhibit G); the November 2, 2015 Public Counsel DEIR Comment Letter (Exhibit H); and the November 2, 2015 UNIDAD DEIR Comment Letter (Exhibit I).

a. The Project aesthetics are entirely different from the current aesthetic of the neighborhood in which the Project would be located, and changes should be made to the Project including fewer signs, smaller and fewer billboards, and less lighting.

The proposed Project's height, size and the number and types of buildings it will contain will be significantly greater than other projects in South Los Angeles. The neighborhood in which the Project is proposed to be built is comprised of small businesses, older residential and commercial buildings, and longtime residents who have established a close-knit and unique community. The Reef Project, as proposed, would stand in stark contrast to the current aesthetic of the area in all aspects of the development, including its size, design, height, and character. The sheer size, and buildings to be included in the Project (a hotel, high-end stores and a supermarket) will effectively transform the aesthetics and character of the neighborhood by virtue of their appearance and the clientele they will attract.

In addition, the Applicant proposes, and the EIR evaluated, a Sign District that would total 234,067 square feet, some of which would be animated and in operation from dawn until 2 a.m. South Los Angeles does not currently contain many high rise buildings, and those that are located in the area are not outfitted with large, animated signs and billboards. As we pointed out in our comments on the DEIR, this quantity and type of signage is more characteristic of Downtown Los Angeles, where the demographics and aesthetics are significantly different than those of South Los Angeles. As stated in the DEIR, the Project, as proposed, "would establish a new visual identity for the otherwise non-descript Project Site and surrounding area, and would serve as a visual focal point in the area." The current neighborhood surrounding the Project site has a distinct, unique and historically robust identity and character, made up of dedicated and connected residents. The City clearly admits that the Reef Project, as proposed, would completely alter this identity. The FEIR should not be approved until measures are implemented to mitigate these impacts and preserve the neighborhood's important character and culture.

⁶⁵ DEIR at IV.B.1-22.

b. The Project will likely result in indirect displacement, and the findings of the Health Impact Study should have been taken into account and the corresponding impacts mitigated.

The Reef Project Health Impact Study was prepared by Human Impact Partners, an independent, well respected, science and research-based organization, which reached its conclusions based on data, facts, direct resident engagement, and peer reviewed articles. Based on this research and studies conducted in other cities in similar communities and areas, the Reef Project Health Impact Study predicted that the effects of the Project could reach up to 43,000 residents in South Los Angeles, and result in their displacement. In the response to comments, the City repeatedly tries to discredit the study through a variety of assertions including that the Study lacks evidence or its conclusions are speculative. In fact, the Study provides ample sources, studies and appendices on which the Study's results were based, and supplements the City's failure to examine indirect displacement impacts of the Project. In addition, because the Project has not yet been built, all predictions, assumptions and assertions made in the FEIR are, in effect, speculative. Therefore, the results of the Reef Project Health Impact Study should be seriously considered, and the anticipated impacts mitigated. It is troubling that the City has elected to dedicate significant staff time and resources to discrediting a robust, communitydriven study, as opposed to utilizing those resources to consider its findings and incorporate measures to mitigate the impacts

Residents of the community surrounding the Project site and in the nearby neighborhood are low-income people of color, who are already overburdened with health issues and rising rents. These individuals and families are already struggling to remain in South Los Angeles, where rent is lower than most other parts of Los Angeles, including Downtown. The charts presented in the response to comments clearly demonstrate that in Downtown Los Angeles, there are substantially more large, multi-unit buildings with significantly fewer persons residing in each unit. 66 The Project, which will contain units similar to those in Downtown Los Angeles, both in cost and in design, will not be affordable for current South Los Angeles residents. Further, the City claims that the area surrounding the Project Site is not conducive to development similar to the Project because of current zoning designations.⁶⁷ It is precisely for this reason that the Project, and its potential for displacement of existing residents and businesses, should be carefully considered; construction of the Project hinges on numerous zone changes requested by the developers. There is a real possibility that the Project will lead to additional developments and changes in the local economy to cater to the higher-income population, which the Project hopes to attract. Such changes are not merely speculative, but have been experienced and documented in other areas, and could drive up the costs of goods, services, and housing, which would displace current residents. The potential for this is well-documented in the Reef Project Health Impact Study.

In the response to comments, the City states that "the Project will operate as an extension of downtown, and that potential future residents will exhibit the characteristics in common with current residents of downtown Los Angeles." Because of the distinct socioeconomic

⁶⁶ FEIR at III-239.

⁶⁷ *Id.*, at III-240.

⁶⁸ *Id.*, at III-246.

characteristics of current South Los Angeles residents as compared to residents of Downtown Los Angeles, this confirms that the project intends to serve a higher-income population than the population that currently resides in the Project area, at the possible expense of these residents. It is critical to the health, survival and integrity of the South Los Angeles community that the Project's potential for displacement is addressed, analyzed and taken into account.

c. The Project's true growth-inducing impacts and cumulative impacts should have been analyzed and mitigated in the FEIR.

The Reef Project has been described as a "catalytic" and "transformative" project, yet the effects of this transformation on the current South Los Angeles population are ignored through the EIR's failure to examine the Project's true growth-inducing and cumulative impacts. There is a concrete potential for the Project to attract a different population than that which currently resides in the Project area by virtue of the luxury housing it intends to provide; this may lead to a shift in the types of services provided in the area, the construction of new retail and other commercial developments to serve new area residents, and economic challenges for existing area businesses serving current residents. Similarly, the FEIR's response to comments repeatedly states that the trend of development in Downtown Los Angeles is moving southward into the Project area, but fails to truly account for the cumulative indirect displacement which may result from this Project, taken in concert with this new development trend.

d. The City should address the Project's potential to exacerbate Los Angeles' current affordable housing crisis by requiring the inclusion of affordable housing.

As mentioned above and in our DEIR comments, the community surrounding the Project site is comprised mainly of low- and very low-income people of color who already live in overcrowded housing, and experience housing insecurity despite an average rent that is significantly lower than average in Los Angeles. Because the Project's impacts will disproportionately affect this community, affordable housing units should be included to ensure that community members are given the opportunity to be included in the development. The DEIR claims that current residents will benefit from the supermarket and other amenities that will be built on site. They should not be excluded from also living on site, and accommodating the local community in the Project will help mitigate a number of impacts identified in the FEIR including displacement impacts, and Air Quality and Climate Change impacts by, for example, increasing transit ridership. The speculation in the response to comments that affordable units may be required in the Project's Development Agreement (and the eventual Planning Commission recommendation for 28 units, or 1.9%) does not remedy the failure to include them as mitigation in the EIR.

e. The FEIR should have included an Environmental Justice section to account for the impacts that will be felt by the low-income community of color surrounding the Project.

Lead agencies are encouraged to include Environmental Justice analyses in EIRs for Projects that are likely to have a significant and disproportionate effect on surrounding

communities or communities of color.⁶⁹ Although CEQA does not explicitly define the term "environment," it is commonly accepted that people make up an important part of the environment. As Attorney General Kamala Harris noted, because "human beings are an integral part of the environment [, in a CEQA analysis,] 'an agency is required to find that a 'project may have a significant effect on the environment' if, among other things, '[t]he environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly." An Environmental Justice analysis is not limited to, as the response to comments states, identification of "situations where a project would result in disproportionate impacts on a low income community, as compared to similar impacts that are experienced from projects located in higher income communities."⁷⁰ Rather, the analysis extends to identifying whether the affected community will be disproportionally impacted by the Project because it is a low-income community of color, or disadvantaged in another way. Whether or not the impacts are typical for a development is not at issue. The analysis aims to determine whether these "typical" impacts will have a greater significance or exaggerated effect on a protected class, and in this case on a community that is already struggling with health, financial and other concerns, as compared with communities that are not burdened in these ways.

As expressed in our DEIR comments, and emphasized in the attached Reef Project Health Impact Study, the community surrounding the Project site is an environmental justice community. Its members are overburdened with mental and physical health issues, financial struggles, and overcrowded and unaffordable housing. As a result, the impacts of the Project, particularly those that have been found to be significant and unavoidable will likely disproportionately affect the community. In order to properly analyze and mitigate these impacts and to ensure a fair, just and equitable Los Angeles, an Environmental Justice analysis should have been included in the FEIR. Without this analysis, the Project should not be approved.

f. The DEIR contained numerous inaccuracies and improper deferral of impact analyses and mitigation, which were not resolved in the FEIR.

The DEIR contained an inaccurate project description, inaccurate characterization of impacts, and improper deferral of mitigation measures, none of which were resolved in the FEIR. These deficiencies were laid out in detail in comments on the DEIR. For example, at numerous times throughout the EIR, the City concludes that based on the specific features of the project, impacts will be less than significant or fully mitigated. Elsewhere, the City provides flexibility to the Project under the Design Guidelines and Land Use Equivalency Program. These programs allow the specific locations of buildings, uses, and other Project features to be modified after the FEIR is certified. This inconsistency was identified in comments on the DEIR. However, the FEIR does not resolve it, but merely states that if the Project is changed through the Design Guidelines or Land Use Equivalency Program, new impacts will be analyzed through additional

⁶⁹ It is important to note that the response to comments only mentions low-income communities as those necessitating an Environmental Justice analysis. Environmental Justice communities include those that are comprised of members of any protected class including race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color or disability. The FEIR should have taken each of these classes into account in determining whether to include an Environmental Justice analysis, as opposed to focusing exclusively on income. This is especially true considering that our DEIR comments referred repeatedly to the demographics and racial makeup of this community and the disadvantages that they encounter daily.

⁷⁰ FEIR, pg. III-249.

environmental review. This, arguably, represents improper deferral under CEQA, and implies that the DEIR provides no more than an approximation as to the specific impacts of the proposed Project. Similarly, reliance on the negotiation of a development agreement between the City and Project developers to defer inclusion of feasible mitigation measures such as incorporating affordable housing into the Project is improper under CEQA. The FEIR should have included a full and accurate description of all features and requirements of Project development, including incorporation of all feasible mitigation measures, a clear and accurate description of the location and layout of Project design features, and the conditions under which the Project will be constructed.

g. The Sign District approved by the City Planning Commission on August 11, 2016 is not analyzed in the June, 2016 FEIR.

On August 11, 2016, the City Planning Commission approved the creation of a Supplemental Use Sign District that, while not including all of the Applicant's outlandish requests, still allows over 50,000 square feet of signage and includes digital signs and off-site advertising. The FEIR for the Reef project was completed months earlier, in June 2016. The FEIR does not evaluate the new Sign District recommended by the City Planning Commission.

h. Per the November 2, 2015 DEIR comment letter and July 15, 2016 UNIDAD appeal of VTT-72914, the FEIR's conclusions regarding the impacts of the original Sign District proposed by the Applicant are inadequate and unsupported by substantial evidence.

The Applicant has requested, and the FEIR evaluated, the creation of a Supplemental Use District - Sign District allowing the Project to erect nearly a *quarter million* square feet of signage, including animated digital signs and off-site advertising.⁷² The FEIR's analysis of this proposed Sign District is inadequate.

On November 2, 2015, Public Counsel submitted comments to the DEIR, incorporated by reference herein. In this letter, Public Counsel registered numerous serious concerns about the DEIR's perfunctory, inaccurate and conclusory assessment of the Project's proposed Sign District. Unfortunately, the FEIR fails to adequately address these concerns in its responses to the comments. On the contrary, the responses double down on the DEIR's original inadequacies by advancing conclusions unsupported by their own analyses. Although UNIDAD disputes as inaccurate all of the responses to these comments, several starkly highlight the inadequacy of the environmental review and the unsupported, false conclusions reached in the FEIR with respect to the proposed signage.

No response captures the dangers contained in the FEIR with respect to inadequate signage analysis more accurately than the response to comment 9-19. Comment 9-19 addressed the DEIR's failure to consider the significance of allowing the Project to erect signs which would otherwise violate the City's ban in both the current sign ordinance and draft sign ordinance

⁷¹ See, The Reef Transit-Oriented Sign District Ordinance, Section 3(B) (allowing off-site advertising) and Section 8(D)(b)(allowing digital displays in Vertical Level 2 of Sign Zone A).
⁷² DEIR at II-30.

prohibiting signage within 2000 feet of a freeway that would be viewed primarily from a main traveled roadway of a freeway or an on-ramp/off-ramp.⁷³ The DEIR failed to acknowledge the impact of exempting the Project from this central rule of the City's sign policy and the attendant effects on aesthetics and public safety.

Furthermore, the DEIR failed to account for how allowing the Project's signage threatens to invalidate the City's hard fought ban on freeway facing signs and the significant environmental impacts that would follow. The Staples Center and the Fifteenth Street SUD exemptions to the freeway ban survived a legal challenge in *World Wide Rush LLC et al v. City of Los Angeles* only because those districts furthered the City's objectives in "traffic and aesthetics." Here, those arguments are absent. Thus, the Project threatens the City's continued ability to ban freeway facing signs, and opens up the entire length of every freeway to signage the City has fought so hard to ban.

The FEIR response to comment 9-19 does not address any of the concerns raised and simply cross references to responses to other comments. Tellingly, the cross referenced responses acknowledge that the signage will be "viewed primarily from" the nearby freeways. Despite the Project's obvious violation of the signage ordinance entitled "Hazard to Traffic," the FEIR erroneously and dangerously concludes that the signage would not impair road safety. Equally troubling is the fact that the response entirely fails to address the fact that the proposed signage stands to eviscerate the City's ban on freeway facing billboards.

The FEIR's response to Public Counsel's comment 9-6 is similarly inadequate. Public Counsel's DEIR Comment Letter cited to studies showing the negative impact on human health from exposure to excessive artificial nighttime lighting. Here, the FEIR acknowledges that this nighttime signage would have a significant impact on the residents of the Rutland Apartment (Response to Comment 9-13). And it acknowledges that scientific studies show that human health is placed at risk when exposed to excessive artificial nighttime lighting. Despite these acknowledgements, the FEIR seeks to minimize these acknowledged impacts by attempting to distinguish the cited literature as "primarily focusing" on indoor lighting. The falsity of this distinction is self-evident given that the signage from the proposed Project will illuminate the insides of the Rutland Apartment residents' bedrooms during sleeping hours. Rather than seriously confront this impact, the FEIR cavalierly asserts these residents can simply draw their blinds to shield themselves from the Project's electronic signage. This suggestion not only requires affected individuals to alter their environment to protect themselves from the Project's impacts, it requires every occupant to have and use window coverings sufficient to block out the proposed electronic signage. Clearly, the FEIR fails to account for the impacts the Project's nighttime lightshow would have on Rutland Apartment residents.

⁷³ Article 4.4, Section 14.4.6 and Section 14.4.5 of draft Signage Ordinance under CPC consideration.

⁷⁴ Word Wide Rush LLC et al., vs. City of Los Angeles, 606 F.3d 676 (9th Cir. 2010).

⁷⁵ The phrase "viewed primarily from" shall mean that the message may be seen with reasonable clarity for the greater distance by a person traveling on the main traveled roadway of a freeway or on-ramp/off ramp than by a person traveling on the street adjacent to the sign. Sign Ordinance, Los Angeles Building Code, Chapter 62 § 91.6205.5

In sum, whether the Project goes forward with the new Sign District approved by the City Planning Commission (but not analyzed in the FEIR), or the original proposed Sign District, the FEIR's conclusions regarding a Sign District are unsupported.

XII. Conclusion

For the reasons stated above and those presented during the public hearing for this appeal, the City Council should grant this appeal and overturn the Planning Commission's approvals and recommendations relating to CPC-2014-1771-GPA-VZC-SN-VCU-MCUP-CUX-ZV-SPR.

Exhibit B



LOS ANGELES CITY PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, California, 90012, (213) 978-1300 http://cityplanning.lacity.org/

SEP 09 2016 Letter of Determination Mailing Date:

CASE NO.: CPC-2014-1771-GPA-VZC-SN-VCU-MCUP-

CUX-ZV-SPR

CEQA: ENV-2014-1773-EIR

Related Cases: VTT-72914; CPC-2014-1772-DA:

Applicant:

PHR LA MART, LLC

Representative:

Edgar Khalatian, Mayer Brown, LLP

Location:

Council District

Plan Area:

Requests:

1900 South Broadway

9 - Curren D. Price, Jr.

Southeast Los Angeles

Approval of a General Plan Amendment, Zone Change.

Supplemental Use Sign District. Conditional Use for a Major

Development, Master Conditional

Use for Alcohol, Master Conditional Use for Live

and Site Plan Review.

Entertainment, Special Permission

for the Reduction of Off-Street Parking, Variance for a Reduction

of On-Site Trees, Variance for Alternative Bicycle Stall Siting.

At its meeting on August 11, 2016, the Los Angeles City Planning Commission took the following action:

1. Found that the project was assessed in the Reaf FEIR, ENV-2014-1773-EIR (SCH No. 2014071054) ("Reef FEIR").

2. Approved a General Plan Amendment from Limited Manufacturing to Community Commercial for the subject property and modification of Footnote No. 1 to read as follows: "Height District 1. 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 or the property located at 1900 S. Broadway, as identified per City Planning Case No. CPC-2014-1771-GPA-VZC-SN-VCU-MCUP-CUX-ZV-SPR."

Approved a Zone Change from [Q]M1-2-O and M1-2-O to [T][Q]C2-2-O-SN.

4. Approved the creation of a Supplemental Use Sign District (SN).

- 5. Approved a Conditional Use for a Major Development Project for the addition of more than 100,000 square feet of non-residential floor area in the C2 zone.
- 6. Approved a Master Conditional Use to allow the on-site sale, dispensing and consumption of a full line of alcoholic beverages for up to eighteen (18) establishments and the sale of a full line of alcoholic beverages for off-site consumption for up to two (2) establishments.

7. Approved a Master Conditional Use to allow live entertainment and/or patron dancing for up to five (5) establishments.

8. Approved Special Permission for the Reduction of Off-Street Parking to allow a 10 percent parking reduction for commercial uses located within 1,500 feet of a transit facility.

9. Approved a Variance to allow 289 on-site trees in lieu of the otherwise required 361 trees. 10. Dismissed a Variance to allow outdoor dining above the ground floor in the C2 zone.

- 11. Approved a Variance to allow alternative short-term and long-term bicycle stall siting, including a complimentary valet service for the hotel component.
- 12. Approved a Site Plan Review for a project that would result in an increase of more than 50 dwelling units and more than 50,000 gross square feet of non-residential floor area.

13. Adopted the attached modified Conditions of Approval:

14. Adopted the attached amended Findings.

15. Advised the Applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring; and

16. Advised the Applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring; and, that pursuant to the State Fish and Game Code Section 711.4, a Fish and Game and/or Certificate of Game Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notices and Determination (NOD) filing.

RECOMMENDATION TO CITY COUNCIL:

1. Recommend that the City Council find that the project was assessed in the Reef FEIR, ENV-2014-1773-EIR (SCH

No: 2014071054) ("Reef FEIR").

2. Recommend that the City Council adopt a General Plan Amendment (Southeast Los Angeles Community Plan) from Limited Manufacturing to Community Commercial for the subject property and modification of Footnote No. 1 to read as follows: "Height District 1. The provisions of this Footnote shall not apply to the property located at 233 W. Washington Bivd., as identified per City Planning Case No. CPC-2008-596-GPA-ZC-SPR or the property located at 1900 S. Broadway, as identified per City Planning Case No. CPC-2014-1771-GPA-VZC-SN-VCU-MCUP-CUX-ZV-SPR."

3. Recommend that the City Council adopt a Zone Change from [Q]M1-2-Q and M1-2-Q to [T][Q]C2-2-Q-SN.

4. Recommend that the City Council adopt the creation of a Supplemental Use Sign District (SN).

5. Recommend that the City Council adopt the attached modified Conditions of Approval

6. Recommend that the City Council adopt the attached amended Findings.

Fiscal Impact Statement: There is no General Fund Impact as administrative costs are recovered through fees.

This action was taken by the following vote:

Moved:

Ambroz Periman

Seconded: Ayes:

Ahn, Choe, Mack, Miliman, Padilla-Campos, Dake-Wilson

Absent:

Katz

Vote:

7 - 1

James K. Williams, Commission Executive Assistant II

City Planning Commission

Effective Date/Appeals: The action of the Los Angeles City Planning Commission will be final within 15 days from the mailing date on this determination unless an appeal is filed within that time to the City Council. The General Plan Amendment, Zone Change and Supplemental Use Sign District are not further appealable by any party. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N, Figueroa Street, Fourth Floor, Los Angeles, CA 90012, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys, CA 91401.

FINAL APPEAL DATE: SEP 2 6 2016

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for written of mandate pursuant to that section must be filled no later than the 90th day following the date on which the City's decision became final pursuant to California code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Modified Conditions of Approval, Maps, Amended Findings, Zone Change and Sign District Ordinances, Resolution Senior City Planner: Luciralia Ibarra

City Planner: Sarah Molina Pearson

CONDITIONS FOR EFFECTUATING TENTATIVE (T) CLASSIFICATION REMOVAL

Pursuant to Los Angeles Municipal Code Section 12.32 G, the "T" Tentative Classification shall be removed by the recordation of a final tract map or by posting guarantees satisfactory to 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 City Plan Case.

Dedications and Improvements

Prior to the issuance of any building permit, public improvements and dedications for streets and other rights of way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional and federal government agencies, as may be necessary), including the following:

A. Responsibilities/Guarantees

As part of early consultation, plan review, and/or project permit review, the applicant/ developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.

Prior to the issuance of sign-offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to the project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.

1. Street Dedications

- a. That a 5-foot wide strip of land be dedicated along Washington Boulevard adjoining the tract except where there are existing structures to remain (between Broadway and Hill Street) to complete a 55-foot wide half right-of-way in accordance with BOULEVARD II of LA MOBILITY PLAN. This dedication shall be limited to the depth of 10-feet measured from below the finished sidewalk grade. In addition 15-foot by 15-foot property line cut corners be dedicated at the intersections with Broadway and Main Street limited to elevations measured 14-feet from above the finished sidewalk grades.
- b. That 15-foot by 15-foot property line cut corners be dedicated along 21st Street adjoining the tract with intersections with Hill Street, Broadway and Main Street limited to elevations measured 14-feet from above the finished sidewalk grades.

2. Merger and Other Conditions

a. That portion of Main Street adjoining the tract in variable width from approximately 7-feet to approximately 8-feet from the depth of 10-feet and as shown on the revised vesting tentative map stamp dated June 23, 2016 be permitted to be merged with the remainder of the tract map pursuant to Section 66499.20.2 of the State Government

Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:

- i. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
- ii. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.
- iii. That a certified survey map be submitted for during the final map check showing the dimensions and areas being merged with this map satisfactory to the City Engineer.
- b. That any surcharge fee in conjunction with the street merger request be paid.
- c. That a Covenant and Agreement be recorded satisfactory to the City Engineer binding the subdivider and all successors to the following:
 - That the owners shall be required to maintain all elements of the structures below the limited Washington Boulevard rights-of-way and merger area below Main Street in a safe and usable condition to the satisfaction of the City Engineer. The City shall be given reasonable access to the structures within and adjacent to the limited street rights-of-way areas for any necessary inspection, upon request during normal business hours. The City may request the owners to repair or replace damaged, defective or unsafe structural elements or to correct unacceptable conditions at the owner's expense if owner elects not to do so. Owner shall grant reasonable access to City's contractor to make said repairs.
 - ii. The owner shall be required to limit use and occupancy of the structures below the limited street rights-of-way for <u>parking use only</u>. No combustible material shall be stored in the merger area.
 - iii. The owners shall obtain a B-permit from the City Engineer for any substantial structural modification below the street right-of-way area and for any structural modification areas and for any structural element outside said areas which provides lateral or vertical support to structures within the areas.
- d. That the subdivider execute and record an agreement satisfactory to the City Engineer to waive any right to make or prosecute any claims or demands against the City for any damage that may occur to the proposed structures underneath the limited dedication and merger of public street as stated herein in connection with the use and maintenance operations within said street easement.
- e. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of the existing sewers in this area.
- f. That a set of drawings for airspace lots be submitted to the City Engineer showing the followings:
 - i. Plan view at different elevations.
 - ii. Isometric views.
 - iii. Elevation views.
 - iv. Section cuts at all locations where air space lot boundaries

g. That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary private easements for ingress and egress purposes to serve proposed airspace lots to use upon the sale of the respective lots and they will maintain the private easements free and clear of obstructions and in safe conditions for use at all times.

3. Street Improvements

The following improvements must be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

- a. Improve Washington Boulevard being dedicated and adjoining the tract by the construction of an additional concrete sidewalk within the newly dedicated area to complete a full-width concrete sidewalk with tree wells including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.
- b. Improve all the dedicated corner cuts by placing additional concrete for sidewalk area purposes including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.

B. Sewer

The Bureau of Sanitation has reviewed the sewer/storm drain lines serving the subject tracts/areas and found no potential problems to structures or potential maintenance problems. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering.

- C. Department of Transportation. <u>Prior to recordation of the final map</u>, satisfactory arrangements shall be made with the Department of Transportation to assure:
 - a. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk, pursuant to LAMC 12.21-A,5(i)a.
 - b. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Suite 550.
 - c. That a fee in the amount of \$205 be paid for the Department of Transportation as required per Ordinance No. 183,270 and LAMC Section 19.15 prior to recordation of the final map. Note: the applicant may be required to comply with any other applicable fees per this new ordinance.
 - d. A minimum of 60-foot and 40-foot reservoir space(s) be provided between any ingress security gate(s) and the property line when driveway is serving more than 300 and 100 parking spaces respectively. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line when driveway is serving less than 100 parking spaces.

- e. The applicant shall comply with the project requirements and mitigation measures as stated in the June 19, 2015 DOT Traffic Study Assessment letter to the Department of City Planning. All subsequent revisions and modifications shall remain in effect. A copy of the letter is located in the case file.
- D. Fire Department. Prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
 - a. Submit plot plans for Fire Department approval and review prior to recordation of Tract
 - b. Construction of public or private roadway in the proposed development shall not exceed 15 percent in grade.
 - c. During demolition, the Fire Department access will remain clear and unobstructed.
 - d. No proposed development utilizing cluster, group, or condominium design of one or two family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.
 - e. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
 - f. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel.
 - g. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

Note: The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished <u>BY APPOINTMENT ONLY</u>, in order to assure that you receive service with a minimum amount of waiting please call (213) 482-6504. You should advise any consultant representing you of this requirement as well.

- E. Street Lights. Any City required installation or upgrading of street lights is necessary to complete the City street improvement system so as to increase night safety along the streets which adjoin the subject property.
- F. Covenant. Prior to the issuance of any permits relative to this matter, an agreement concerning all 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, heirs or assigns. Further, the agreement must be submitted to the Department of City Planning's Development Services Center for approval before being recorded. After recordation, a copy bearing the Recorder's number and date must be given to the Development Services Center for attachment to the subject file.

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.

(Q) QUALIFIED CONDITIONS OF APPROVAL

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

A. Entitlement Conditions

- 1. Site Development. Except as modified herein, the project shall be in substantial conformance with the plans and materials stamped "Exhibit A" and dated July 27, 2016, and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning, with each change being identified and justified in writing. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
 - a. Prior to the issuance of a building permit, plans shall be submitted to the Major Projects staff for signature and inclusion in the case file that shall incorporate the following design elements:
 - i) Gates preventing access to pedestrians and/or bicycles from the publically accessible outdoor areas are prohibited.
 - ii) Planters shall provide a minimum soil depth of 24 inches for shrubs and 30 inches for small trees.
 - iii) Dog waste stations and trash receptacles shall be provided around the perimeter of the project and in the residential and publically accessible outdoor areas.
 - iv) A building, including balconies, may project over the required sidewalk easement at a height of 40 feet and above to accommodate street trees. Projections permitted in the public right-of-way must comply with LAMC regulations or obtain a revocable permit from Department of Public Works.
 - v) Provide a minimum 6-foot continuous path of travel at all sidewalks.
 - vi) Provide continuous landscaped parkways, except adjacent to bus stops and in other locations determined by staff to be inappropriate for parkways.
 - vii) If trees are not planted in continuous landscaped parkways, they shall be planted in large tree wells that are at least 10 feet long and a minimum of 7 feet wide where the required sidewalk width is 15 feet or more; 6 feet wide where the required sidewalk width is more than 10 feet but less than 15 feet; and 4 feet wide where the required sidewalk width is 10 feet.
 - viii) Helipads shall be removed from rooftops as permitted by Code.
 - ix) All rooftop equipment shall be fully screened from view of any abutting properties and from adjacent surface streets.
 - x) To the extent feasible, community street vendors shall be permitted to sell goods and food within the "Exchange" courtyard, as permitted by the LAMC.

- xi) To the extent feasible, provide a publically accessible outdoor area for use as a community garden.
- xii) Bike share locations shall be shown on the site plan.
- 2. Development Services Center. <u>Prior to sign-off on building permits by the Department of City Planning's Development Services Center for the project, the Department of City Planning's Major Projects Section shall confirm, via signature, that the project's building plans substantially conform to the conceptual plans stamped as Exhibit "A", as approved by the City Planning Commission.</u>

Note to Development Services Center: The plans presented to, and approved by, the City Planning Commission (CPC) included specific architectural details that were significant to the approval of the project. Plans submitted at plan check for condition clearance shall include a signature and date from Major Projects Section planning staff to ensure plans are consistent with those presented at CPC.

- 3. Floor Area. The total floor area for the project shall not exceed 2,541,468 square feet.
- 4. Height. The height of the project shall be limited to the following:
 - Reef building addition = 193 feet 10 inches to top of parapet
 - Hotel = 240 feet to top of parapet
 - Parking Garage on west block = 88 feet to top of wall
 - Residential building on west block = 85 feet to top of mechanical screen
 - Residential Tower (south) = 420 feet to top of parapet
 - Residential Tower (north) = 385 feet to top of parapet
 - Residential buildings on east block = 85 feet to top of mechanical screen
- Setbacks. The setbacks for the proposed office building shall be in conformance with Section 12.16-A of the LAMC and the Greater Downtown Incentive Area, and shall be in substantial conformance with the site plan labeled as Exhibit "A" stamped, dated July 27, 2016.
- 6. Residential Density. The project shall be limited to a maximum of 1,444 residential units.
- 7. Residential Parking. A minimum of 1,324 parking spaces for residential uses shall be provided in compliance with LAMC Section 12.21-A,4.
- 8. Commercial Parking. A minimum of 1,188 parking for commercial uses shall be provided in compliance with LAMC Sections 12.21-A,4 and 12.24-Y.
- 9. Above Grade Parking. Prior to the issuance of a building permit, the project proponent shall submit a detailed parking structure screening and podium parking screening plan to the Major Projects staff for signature and inclusion in the case file. The Department of City Planning's Major Projects Section shall confirm, via signature, that the parking structure and podium parking screening substantially satisfies the intent of the City Planning Commission's actions on this matter.
 - a. The parking structure on the west block shall be limited to eight levels above grade. Podium parking on the east block shall be limited to no more than two parking levels above grade.

- b. Above grade parking levels shall have an external screen, integrated into the architecture, designed to improve the building's appearance over the basic concrete structure, and designed to adequately screen headlights from view, pursuant to LAMC requirements for natural ventilation in open garages.
- c. Parking structures shall integrate sustainable design features such as photovoltaic panels (especially on the top parking deck), renewable materials with proven longevity, and stormwater treatment wherever possible.
- d. Interior garage lighting shall not produce glaring sources towards adjacent residential units while providing safe and adequate lighting levels pursuant to LAMC requirements.
- e. Signage and wayfinding shall be integrated with the architecture of the parking structure.
- 10. Bicycle Parking. The project shall provide bicycle parking spaces pursuant to LAMC Section 12.21-A,16, except where alternative stall siting has been approved in substantial conformance with the site plan labeled as Exhibit "A" stamped and dated July 27, 2016.
- 11, Bicycle Valet. The project is permitted to provide a minimum of 10 long-term and 10-short bicycle parking spaces to be served by a complimentary 24-hour attendant/valet service for the hotel.
- 12. Landscape Plan. Prior to the issuance of a building permit, the project proponent shall submit a detailed landscape plan prepared by a licensed landscape architect for all landscaped areas of the project site. The landscape plan shall include specific plant types and maintenance information. The landscape plan shall be submitted to the Major Projects staff for signature and inclusion in the case file.
- 13. Land Use Equivalency Program. In the event the applicant or subsequent applicants should choose to utilize the Land Use Equivalency Program, the subsequent phase(s) of the project shall be subject to Los Angeles Municipal Code (LAMC) Section 16.05 (Site Plan Review). The procedures set forth in LAMC Section 16.05 shall apply with the following provisions:
 - a. LAMC Sections 16.05-D and 16.05-I shall not be applicable;
 - b. In addition to the provisions of LAMC Section 16.04-E,4, a "Supplemental EIR", an "Addendum", or a "Subsequent EIR" shall be acceptable to satisfy the requirements of CEQA:
 - c. In addition to the findings identified in LAMC Section 16.05-F, the City shall also find that the proposed phase of the project is consistent with the approved Land Use Equivalency Program;
 - d. Appeals shall be heard by the City Planning Commission, the original decision-maker on the Land Use Equivalency, in lieu of the Area Planning Commission as otherwise specified in LAMC Section 16.05-H,1; and
 - e. No single phase shall consist of less than 50 dwelling units or 50,000 square feet of non-residential floor area.
- 14. Development Agreement. Prior to the issuance of a building permit, the Department of Building and Safety shall confirm that the public benefits, as identified in Case No. CPC-2014-1773-DA, have been satisfied.

- 15. Maintenance. The subject property, including associated parking facilities, sidewalks, landscaped parkways and planters, shall be maintained in an attractive condition and shall be kept free of trash and debris. Trash receptacles shall be located throughout the site.
- 16. Community Relations. A 24-hour "hot-line" phone number for the receipt of construction-related complaints from the community shall be provided to immediate neighbors and the local neighborhood association, if any. The applicant shall be required to respond within 24-hours to any complaints received on this hotline.
- 17. Posting of Construction Activities. The adjacent residents shall be given regular notification of major construction activities and their duration. A visible and readable sign (at a distance of 50 feet) shall be posted on the construction site identifying a telephone number for inquiring about the construction process and to register complaints.

B. Administrative Conditions

- 18. Approval, Verification and Submittals. Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
- 19. Code Compliance. Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.
- 20. Covenant. Prior to the Issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning Development Services Center for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
- 21. Definition. Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
- 22. Enforcement. Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
- 23. Building Plans. Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
- 24. Corrective Conditions. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

- 25. Project Plan Modifications. Any corrections and/or modifications to the project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Fire Department, or other City Agency for Code compilance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off per Condition No. Q-1 prior to the Issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board. Said modifications may not alter the maximum height or square footage included in these conditions.
- 26. Indemnification and Reimbursement of Litigation Costs. Applicant shall do all of the following:
 - Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
 - ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
 - siii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
 - iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
 - v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City falls to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the

action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

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

This Mitigation Monitoring Program ("MMP") has been prepared pursuant to Public Resources Code Section 21081.6, which requires a Lead Agency to adopt a "reporting or monitoring program for changes to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment." In addition, Section 15097(a) of the State CEQA Guidelines requires that:

In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and measures it has imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.

The City of Los Angeles is the Lead Agency for the project and therefore is responsible for administering and implementing the MMP. Where appropriate, the project's Draft and Final EIRs identified mitigation measures and project design features to avoid or to mitigate potential impacts identified to a level where no significant impact on the environment would occur, or impacts would be reduced to the extent feasible. This MMP is designed to monitor implementation of the project's mitigation measures as well as its project design features.

As shown on the following pages, each required mitigation measure and proposed project design feature for the project is listed and categorized by impact area, with an accompanying identification of the following:

- Enforcement Agency: The agency with the power to enforce the Mitigation Measure/Project Design Feature.
- Monitoring Agency: The agency to which reports involving feasibility.

compliance, implementation and development are made.

 Monitoring Phase: The phase of the project during which the Mitigation Measure/Project Design Feature shall be monitored.

Monitoring Frequency: The frequency at which the Mitigation Measure/Project

Design Feature shall be monitored.

 Action indicating Compliance: The action of which the Enforcement or Monitoring Agency indicates that compliance with the required Mitigation Measure/Project Design Feature has been implemented.

The project's MMP will be in place throughout all phases of the project. The project applicant will be responsible for implementing all mitigation measures unless otherwise noted. The applicant shall also be obligated to provide a certification report to the appropriate monitoring agency and the appropriate enforcement agency that compliance with the required mitigation measure or project design feature has been implemented. The City's existing planning, engineering, review, and inspection processes will be used as the basic foundation for the MMP procedures and will also serve to provide the documentation for the reporting program.

The certification report shall be submitted to the Major Project's Section at the Los Angeles Department of City Planning. Each report will be submitted to the Major Project's Section annually following completion/implementation of the applicable mitigation measures and project design features and shall include sufficient information and documentation (such as building or demolition permits) to reasonably determine whether the intent of the measure has been satisfied. The City, in conjunction with the applicant, shall assure that project construction and operation occurs in accordance with the MMP.

After review and approval of the final MMP by the City, minor changes and modifications to the MMP are permitted, but can only be made by the applicant subject to the approval by the City. The City, in conjunction with any appropriate agencies or departments, will determine the adequacy of any proposed changes or modification. The flexibility is necessary due to the nature of the MMP, the need to protect the environment in the most efficient manner, and the need to reflect changes in regulatory conditions, such as but not limited to changes to building code requirements, updates to LEED "Silver" standards, and changes in Secretary of Interior Standards. No changes will be permitted unless the MMP continues to satisfy the requirements of CEQA, as determined by the City.

28. Mitigation Measures And Project Design Features. The development of the project site is hereby bound to the following Mitigation Measures and Project Design Features, which are conditions of approval for the project.

Aesthetics/Visual Quality

Mitigation Measure

MM-AES-1:

All new sidewalks along the project's street frontages shall be paved with pervious (permeable) concrete or interlocking pavers to create a distinctive pedestrian environment and to increase the opportunity for stormwater infiltration on the site.

Monitoring Phase: Pre-construction, Construction and Occupancy Enforcement Agency: Department of City Planning

Monitoring Agency: Department of City Planning
Monitoring Frequency: Field inspection(s) following construction
Action Indicating Compliance: Field inspection sign-off

Aesthetics/Light and Glare

Project Design Features

PDF-AES-1: The proposed lighting displays (at all levels) shall have a wattage draw not to exceed 12 watts/square feet to meet Title 24 2013 requirements.

Monitoring Phase: Pre-construction, Construction and Occupancy Enforcement Agency: Department of Building and Safety Monitoring Agency: Department of City Planning Monitoring Frequency: Once, prior to issuance of building permits Action Indicating Compliance: Issuance of building permits

PDF-AES-2: The proposed lighting displays (at all levels) shall be fully dimmable and controlled by a programmable timer so that luminance levels may be adjusted according to the time of day.

Monitoring Phase: Pre-construction, Construction and Occupancy Enforcement Agency: Department of Building and Safety Monitoring Agency: Department of City Planning Monitoring Frequency: Once, prior to issuance of building permits Action Indicating Compliance: Issuance of building permits

PDF-AES-3: The proposed lighting displays (at all levels) shall have a maximum lumen output that does not exceed the maximum levels as shown in Table IV.B-2.

Monitoring Phase: Pre-construction, Construction and Occupancy Enforcement Agency: Department of Building and Safety Monitoring Agency: Department of City Planning Monitoring Frequency: Once, prior to issuance of building permits Action Indicating Compliance: Issuance of building permits

Table IV.B-2 Summary Calculations of Allowable Sign Luminance to Achieve Standard of 2.0 Foot-Candles at Sensitive Receptors

ject ade	Zone	Signage Identification	Height Above Ground (ft)	Area (SF) (Mix Allowable	Distance to Serisitive Receptor (ft)	Aliowable Sign Luminarice (candeles/sq. m
	No.	CONTRACTOR OF THE PROPERTY AND THE PROPE	MORE	法被機性	化二氯 接线	
	11.3	Page Carlo Market	110	24202	431.7	135
			168	13272	217.4	235
			248	24490	706.9	135
4.	36		226	3630	595.7	135
5	2		50	2550	146.8	15
₽.	5.17		50	4800	420.5	15
	0.00	North Tower	15	1275	138,2	10
	1.334.)	THE DEEP	15	1200	417.8	10
•\;	استنسا	Printed and the second	175	26180	218.0	
ÿ.,			210	29260	635.7	. 8
10.7	201224	Balletine and the		TAKE TE	3. 1944年1953年1953年	A STANCE
	**************************************		125	23050	1534.1	265
			168	30998	1473.9	265
***	6. 连接		158	3630	1626.3	265
	1		50	15058	1465,2	100
	25. 11. 25.		50	8880	1529.8	100
	4 T. 4	North Town	15	1960	1464,4	25
		Sixth Town	15	1960	1264.4	25
d A		The REEF	15	1420	1364.4	25
13.142		The House	15	1925	1364.4	25
		MEDICE SEE	190	82000	1295.7	
	Made		210	93000	1281.3	
2.	400000	de alla de la lación	120	13960	1226.9	. 8
``,	1.7	#165-30 E (# 0	Sept	1 Care Court	. A. 24	
13			220	3630	1008.9	295
		Held	15	1320	747.2	25
5	. ค.ศ. โดย รัฐ เกาะสาราช	South Tower	15	1260	613.0	25
X.			190	26180	1214.9	8.
	WHEE		210	29260	635.7	<u> </u>
لصيد	Server L		128 Med	5600	991.3	
		25	125	23050	1109.4	
	3		125 220	3630	1006.1	235 235
	Section 1		50 50	1485£	958.0	
	A CARLES		50	15480	1153.7	75
, 3V			50	9700	1103.4	75 75
4.1.2	42.42	North Town	15	1935	957.7	
	Dayak -	South Tower	15	1935	1264.2	25 25
	1 4	The Hotel	15	1760	981.1	<u>25</u>
	(A)	The MEN	15	1212	1102.4	
-	A RECEIVE		125	82000	1604.9	
	الشنشية ا		125	93000	1266.2	
	Whitee.		125	13360	988.9	

PDF-AES-4: Light emitting diodes on signs shall be oriented down towards the street, rather than up towards the sky, or signs should be provided with a method of shielding diodes so that lighting is not wasted shining into the night sky.

Monitoring Phase: Pre-construction, Construction and Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning

Monitoring Frequency: Once, prior to issuance of building permits

Action Indicating Compliance: Issuance of building permits

PDF-AES-5: The proposed displays shall transition smoothly at a consistent rate of speed from the daytime brightness to the permitted nighttime brightness levels, beginning at 45 minutes prior to sunset and concluding the transition to nighttime brightness 45 minutes after sunset. Where applicable, they shall also transition smoothly at a consistent rate of speed from the permitted nighttime brightness to the permitted daytime

brightness levels, beginning 45 minutes prior to sunrise and concluding the transition to daytime brightness 45 minutes after sunrise.

Monitoring Phase: Pre-construction, Construction and Occupancy Enforcement Agency: Department of Building and Safety Monitoring Agency: Department of City Planning Monitoring Frequency: Field Inspection(s) following construction Action Indicating Compilance: Field Inspection sign-off

Mitigation Measure

MM-AES-2:

Operating hours for lighted Limited Animation I and Controlled Refresh I signage within Vertical Sign Zone 3 shall be limited to 7:00 a.m. to 10:00 p.m.

Monitoring Phase: Pre-construction, Construction and Occupancy Enforcement Agency: Department of Building and Safety Monitoring Agency: Department of City Planning Monitoring Frequency: Field inspection(s) following construction Action Indicating Compliance: Field inspection sign-off

Air Quality

Project Design Features

PDF-AQ-1:

PDF-AQ-2:

The project will use low-emission Tier 3 off-road construction equipment.

The project will include watering of active construction areas at least

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning

Monitoring Frequency: Construction bid document verification and periodic

three times daily to minimize fugitive dust emissions.

field inspections during construction

Action Indicating Compliance: Construction bid document sign off; Compliance

Certification report by project contractor

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning Monitoring Frequency: Periodic field inspection(s) Action Indicating Compliance: Field inspection sign-off

NDE AO 2. The project will not include any firence

PDF-AQ-3: The project will not include any fireplaces (i.e., hearths) in the residential land uses.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning
Monitoring Frequency: Once, prior to issuance of building permits
Action Indicating Compliance: Issuance of building permits

Mitigation Measures

MM-AQ-1:

The project shall install a sealed HVAC system in conjunction with MERV 13 or higher rated filters for all residential development within the project site. The sealed air system will be designed so that all ambient air introduced into the interior living space would be filtered through MERV 13 or higher rated filters to remove diesel particulate matter (DPM) and other particulate matter. The owner/property manager shall maintain and replace MERV 13 or greater filters in accordance with the manufacturer's recommendations.

Monitoring Phase: Construction, Operations

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning

Monitoring Frequency: Prior to Issuance of building permits: Periodic field

inspections during operations

Action Indicating Compliance: Issuance of building permits; Field inspection

sign off

MM-AQ-2:

The project shall locate open space areas (courtyards, patios, recreation areas) in locations that are screened from the freeway by project buildings to the maximum extent feasible.

Monitoring Phase: Pre-construction

Enforcement Agency: Department of City Planning Monitoring Agency: Department of City Planning

Monitoring Frequency: Prior to issuance of building permits

Action Indicating Compliance: Plan review sign-off

MM-AQ-3:

The project shall plant vegetation between receptors and freeway sources in those locations where open space areas are not already screened from the freeway by buildings.

Monitoring Phase: Construction

Enforcement Agency: Department of City Planning Monitoring Agency: Department of City Planning

Monitoring Frequency: Field inspection(s) following construction

Action Indicating Compliance: Field inspection sign-off

MM-AQ-4:

To the extent allowed by Code, the project will minimize operable windows facing the freeway.

Monitoring Phase: Construction

Enforcement Agency: Department of City Planning Monitoring Agency: Department of City Planning

Monitoring Frequency: Prior to issuance of building permits

Action Indicating Compilance: Plan review sign-off

MM-AQ-5:

The project shall locate air intakes for ventilation equipment as far from freeway sources as possible.

Monitoring Phase: Construction

Enforcement Agency: Department of City Planning Monitoring Agency: Department of City Planning

Monitoring Frequency: Prior to issuance of building permits

Action indicating Compliance: Plan review sign-off

Cultural Resources/Paleontological Resources

Mitigation Measures

MM-CUL-1:

If any paleontological materials are encountered during the course of the earth-moving activities, the project shall be halted or the work shall be diverted to avoid the potential paleontological resources in order to allow the resources and their significance to be assessed. The services of a paleontologist shall be secured by contacting the Center for Public Paleontology at the University of Southern California; University of California, Los Angeles; California State University, Long Beach; or the Los Angeles County Natural History Museum to assess the resources and evaluate the impact. Copies of the paleontological survey, study, or report shall be submitted to the Los Angeles County Natural History Museum. If paleontological resources are identified and determined to be significant, the paleontologist shall formulate a mitigation plan to mitigate impacts, which may include removing and preserving the paleontological resources in an appropriate manner. A covenant and agreement shall be recorded prior to obtaining a grading permit.

Monitoring Phase: Construction

Enforcement Agency: Department of City Planning Monitoring Agency: Department of City Planning

Monitoring Frequency: At time of resource discovery, should it occur

Action Indicating Compliance: Submittal of report by a qualified paleontologist

MM-CUL-2:

The project's construction superintendent shall be instructed by a paleontologist or other qualified paleontological monitor regarding identification of conditions whereby potential paleontological resources could occur. The construction superintendent shall be sufficiently informed that he or she will be able to recognize when paleontological resources have been uncovered and require that grading be temporarily diverted around the resource site until the monitor has evaluated and, if warranted, recovered the resources. Other contractor personnel shall be briefed by the superintendent or other trained personnel on procedures to be followed in the event that paleontological resources or previously unrecorded resources are encountered by earth-moving activities. The briefing shall be presented to new contractor personnel as necessary. The name and telephone number of the paleontological monitor shall be provided to appropriate contractor personnel. Similarly, and if necessary, the monitor shall be empowered to temporarily divert

grading around an exposed fossil specimen to facilitate evaluation and, if warranted, recovery.

Monitoring Phase: Construction

Enforcement Agency: Department of City Planning Monitoring Agency: Department of City Planning

Monitoring Frequency: Prior to issuance of grading permits, periodic during

excavation

Action Indicating Compliance: Issuance of grading permits

MM-CUL-3:

All significant fossil specimens recovered at the project site as a result of the mitigation program shall be prepared, identified, curated, and catalogued in accordance with designated museum repository requirements.

Monitoring Phase: Construction

Enforcement Agency: Department of City Planning Monitoring Agency: Department of City Planning

Monitoring Frequency: At time of resource discovery, should it occur

Action Indicating Compliance: Submittal of report by a qualified paleontologist

Greenhouse Gases

Project Design Features

PDF-GHG-1:

The project will not include any fireplaces (i.e., hearths) in the

residential land uses.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning

Monitoring Frequency: Once, prior to issuance of building permits

Action Indicating Compliance: Issuance of building permits

PDF-GHG-2:

Where appliances are offered by builders, Energy Star appliances will be installed in the residential and non-residential buildings.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning

Monitoring Frequency: Once, prior to issuance of building permits

Action Indicating Compliance: Issuance of building permits

PDF-GHG-3:

Where lighting is provided by builders, high efficiency light bulbs and lighting fixtures will be installed in residential and non-residential

buildings.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning

Monitoring Frequency: Once, prior to issuance of building permits Action Indicating Compilance: Issuance of building permits

PDF-GHG-4:

The project will reduce potable water use by 20 percent compared to baseline water use levels through the use of water saving fixtures and or flow restrictors consistent with the California Green Building Standards.

Monitoring Phase: Construction

Enforcement Agency: Department of Water and Power

Monitoring Agency: Department of City Planning

Monitoring Frequency: Once, prior to issuance of building permits

Action Indicating Compilance: Issuance of building permits

Hazards and Hazardous Materials

Mitigation Measure

MM-HAZ-1:

Prior to construction, soils at the project site shall be tested for the presence and levels of radon. Testing shall be conducted by a Radon Tester who is certified in accordance with California Health and Safety Code Sections 106750-106795. If radon levels of over 4.0 pCi/L are encountered within or immediately adjacent to the project site, a mitigation program shall be designed by a Certified Radon Mitigator, and incorporated into the design of the project, subject to the review and approval of LADBS.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning

Monitoring Frequency: Once prior to construction; prior to issuance of building

Permits, if elevated levels of radon are found

Action Indicating Compilance: Approval of radon report by LADBS; approval

of radon mitigation program by LADBS, if warranted

Noise

Mitigation Measures

MM-NOI-1:

The project applicant, or successor in interest, shall install a temporary noise control barrier in the northern area of the East Block construction site. The noise control barrier shall be designed to reduce construction-related noise levels at the adjacent multi-family residential structure (on Washington Boulevard across the project site) by minimum 5 dBA.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning Monitoring Frequency: Periodic field inspection(s)

Action Indicating Compliance: Field inspection sign-off; compliance

certification report submitted by project contractor

MM-NOI-2:

All construction equipment engines shall be properly tuned and muffled according to manufacturers' specifications. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices and shall include the use of plug-in electrical or solar-powered generators only.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning Monitoring Frequency: Periodic field inspection(s)

Action Indicating Compliance: Field inspection sign-off; compliance

certification report submitted by project contractor

MM-NOI-3:

Construction activities whose specific location on the project site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen such activities from these land uses to the maximum extent possible.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning Monitoring Frequency: Periodic field inspection(s)

Action Indicating Compliance: Field inspection sign-off; compliance

certification report submitted by project contractor

MM-NOI-4:

Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels. Examples include the use of drills and jackhammers.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning Monitoring Frequency: Periodic field inspection(s)

Action Indicating Compliance: Field inspection sign-off; compliance

certification report submitted by project contractor

Public Services/Fire Protection

Project Design Feature

PDF-PS-1:

The project shall be equipped with a sprinkler system meeting the

requirements of LAMC Section 57.09.07(A).

Monitoring Phase: Construction

Enforcement Agency: Los Angeles Fire Department **Monitoring Agency:** Department of City Planning

Monitoring Frequency: Once, prior to issuance of building permits Action Indicating Compliance: Issuance of building permits

Public Services/Police Protection

Mitigation Measures

MM-PS-1:

The project shall comply with the design guidelines outlined in the LAPD Design Out Crime Guidelines, which recommend using natural surveillance to maximize visibility, natural access control that restricts or encourages appropriate site and building access, and territorial reinforcement to define ownership and separate public and private space. Specifically, the project would:

- Provide on-site security personnel whose duties shall include but not be limited to the following:
 - Monitoring entrances and exits:
 - Managing and monitoring fire/life/safety systems; and

Controlling and monitoring activities in the parking facilities.

- Install security industry standard security lighting at recommended locations including parking structures, pathway options, and curbside queuing areas;
- Install closed-circuit television at select locations including (but not limited to) entry and exit points, loading docks, public plazas and parking areas;
- Provide adequate lighting of parking structures, elevators, and lobbies to reduce areas of concealment;
- Provide lighting of building entries, pedestrian walkways, and public open spaces to provide pedestrian orientation and to clearly identify a secure route between parking areas and points of entry into buildings;
- Design public spaces to be easily patrolled and accessed by safety personnel;
- Design entrances to, and exits from buildings, open spaces around buildings, and pedestrian walkways to be open and in view of surrounding sites; and
- Limit visually obstructed and infrequently accessed "dead zones."

Monitoring Phase: Construction

Enforcement Agency: Los Angeles Police Department

Monitoring Agency: Department of City Planning

Monitoring Frequency: Once, prior to issuance of building permits

Action Indicating Compilance: LAPD sign off on reviewed plans; issuance

of building permits

MM-PS-2:

Prior to the issuance of a certificate of occupancy for each construction phase and on-going during operations, the applicant shall develop an Emergency Procedures Plan to address emergency concerns and practices. The plan shall be subject to review by LAPD.

Monitoring Phase: Construction, Operations

Enforcement Agency: Los Angeles Police Department Monitoring Agency: Department of City Planning

Monitoring Frequency: Prior to issuance of building permits; periodic field

inspections

Action Indicating Compliance: LAPD sign off on reviewed plans; field inspection sign off

Transportation

Project Design Feature

PDF-TR-1:

The project design includes the following features to improve pedestrian facilities and to provide a safe and walkable pedestrian environment, to increase the number of walking trips, and provide for on-site facilities to reduce the need to make vehicle trips off-site.

- Provide sidewalks fronting the site according to the Downtown Street Standards.
- Improve sidewalks adjacent to and within the project according to the Downtown Design Guide.
- Add pedestrian amenities such as; shade, benches, pedestrian-scale lighting, etc.
- Provide mid-block paseos, pedestrian plazas/courtyards, and elevated terrace walkways as detailed in the Project Description.
- Provide a variety of land uses (mixed use) within the project, as set forth in the Project Description.
- Provide pedestrian-scale retail commercial uses along street frontages.
- Provide on-site facilities such as ATM machines, cafeterias, and convenience shopping.
- Install additional safety measures (such as caution signage for bicyclists and pedestrians) near driveways and access points.
- Provide a bike valet at the hotel to serve all project visitors.

Monitoring Phase: Pre-construction

Enforcement Agency: Department of City Planning Monitoring Agency: Department of City Planning

Monitoring Frequency: Prior to issuance of building permits

Action Indicating Compliance: Plan review sign-off

Mitigation Measures

MM-TR-1:

Hill Street, Existing: Hill Street is currently a Modified Secondary and has a 31' half roadway width in a 46' right-of-way, with 15' sidewalk. There are two travel lanes in each direction, with left turn lanes at intersections, and on-street parking. There is no midblock central turn lane. Proposed: No changes are proposed to either the right-of-way or roadway curb to curb widths for this stretch of Hill Street, as the standard is currently exceeded by 1'. However the roadway configuration would be changed to accommodate a central turn lane and the bike lanes planned by the City. (The City's Bicycle Plan identifies bike lanes on Hill Street, but there are currently no design plans available as the improvement is not yet scheduled). On-street parking could not be allowed on either side of Hill Street adjacent to the project.

Current Roadway Standards: City standards require a 35' half roadway in a 45' half right-of-way with 10' sidewalk. The proposed half roadway would remain at 31' so would fall short of the half roadway standard by 4'. The proposed sidewalk of 15' would exceed the standards by 5'. The proposed half right-of-way would exceed the half right-of-way standard by 1'. Updated Mobility Element Standards: The new City standards for an Avenue II roadway (on adoption of the Updated Mobility Element) will require a 28' half roadway width, in a 43' half right of way with 15' sidewalk. The proposed configuration would meet or exceed all these standards.

Monitoring Phase: Construction of Adjacent Parcels
Enforcement Agency: Los Angeles Department of Transportation (LADOT)
Monitoring Agency: Department of City Planning
Monitoring Frequency: Once prior to occupancy
Action Indicating Compliance: Field inspection sign-off and compliance
certification report submitted by project contractor

MM-TR-2:

Broadway, Existing: Broadway currently has a 60' roadway width in a 90' right-of-way, with 15' sidewalks. There are two travel lanes in each direction, with left turn larges at intersections, and on-street parking. There is no midblock central turn lane. Proposed: No changes are proposed for this stretch of Broadway. Reducing sidewalk widths would be inconsistent with the project's goals of enhancing the pedestrian environment and supporting a transit corridor for Broadway adjacent to the project. In support of these goals, curb extensions are proposed for midblock (around an enhancement of the existing signalized mid-block pedestrian crossing) and at 21st Street. These would be 7' sidewalk extensions - which would provide a 22' sidewalk and leave a 13' travel lane adjacent to the curb. On-street parking would remain at other locations - which would provide a buffer between travel lanes and sidewalks as well as convenient short-stay parking. Bus stops are also proposed along this stretch of Broadway - locations to be determined. A proposed subterranean parking garage would extend under the public sidewalk by 7' from the property line (to 8' from the existing roadway curb).

Current Roadway Standards: Broadway meets current right-of-way requirements, but is 5' less than the half roadway curb-curb standards. Widening the roadway by 5' to meet standards would require reducing sidewalk widths by 5' from 15' to 10'.

Updated Mobility Element Standards: The new City standards for an Avenue II roadway (on adoption of the Updated Mobility Element) will require a 28' half roadway width, in a 43' half right of way with 15' sidewalk. The proposed configuration would meet or exceed all these standards.

Monitoring Phase: Construction of Adjacent Parcels

Enforcement Agency: Los Angeles Department of Transportation (LADOT)

Monitoring Agency: Department of City Planning

Monitoring Frequency: Once prior to occupancy

Action Indicating Compliance: Field inspection sign-off and compliance certification report submitted to LADOT by project contractor

MM-TR-3:

Main Street, Existing: Main Street currently has a 35' half roadway width in a 50' half right-of-way, with 15' sidewalk. There are two travel lanes in each direction with left turn lanes at intersections and a central turn lane midblock, On street parking is allowed. Proposed: No roadway changes are proposed for this stretch of Main Street. Reducing sidewalk widths would be inconsistent with the project's goals of enhancing the pedestrian environment. On-street parking would remain – which would provide a buffer between travel lanes and sidewalks as well as convenient short-stay parking. Some curb space would be allocated to passenger loading zones for the residential buildings. A proposed subterranean parking garage would extend under the public sidewalk by 9' from the new property line (to 8' from the existing roadway curb).

Current Roadway Standards: Current City standards require a 40' half roadway in a 52' half right-of-way with 12' sidewalk. Widening the roadway by 5' to meet roadway standards would require reducing the sidewalk width by 3' from 15' to 12'. Updated Mobility Element Standards: The new City standards for an Avenue 1 roadway (on adoption of the Updated Mobility Element) will require a 35' half roadway width, in a 50' half right of way with 15' sidewalk.

The proposed configuration would exactly meet all these standards.

Monitoring Phase: Construction of Adjacent Parcels

Enforcement Agency: Los Angeles Department of Transportation (LADOT)

Monitoring Agency: Department of City Planning Monitoring Frequency: Once prior to occupancy

Action Indicating Compliance: Field inspection sign-off and compliance

certification report submitted to LADOT by project contractor

MM-TR-4:

Washington Boulevard, Existing: Washington Boulevard currently has an 84' roadway width in a 100' right-of-way. It includes a 26' foot "median" for the Blue Line light rail line — which results in a 29' half roadway and 8' sidewalk in a 50' half right-of-way. There are two travel lanes in each direction, with left turn lanes at intersections, and no onstreet parking. Proposed: No changes are proposed to the roadway curb-curb section (the required roadway section for a Major Highway Class II cannot be achieved because of the Blue Line). The project cannot meet the right-of-way dedication on the West Block due to the existing Reef building. The project will provide a 5' dedication on the East Block, for a 15' sidewalk and 57' half right-of-way. (The Proposed Updated South East Los Angeles Community Plan (SELACP) anticipates a 5' easement requirement for a 15' sidewalk). A proposed subterranean parking garage would extend under the public sidewalk by 7' from the new property line (to 3' from the roadway curb).

Current Roadway Standards: City standards currently require a 40' roadway in a 52' right-of-way with 12' sidewalk. The half roadway width standard cannot be met because of the LRT line. A 2-foot dedication

would be required to meet the 52- half right-of-way standard. The proposed 5' dedication would result in a 15' sidewalk which would meet requirements and a 57' half right of way which would exceed requirements. Updated Mobility Element Standards: The new City standards for a Boulevard II roadway (on adoption of the Updated Mobility Element) will require a 40' half roadway width, in a 55' half right of way with 15' sidewalk. The proposed configuration would be unable to meet the roadway standard because of the rail line, but would meet the sidewalk requirement and exceed the right-of-way requirement.

Monitoring Phase: Construction of Adjacent Parcels

Enforcement Agency: Los Angeles Department of Transportation (LADOT)

Monitoring Agency: Department of City Planning Monitoring Frequency: Once prior to occupancy

Action Indicating Compliance: Field inspection sign-off and compliance

certification report submitted to LADOT by project contractor

MM-TR-5:

21st Street, Existing: 21st Street currently has a 20' half roadway width in a 30' right-of-way, with 10' sidewalk, which meets City standards. There is one travel lane in each direction, with no left turn lanes at intersections, and on-street parking is allowed. Project Mitigation: No changes are proposed to 21st Street. On-street parking shall remain where possible.

Current Roadway Standards: Current City standards for a Noncontinuous Local Street require an 18' half roadway in a 27' half right-of-way with 9' sidewalk. The current roadway exceeds all these standards. Updated Mobility Element Standards: The new City standards for a Noncontinuous Local Street (on adoption of the Updated Mobility Element) will require a 15' half roadway width, in a 25' half right of way with 10' sidewalk. The proposed configuration would meet or exceed all these standards.

Monitoring Phase: Construction of Adjacent Parcels

Enforcement Agency: Los Angeles Department of Transportation (LADOT)

Monitoring Agency: Department of City Planning Monitoring Frequency: Once prior to occupancy

Action Indicating Compliance: Field inspection sign-off and compliance

certification report submitted to LADOT by project contractor

MM-TR-6:

Prior to the issuance of certificate of occupancy, the project applicant shall implement new traffic signals, subject to LADOT approval, at the following locations adjacent to the project:

- Main Street & Project Garage Driveway
- Main Street & 21st Street
- Broadway & 21st Street
- = Hill Street & 21st Street

Monitoring Phase: Construction

Enforcement Agency: Los Angeles Department of Transportation (LADOT)

Monitoring Agency: Department of City Planning Monitoring Frequency: Once prior to occupancy

Action Indicating Compliance: Field inspection sign-off and compliance certification report submitted to LADOT by project contractor

MM-TR-7:

Feasible mitigation improvements were identified at a number of locations, which shall be implemented when enough project development has occurred to reach 55% of the total project PM peak hour trips. The project applicant shall implement the following physical mitigation measures to enhance intersection levels of service:

The 17th Street Corridor Between Los Angeles Street and Grand Avenue: This mitigation measure would enhance the capacity of 17th Street. The project shall restripe 17th Street from the existing two lanes to three lanes between Los Angeles Street and Grand Avenue.

The current curb-to-curb right of way along 17th Street is wide enough to accommodate an additional thru lane in the westbound direction. This improvement would require that on-street parking, located along the southern edge of the roadway, either be permanently removed or restricted during peak periods from Los Angeles Street to Grand Avenue.

This measure would require the removal (temporary or permanent) of 15 metered parking spaces and 7 non-metered spaces along 17th Street. An analysis (per LADOT guidelines, and summarized in Traffic Study Appendix E) showed that there are sufficient unoccupied parking spaces in the adjacent area (within two blocks and for the majority of spaces within one block) to accommodate the loss of these on-street parking spaces, so this measure would cause less than significant impacts on parking in this corridor.

Specific improvements included under this Mitigation Measure are as described below. These improvements have been included in the mitigation analysis. Except where identified, these measures could be implemented within the existing curb-to-curb roadway widths and within existing rights-of-way. Improvement concept plans are shown in The Traffic Study, Appendix F (Figure F.1 and Figure F.2) which is located in Appendix IV.N of this EIR.

- Main Street at 17th Street Intersection: The project shall restripe the westbound approach on 17th Street to add an additional thru lane. This would modify the existing configuration of one shared left-thru lane and one shared thru-right lane, to a configuration of one shared left-thru lane, one thru lane and one shared thru-right lane.
- Broadway at 17th Street Intersection: The project shall restripe the westbound approach on 17th Street to add an additional thru lane. This would modify the existing configuration of one shared left-thru lane and one shared thru-right lane, to a configuration of one shared left-thru lane, one thru lane and one shared thru-right lane.

- Hill Street at 17th Street Intersection: The project shall restripe the westbound approach on 17th Street to add an additional thru lane. This would modify the existing configuration of one shared left-thru lane and one shared thru-right lane, to a configuration of one shared left-thru lane, one thru lane and one shared thru-right lane,
- Olive Street at 17th Street Intersection: The proposed mitigation measure at this intersection is to restripe the westbound approach on 17th Street to add an additional thru lane. This would modify the existing configuration of one thru lane and one shared thru-right lane, to a configuration of two thru lanes and one shared thru-right lane.
- Grand Avenue at 17th Street Intersection: The project shall restripe the westbound approach on 17th Street to add an additional thru lane. This would modify the existing configuration of one shared left-thru lane and one thru lane, to a configuration of one shared left-thru lane and two thru lanes.

Monitoring Phase: Construction of East Parcel when enough project development has occurred to reach 55% of the total project PM peak hour trips Enforcement Agency: Los Angeles Department of Transportation (LADOT) Monitoring Agency: Department of City Planning Monitoring Frequency: Once prior to occupancy Action Indicating Compliance: Field inspection sign-off and compliance certification report submitted to LADOT by project contractor

MM-TR-8:

Two additional roadway improvement measures shall be implemented by the project applicant on the 18th Street corridor, at Hill and at Broadway, to provide an additional eastbound through lane, when enough project development has occurred to reach 70% of the total project PM peak hour trips, as follows:

- Hill Street at 18th Street Intersection: The project shall restripe the eastbound approach on 18th Street to add an additional thru lane. This would modify the existing configuration of one left turn lane, one thru lane and one shared thru-right lane, to a configuration of one shared left-thru lane, one thru lane, and one shared thru-right lane.
- Broadway at 18th Street Intersection: The project shall restripe the eastbound approach on 18th Street to add an additional thru lane. This would modify the existing configuration of one left turn lane, one thru lane and one shared thru-right lane, to a configuration of one shared left-thru lane, one thru lane, and one shared thru-right lane.

Monitoring Phase: Construction of East Parcel when enough project development has occurred to reach 70% of the total project PM peak hour trips Enforcement Agency: Los Angeles Department of Transportation (LADOT) Monitoring Agency: Department of City Planning Monitoring Frequency: Once prior to occupancy

Action Indicating Compliance: Field inspection sign-off and compliance certification report submitted to LADOT by project contractor

MM-TR-9:

Intersection Traffic Signal Upgrades: The traffic signal controllers at some study intersections are currently older model Type 170 Controllers. Where possible, the City is implementing upgrades to newer Type 2070 Controllers which provides for enhanced real time operation of traffic signal timing. The newer controllers allow LADOT to respond to real time traffic situations by making immediate adjustments to an intersection's signal timing and providing for more efficient traffic flows.

The project shall fund the upgrade of the signal controllers at the following intersection locations:

- Intersection No. 14: Main Street & 17th Street
- Intersection No. 15: Los Angeles Street & 17th Street
- Intersection No. 61: Los Angeles Street & 16th Street

Monitoring Phase: Construction

Enforcement Agency: Los Angeles Department of Transportation (LADOT)

Monitoring Agency: Department of City Planning Monitoring Frequency: Once prior to occupancy

Action Indicating Compliance: Field inspection sign-off and compliance

certification report submitted to LADOT by project contractor

MM-TR-10:

Closed Circuit Television (CCTV) Cameras: An integral part of the City's ATSAC/ATCS traffic signal control system is CCTV cameras at key intersection locations. These provide visual information to the City's ATSAC Traffic Control Center, and allow LADOT to monitor traffic operations and respond in real time to traffic conditions that delay vehicles and transit service.

The project shall fund the installation of new CCTV cameras (including necessary mounting poles, fiber optic and electrical connections) at the following locations:

- Intersection No. 13: Broadway & 17th Street
- Intersection No. 37: Adams Boulevard & Figueroa Street
- Intersection No. 41: Adams Boulevard & Broadway
- Intersection No. 57: Venice Boulevard & Figueroa Street
- Intersection No. 59: Venice Boulevard & Grand Avenue

Monitoring Phase: Construction

Enforcement Agency: Los Angeles Department of Transportation (LADOT)

Monitoring Agency: Department of City Planning Monitoring Frequency: Once prior to occupancy

Action Indicating Compliance: Field inspection sign-off and compliance

certification report submitted to LADOT by project contractor

MM-TR-11:

System Detection Loops: Another integral part of the City's ATSAC/ATCS traffic signal control system is system detection loops at key intersection locations. These provide real-time information to the City's ATSAC Traffic Control Center, and allow LADOT to monitor traffic operations and respond in real time to traffic conditions that delay vehicles and transit service.

The project would fund the installation of new system detection loops (including necessary fiber optic and electrical connections) at the following locations:

- Intersection No. 21: Los Angeles Street & 18th Street
- Intersection No. 61: Los Angeles Street & 16th Street

The locations for traffic signal upgrades, CCTV cameras, and system detector loops have been agreed to by LADOT. The applicant will either install the upgrades or pay LADOT a fixed amount of \$210,000 to provide for LADOT to design and install the improvements.

Monitoring Phase: Construction

Enforcement Agency: Los Angeles Department of Transportation (LADOT)

Monitoring Agency: Department of City Planning Monitoring Frequency: Once prior to occupancy

Action Indicating Compliance: Field inspection sign-off and compliance

certification report submitted to LADOT by project contractor

MM-TR-12:

Vehicle trip reduction measures are proposed to encourage the use of non-auto modes and reduce vehicle trips. These measures shall be implemented as each parcel of the project site is developed. The financial contribution to LADOT for the Mobility Hub shall be implemented when project development has occurred to reach 40% of the total project PM peak hour trips. The financial contribution to the City's Bicycle Trust Fund should be implemented when project development has occurred to reach 50% of the total project PM peak hour trips. These measures include the following:

- Provide sidewalk bike racks on the project site, including areas near bus stops.
- Coordinate with LADOT to provide the physical space (approximately 1,000 square feet rent free in a strategic location visible to the public) for a Mobility Hub/Bikeshare Station at the project site that could include space for:
 - secure, long-term parking;
 - maintenance and repair, and/or potential small Bicycle Store; and/or
 - area for bike share.
- Make a one-time financial contribution of \$250,000 to the City of Los Angeles Department of Transportation, the monies to be used in the implementation of the Mobility Hub on the site of the project.
- Make a one-time financial contribution of \$250,000 to the City's Bicycle Trust Fund, the monies to be used to improve bicycle facilities in the area of the project.
- Participate in a Car-Share Program, and provide a minimum of 10 (ten) off-street car share parking spaces in the project's parking garage.
- Facilitate rideshare through an on-site transportation coordinator.

Facilitate carpools and vanpools for project employees, students, etc.,
 by providing locations for carpool and vanpool parking.

Provide on-site facility with information on car-sharing, vanpools, taxis

(e.g. klosk, conclerge, or transportation office).

 Provide emergency or late-night ride homes for transit users or carpoolers who reasonably and unexpectedly leave work early or late and can't take bus/train/carpool.

Monitoring Phase: Construction of Individual Parcels; At 40% of Total PM Peak

Hour Trips: At 50 % of Total PM Peak Hour Trips

Enforcement Agency: Los Angeles Department of Transportation (LADOT)

Monitoring Agency: Department of City Planning Monitoring Frequency: Periodic field inspections

Action Indicating Compliance: Field inspection sign-off

MM-TR-13:

The project shall incorporate the following mitigation measures to encourage the use of transit and reduce vehicle trips. These measures shall be implemented as each parcel of the project site is developed. The financial contribution to LADOT for the DASH Bus shall be implemented at the first occupancy of development on the East Block of the project.

- Provide transit information center/concierge/store/kiosks on-site (include sale of transit passes).
- Provide bus shelters in area of the project site, as determined by Metro.
- Unbundle parking from housing cost.
- Implement parking cash-out programs for project land uses as
- Make a one-time financial contribution of \$500,000 to LADOT for the purchase of one DASH bus, to facilitate modifying slightly the route of Route D to include the project site. LADOT to pay for the operating costs of the vehicle.

Monitoring Phase: Construction of Individual Parcels; At Occupancy of East

Block

Enforcement Agency: Los Angeles Department of Transportation (LADOT)

Monitoring Agency: Department of City Planning Monitoring Frequency: Periodic field inspections

Action Indicating Compliance: Field inspection sign-off

MM-TR-14:

The project shall install a new traffic signal on Main Street at the main project driveway midblock between Washington Boulevard and 21st Street. Installation of a signal at this location would also entail modifications to the driveways for the Sports Museum on the east side of Main Street, opposite the project site. The Sports Museum currently has two driveways on Main Street. The northernmost of the two driveways is presently configured for inbound traffic, and the southernmost driveway is presently configured for outbound traffic. The existing south driveway of the Sports Museum would be closed, and a new driveway would be provided as the east leg of the new traffic signal, with full turning movements provided to access both the project and the Sports Museum. The existing north Sports Museum driveway

on Main Street would not be modified by the project, and could remain as a right turn-in driveway. The existing Sports Museum driveway on Washington Boulevard would not be modified by the project, and would remain as a right turn-out driveway.

Monitoring Phase: Construction

Enforcement Agency: Los Angeles Department of Transportation (LADOT)

Monitoring Agency: Department of City Planning Monitoring Frequency: Once prior to occupancy

Action indicating Compliance: Field inspection sign-off and compliance Certification report submitted to LADOT by project contractor:

Utilities/Sewer

Project Design Feature

PDF-UT-1:

The project shall implement the water-conserving project design features listed in Section IV.O.2 of this EIR, which will also reduce wastewater generation.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning

Monitoring Frequency: Once, prior to issuance of building permits Action Indicating Compliance: Issuance of building permits

Utilities/Water

Project Design Features

PDF-UT-2:

The project would implement the following Project Design Features (PDFs) to reduce water consumption. These measures are in addition to those required by codes and ordinances that would be applicable to the project:

- High Efficiency Toilets with flush volume of 1.0 gallons of water per flush
- Kitchen Faucets with flow rate of 1.5 gallons per minute or less
- High Efficiency Clothes Washers (Residential) water factor of 4.0 or less.
- Waterless Urinals
- Showerheads with flow rate of 1.5 gallons per minute or less
- Rotating Sprinkler Nozzles for Landscape Irrigation 0.5 gallons per minute
- Drought Tolerant Plants 70% of total landscaping
- High Efficiency Clothes Washers (Commercial) water factor of 4.5 or
- Cooling Tower Conductivity Controllers or Cooling Tower pH Conductivity Controllers
- Water-Saving Pool Filter
- Leak Detection System for swimming pools and Jacuzzi
- Drip/ Subsurface Irrigation (Micro-Irrigation)

Micro-Sprav

Proper Hydro-zoning (groups plants with similar water requirements together):

Zoned Irrigation

Water Conserving turf (3,325 square feet of turf with 0.7 plant factor)

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning

Monitoring Frequency: Once, prior to issuance of building permits

Action Indicating Compliance: Issuance of building permits

PDF-UT-3:

The project applicant shall complete a LEED Checklist, and submit to the Department of City Planning for review, prior to issuance of building permits.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning

Monitoring Frequency: Once, prior to issuance of building permits

Action Indicating Compliance: Department of City Planning sign off of
reviewed checklist

Utilities/Solid Waste

Project Design Feature

PDF-UT-4:

During occupancy and operations, the project shall have a solid waste diversion rate target of 50 percent of non-hazardous materials.

Monitoring Phase: Operations

Enforcement Agency: Department of City Planning Monitoring Agency: Department of City Planning

Monitoring Frequency: Field inspection(s) following construction

Action Indicating Compliance: Field inspection sign-off

Utilities/Electricity

Project Design Feature

PDF-UT-5:

The project applicant shall complete a LEED Checklist, and submit to the Department of City Planning for review, prior to issuance of building permits.

Monitoring Phase: Construction

Enforcement Agency: Department of City Planning Monitoring Agency: Department of City Planning

Monitoring Frequency: Once, prior to issuance of building permits Action Indicating Compliance: DCP sign off of reviewed checklist

Utilities/Natural Gas

Project Design Features

PDF-UT-6: The project would include the following Project Design Features:

The applicant shall comply with State Energy Conservation Standards for New Residential and Non-Residential Buildings (Title 24, Part 6, Article 2, California Administrative Code, 2008) and exceed Title 24, Part 6, Article 2, California Administrative Code, 2005 by 15 percent.

 The applicant shall install energy efficient heating and cooling systems, appliances (e.g., Energy Star®), equipment, and control

systems.

The applicant shall specify low-flow water-usage fixtures, reducing water consumption and water heating fuel (natural gas)

The applicant shall use energy-efficient pumps and motors for, waste and storm water conveyance, fire water, and domestic water.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning

Monitoring Frequency: Once, prior to issuance of building permits

Action Indicating Compliance: Issuance of building permits

PDF-UT-7:

The project applicant shall complete a LEED Checklist, and submit to the Department of City Planning for review, prior to issuance of building permits.

Monitoring Phase: Pre-Construction

Enforcement Agency: Department of City Planning Monitoring Agency: Department of City Planning

Monitoring Frequency: Once, prior to issuance of building permits Action Indicating Compliance: DCP sign off of reviewed checklist

- 29. Construction Mitigation Conditions. Prior to the issuance of a grading or building permit, or the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
 - CM-1. That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract map number. YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.
 - a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that the public can easily read it. The sign must be sturdily attached to a wooden post if it will be freestanding.
 - b. Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and

remains in that condition throughout the entire construction period.

- c. If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres, or portion thereof. Each sign must be posted in a prominent location.
- CM-2. 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. Wetting could reduce fugitive dust by as much as 50 percent.
- CM-3. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- CM-4. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-5. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-6. 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.
- CM-7. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- CM-8. The project shall comply with the City of Los Angeles Noise Ordinance Nos. 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.
- CM-9. 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.
- CM-10. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-11. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-12. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- CM-13. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.

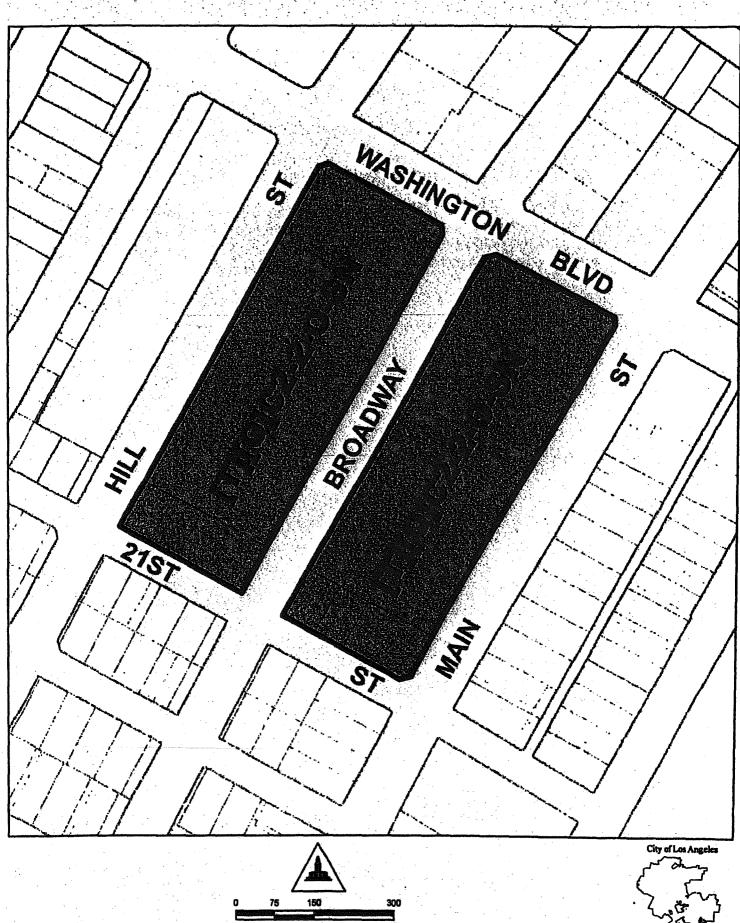
- CM-14. Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These will shield and bind the soil.
- CM-15. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- CM-16. All waste shall be disposed of property. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- CM-17. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-18. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- CM-19. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-20. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-21. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop cloths to catch drips and spills.

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An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angles Municipal Code is hereby amended by changing the zone classifications of properties shown upon a portion of the Zoning Map incorporated therein and made a part of Article 2, Chapter 1 of the LAMC, so that such portion of the Zoning Map shall conform to the zoning on the map attached hereto and incorporated herein by this reference.



C.M. 123 A 205, 123 A 207 | CPC 2014-1771 GPA VZC VCU MCUP CUX ZV SPR MSC AEQ-

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Data Sources: Department of City Planning, Bureau of Engineeri

CONDITIONS OF APPROVAL

A. Entitlement Conditions

- 1. 12.24-Y Special Permission for a Reduction of Off-street Parking. The project shall be granted a 10 percent reduction in the required number of parking spaces for commercial uses within 1,500 feet from a fixed transit station (Grand/LATTC Metro Blue Line).
- 2. Site Plan Review & Major Project Development. The project shall be granted a Site Plan Review and Major Project Development for a project that creates an increase of 50 or more dwelling units and an increase of more than 100,000 square feet of non-residential floor area, which in this case is 1,444 residential units and approximately 124,065 square feet of commercial space.
- 3. Unified Development Coverant. Prior to the issuance of any building permits, the applicant shall file a covenant running with the land with the Department of Building and Safety: (1) guaranteeing to continue the operation and maintenance of the development as a unified development; (2) indicating the floor area and, if applicable, density used on each parcel and the floor area and, if applicable, density potential, if any, that would remain; (3) guaranteeing the continued maintenance of the unifying design elements; and (4) specifying an individual or entity to be responsible and accountable for this maintenance and the fee for the annual inspection of compliance by the Department of Building and Safety, required pursuant to Section 19.11. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns.
- 4. Prior to the issuance of the building permit, a copy of the VTT-72914 shall be submitted to the satisfaction of the Development Services Center.
- 5. Prior to the issuance of a building permit, the applicant shall record and execute a Covenant and Agreement to comply with the South Los Angeles Alcohol Sales Specific Plan.
- 6. Electric Vehicle Parking. The project shall include at least twenty percent (20%) of the total Code-required parking spaces provided for all types of parking facilities, but in no case less than one location, shall be capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating capacity. Of the 20% EV Ready, five (5)% of the total Code-required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of either the 20% or 5% results in a fractional space, round up to the next whole number. A label stating "EVCAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.
- 7. Solar Panels. Solar panels shall be installed on the project's rooftop space and/or equipment, in substantial conformance with the site plan labeled as Exhibit "A" stamped and dated July 27, 2016.
- 8. **Graffiti Removal.** All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
- 9. Aesthetics. The structure, or portions thereof shall be maintained in a safe and sanitary condition and good repair and free of graffiti, trash, overgrown vegetation, or similar material, pursuant to Municipal Code Section 91,8104. 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, including an automatic

irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.

10. Master Conditional Use Permit for Alcohol Conditions

This grant shall be subject to the following conditions:

- a. Grant. The Master Conditional Use authorization herein to allow the on-site sale, dispensing and consumption of a full line of alcoholic beverages shall be limited to the following: eight (8) restaurant/bar establishments on the east block; five (5) establishments within the Reef building including the rooftop restaurant, basement, lobby restaurant, level 2 and level 11; and five (5) establishments in conjunction with the hotel including the hotel rooms, gallery, ground floor restaurant and pool deck. The Master Conditional Use authorization herein to allow the sale of a full line of alcoholic beverages for off-site consumption shall be limited to two (2) retail spaces on the east block including the grocery store and pharmacy. The Master Conditional Use authorization herein to allow live entertainment and/or patron dancing shall be limited to five (5) establishments including the hotel gallery, hotel pool deck, Reef building rooftop restaurant, Reef building level 2 and Reef building level 11.
- b. Sidewalk dining. Establishments seeking to serve food and alcohol within the public right-of-way shall secure a revocable permit from Department of Public Works prior to issuance of a certificate of occupancy.
- c. Hotel Pool Deck. The hotel pool deck hours shall be limited from 8:00 a.m. to 10:00 p.m., daily.
- d. Plan Approval. The applicant or individual operator shall file a plan approval(s) with the Department of City Planning pursuant to Section 12.24-M of the LAMC prior to the utilization of any grant made herein pursuant to the sale of alcoholic beverages. The plan approval(s) shall be accompanied by the payment of appropriate fees, pursuant to Section 19.01,C of the Municipal Code, and must be accepted as complete by the Department of City Planning. Mailing labels shall be provided by the applicant for all abutting property owners. The applicant shall submit an overall security plan for the Project Site which shall be prepared in consultation with the Los Angeles Police Department and which addresses security measures for the protection of visitors and employees. The project shall include appropriate security design features for semi-public and private spaces, which may include, but shall not be limited to; access control to buildings: secured parking facilities; walls/fences with key security; lobbies, corridors, and elevators equipped with electronic surveillance systems; well-illuminated semi-public space designed with a minimum dead space to eliminate areas of concealment; and location of toilet facilities or building entrances in high foot traffic areas. In reviewing the plan approval(s) for alcohol sales, the Zoning Administrator may consider conditions, as applicable, on the following: time period of the grant; hours and days of operation; primary use(s); security plans; maximum seating capacity; maximum floor area; noise; mode, character and nature of the operation; food service and age limits. The plan approval review application is for the purpose of evaluating the effectiveness of all conditions, associated with the sale of alcoholic beverages of this granted action, as to whether additional conditions are necessary or whether conditions may be deleted.

Modifications to these Conditions of Approval shall require that the applicant file a plan approval(s) with the Department of City Planning. The plan approval(s) shall be accompanied by the payment of appropriate fees, and must be accepted as complete by

the Department of City Planning. Mailing labels shall be provided by the applicant for all abutting property owners. Mitigation Measures and/or Project Design Features shall not be changed, modified, or removed using the plan approval process.

- e. Within six months of the effective date of this action, all employees involved with the sale of alcoholic beverages shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR) program. Upon completion of such training, the applicant shall request the Police Department to issue a letter identifying which employees completed the training. The applicant shall transmit a copy of the letter from the Police Department to the Condition Compliance Unit as evidence of compliance. In the event there is a change in the licensee, within one year of such change, this training program shall be required for all new staff. All employees who serve alcoholic beverages shall attend follow-up STAR classes every 24 months. The STAR training shall be conducted for all new hires within 2 months of their employment.
- f. Prior to the utilization of this grant, surveillance cameras shall be installed which cover all common areas of the venues, including all high-risk areas, entrances and exits to each tenant space, including cameras that provide a view of the street. The camera installation plan shall also be reviewed by the Police Department individually or as part of the security plan. The applicant shall maintain a one-month tape library and such tapes shall be made available to Police or other enforcement agency upon request.
- g. There shall be no use of the subject premises which involves Section 12,70 of the Los Angeles Municipal Code uses (Adult Entertainment).
- h. The applicant shall maintain on the premises and present upon request to the Police or other enforcement agency, a copy of the Business Permit, Insurance Information, and valid emergency contact phone number for any Valet Service utilized and for any Security Company Service employed.
- i. The applicant shall identify a contact person and provide a 24-hour "hot line" telephone number for any inquiries or complaints from the community regarding the subject facility. Prior to the utilization of this grant, the phone number shall be posted on the site so that is readily visible to any interested party. The hot line shall be:
 - posted at the entry, and the cashier or customer service desk,
 - responded to within 24-hours of any complaints/inquiries received on this hot line, and
 - the phone number shall connect directly to the responsible person and not to an answering machine.
- j. The operator of each venue shall be responsible for maintaining the area adjacent to the premises under his/her control free of litter.
- k. The applicant and tenants shall monitor the areas under their control to prevent loitering of persons around their venues.
- There shall be no cover charge required at any time at any venue on the premise.
- m. No after-hour use of a venue in the complex is permitted. This includes but is not limited to private or promotional events, excluding any activities which are issued film permits by the City.

- n. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Department of City Planning to impose additional corrective conditions, if, it is determined by the Department of City Planning that such conditions are proven necessary for the protection of person in the neighborhood or occupants of adjacent property.
- o. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Department of City Planning will have the right to require the Petitioner(s) to file for a Plan Approval application together with the associated fees and to hold a public hearing to review the Petitioner(s) compliance with and the effectiveness of the conditions of the grant. The Petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.
- p. The operator shall install and maintain surveillance cameras in all areas of the restaurant premises, including any outdoor dining area and a 30-day video library that covers all common areas of such business, including all high-risk areas and entrances or exits. The tapes shall be made available to the Police Department upon request.
- q. All establishments applying for an Alcoholic Beverage Control license shall be given a copy of these conditions prior to executing a lease and these conditions shall be incorporated into the lease. Furthermore, all vendors of alcoholic beverages shall be made aware that violations of these conditions may result in revocation of the privileges of serving alcoholic beverages on the premises.
- r. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the City Planning Department will have the right to require the Petitioner(s) to file for a Plan Approval application together with the associated fees and to hold a public hearing to review the Petitioner(s) compliance with and the effectiveness of the conditions of the grant. The Petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.
- s. A copy of this grant and all Conditions and/or any subsequent appeal of this grant and resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.

CONDITIONS IDENTIFIED FOR CONSIDERATION BY THE STATE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL RELATIVE TO THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES

In approving the instant grant, the City Planning Commission has not imposed Conditions specific to the sale or distribution of alcoholic beverages, even if such Conditions have been volunteered or negotiated by the applicant, in that the City Planning Commission has no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution.

The City Planning Commission has identified a set of Conditions related to alcohol sales and distribution for further consideration by the State of California Department of Alcoholic Beverage Control (ABC). In Identifying these conditions, the City Planning

Commission acknowledges the ABC as the responsible agency for establishing and enforcing Conditions specific to alcohol sales and distribution. The Conditions identified below are based on testimony and/or other evidence established in the administrative record, and provide the ABC an opportunity to address the specific conduct of alcohol sales and distribution in association with the Conditional Use granted herein by the City Planning Commission.

- There shall be no exterior window signs of any kind or type promoting alcoholic products.
- The alcoholic beverage license for the restaurants shall not be exchanged for "public premises" license unless approved through a new conditional use authorization. "Public Premises" is defined as a premise maintained and operated for sale or service of alcoholic beverages to the public for consumption on the premises, and in which food is not sold to the public as a bona fide eating place,
- No alcohol shall be allowed to be consumed on any adjacent property under the control of the applicant.
- There shall be no advertising of any alcoholic beverages visible from the exterior of the premises from the food and beverage areas within the museum, promoting or indicating the availability of alcoholic beverages.
- Alcohol sales and dispensing for on-site consumption shall only be served by employees.
- Signs shall be posted in a prominent location stating that California State Law prohibits the sale of alcoholic beverages to persons under 21 years of age. "No loitering or Public Drinking" signs shall be posted outside the subject facility.
- The venue operator, owner and the venue personnel shall at all times maintain a
 policy of not serving to obviously intoxicated patrons and shall take preventative
 measures to help avert intoxication-related problems.
- No person under the age of 21 years shall sell or deliver alcoholic beverages.
- The sale of distilled spirits by the bottle for same day or future consumption is prohibited.
- There shall not be a requirement to purchase a minimum number of drinks.
- There shall be no portable self-service bar(s) at either location. A wait person or bartender shall conduct all alcoholic beverage service, which may be from a portable bar.
- In the off-site venue, there shall not be any sale of single cans or bottles of beer, wine coolers, or malt liquor from pre-packaged 6- or 4- packs. The sale of individual cans or bottles of craft beer from 15+ fluid ounce containers is permissible.
- No sale of alcohol shall be permitted at any self-service, automated check-out station (checkout conducted primarily by the customer, with assistance by a store monitor) if such are available on the site. All sales of alcohol shall be conducted at a full-service checkout station directly attended by a cashier/checkout clerk specifically assigned solely to that station.

B. Administrative Conditions

- Approval, Verification and Submittals. Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
- 2. Code Compliance. Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.

- 3. Covenant. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, helps or assigns. The agreement shall be submitted to the Department of City Planning Development Services Center for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
- 4. Definition. Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
- 5. Enforcement. Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
- 6. Building Plans. Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
- 7. Corrective Conditions. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
- 8. Project Plan Modifications. Any corrections and/or modifications to the project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Fire Department, or other City Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.
- 9. Indemnification and Reimbursement of Litigation Costs. Applicant shall do all of the following:
 - Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
 - ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to

the requirement in paragraph (ii).

v) if the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold hamless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

FINDINGS

Legislative Findings/General Plan/Charter Findings

1. General Plan Land Use Designation.

The subject property is located within the Southeast Los Angeles Community Plan area (effective March 22, 2000), which designates the property as Limited Manufacturing with the corresponding zones of CM, MR1 and M1. The project site's current zones are [Q]M1-2-O and the M1-2-O. The recommended General Plan Amendment will change the land use designation to Community Commercial with the corresponding zones of CR, C2, C4 and RAS3. In addition, the General Plan Amendment will allow for the modification of Footnote 1 to state that the project site is not subject to the height limitations of Height District 1, Generally, Height District 2 in the C zone allows unlimited height with an FAR of 6.0:1.

Approval of a General Plan Amendment is necessary to unify the project site under the Community Commercial land use designation, consistent with other properties to the west and east along Washington Boulevard. In addition, the proposed Zone Change will unify the entire project site under the C2 zone while maintaining the height and FAR restrictions of Height District No. 2. The mixed-use project is not consistent with the current Southeast Los Angeles Community Plan land use because the Limited Manufacturing land use does not allow residential uses. However, with approval of the General Plan Amendment from Light Manufacturing to Community Commercial and modification of Footnote No. 1, the project will be consistent with the land use designation. The corresponding C2 zone allows the construction of 1,444 residential units in conjunction with commercial uses.

In addition, the Draft Southeast Los Angeles Community Plan update seeks to amend the community plan map. As part of the plan update, a General Plan Amendment is required to create consistency among existing/future developments and designated land uses. The Draft Plan seeks to change the project site, including all of the properties fronting Washington Boulevard to the north and south between Hill Street and San Pedro Street. from "Limited Manufacturing" to "Community Commercial" land use, thus, creating a unified pattern of zoning and corresponding land use designation along Washington Boulevard. The proposed change to Community Commercial is based on the determination of the Industrial Land Use Policy that identifies the area as a transition district as well as input from community members, stakeholders and representatives from Council District 9. Transition Districts are areas where the viability of industrial uses have been compromised by significant conversions and where the transition to other uses should continue. Identified Transition Districts are areas where alternate policies such as specific plans, Transit Oriented Districts (TOD) and other planning efforts are anticipated or are in process. Unlike "Industrial Mixed-Use Districts," stand-alone housing or mixed-use developments containing housing and commercial uses may be appropriate in "Transition Districts." The Southeast Los Angeles Community Plan is expected to be adopted in mid-2017.

2. General Plan Text

- a. <u>Southeast Los Angeles Community Plan</u>: The mixed-use project is consistent with several goals, objectives, and polices of the Southeast Los Angeles Community Plan. The plan text includes the following relevant residential and commercial land use goals, objectives and policies:
 - 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.
- 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 this development.
- Objective 1-5: To promote and ensure the provision of adequate housing for all persons regardless of income, age, or ethnic background.
 - Policy 1-5.1: Promote greater individual choice in type, quality, price, and location of housing.
 - Policy 1-5.2: Ensure that new housing opportunities minimizes displacement of the residents.
 - Policy 1-5.3: Provide for development of townhouses and other similar condominium type housing units to increase home ownership options.
- 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.
 - Policy 2-1.5: Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.
 - Objective 2-4: To enhance the identity of distinctive commercial districts and to identify Pedestrian Oriented Districts (POD's).
 - Policy 2-4.2: New development should add to and enhance the existing pedestrian street activity.
 - Policy 2-4.3: Ensure that commercial infill projects achieve harmony with the best of existing development.

- Policy 2-4.5: Identify pedestrian-oriented areas as preferred locations for mixed-use projects.
- Policy 2-4.6: Required that mixed-use projects and development in Pedestrian Oriented Districts be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses.
- Policy 2-4.7: Require that the first floor street frontage of structures, including mixed-use projects and parking structures located in Pedestrian Oriented Districts, incorporate commercial uses.
- Policy 2-4.8: Require that mixed-use projects be designed to mitigate potential conflicts between the commercial and residential uses (e.g., noise, lighting, security, truck and automobile access, etc.) and provide adequate amenities for residential occupants.
- Policy 2-4.10: Promote mixed-use projects in proximity to transit stations, along transit corridors, and in appropriate commercial areas.
- Objective 2-5: To enhance the appearance of commercial districts.
 - Policy 2-5.1: Improve the appearance and landscaping of commercial properties.
 - Policy 2-5.2: Preserve community character, scale and architectural diversity.
- Goal 5: A community with sufficient open space in balance with new development to serve the recreational, environmental, health and safety needs of the community and to protect environmental and aesthetic resources.
 - Objective 5-1: To preserve existing open space resources and where possible develop new open space.
 - Policy 5-1.3: Require development in major opportunity sites to provide public open space.

The project is a mixed-use development consisting of: 549 apartment units, including 21 live/work units, and 895 residential condominiums (or up to 1,444 residential condominiums); a 208-key hotel; 67,702 square feet of retail/restaurant uses; a 29,355 square-foot grocery store; a 17,507 square-foot gallery; and a 7,879 square-foot fitness studio. The existing Reef building will be maintained and includes an 8,000 square-foot rooftop restaurant addition. The project will contain approximately 2,541,468 square feet of floor area upon full build out.

The mixed-use project replaces surface parking lots in an area characterized by office, civic, educational, light manufacturing, retail and multi-family residential uses that are in close proximity to several public transit options, including the Metro Blue Line. The project provides much-needed housing (for rent and sale) and jobs to the Southeast Los Angeles Community Plan area, including neighborhood serving retail and restaurant uses, a hotel, publically accessible open space and pedestrian improvements that support this area of Southeast Los Angeles as an emerging transit-oriented commercial

center for population growth, employment, retail services, restaurant options and open space for recreation.

As with the current plan, the Draft Southeast Los Angeles Community Plan identifies several goals, policies, implementation programs and design guidelines to help achieve the community's vision. As part of the plan update, a General Plan Amendment is required to create consistency among existing/future developments and designated land uses. Specifically, the project site's land use, as well as all of the properties fronting Washington Boulevard to the north and south between Hill Street and San Pedro Street, will be changed from "Limited Manufacturing" to "Community Commercial." The proposed change to Community Commercial is based on the determination of the Industrial Land Use Policy that identifies the area as a transition district as well as input from community members, stakeholders and representatives from Council District 9. The project site will also be located within a designated Transit Oriented District.

The Draft Plan also includes a Community Plan Implementation Overlay. The Draft Southeast Community Plan Implementation Overlay (CPIO) was updated and released for public review on March 18, 2015. The Draft CPIO designated the project site as a Regional Center Transit Oriented District (Subarea H.2). The "H" Regional Subarea allows for greater intensity of development and provides development incentives for non-residential, jobs-producing uses such as office, research and development, and other job-intensive land uses that are well suited for this Downtown-adjacent enclave.

The Notice of Preparation of an Environmental Impact Report for the Southeast Los Angeles Community Plan Update was issued on October 20, 2008 and two public scoping meetings were held, one on November 6, 2008 and the other on November 13, 2008. Adoption of the Southeast Community Plan update is anticipated in mid-2017 following the release of the Draft EIR (anticipated in the Fall of 2016), a 90-day public comment period and a public hearing before the City Planning Commission.

b. <u>Framework Land Use Chapter</u>: The Framework Element's Land Use chapter seeks to support the viability of the City's residential neighborhoods and commercial districts, and to encourage sustainable growth in higher-intensity commercial and mixed-use districts, particularly in proximity to transportation corridors and transit stations.

The General Plan Framework identifies Limited Manufacturing (referred to as Industrial-Transit) areas as a function of the *Industrial Land Use* chapter. The Framework seeks to "preserve industrial lands for the retention and expansion of existing and attraction of new industrial uses that provide job opportunities for the City's residents." However, as indicated in the *Economic Development* chapter of the Framework Element, "some existing industrially zoned lands may be inappropriate for new industries and should be converted for other land uses." The Framework identifies the Industrial-Transit land use with the corresponding CM, M1, M2 and C2 zones while the corresponding zones for Community Commercial (referred to as Community Centers) land use are CR, C4 and [Q]C2. The General Plan Framework identifies the two types of Community Centers as either a "multi-use, non-residential center that encourages the development of professional offices, hotels, cultural and entertainment facilities" or a "mixed-use center that encourages the development of housing in concert with the multi-use commercial uses." The corresponding CR, C2 and [Q]C2 zones "accommodate the development of community-serving commercial uses and services and residential dwelling units."

The project supports and will be generally consistent with the General Plan Framework Land Use Chapter as it will contribute to the needs of future residents, employees, and

visitors. Specifically, the project will comply with the Community Centers following goal, objective and policies set forth in the General Plan Framework Land Use Chapter:

- Goal 3E: Pedestrian-oriented, high activity, multi- and mixed-use centers that support and provide identity for Los Angeles' communities.
 - Objective 3.9: Reinforce existing and encourage new community centers, which accommodate a broad range of uses that serve the needs of adjacent residents, promote neighborhood and community activity, are compatible with adjacent neighborhoods, and are developed to be desirable places in which to live, work and visit, both in daytime and nighttime.
 - Policy 3.9.1: Accommodate the development of community-serving commercial uses and services and residential dwelling units in areas designated as "Community Center". The ranges and densities/intensities of uses permitted in any area shall be identified in the community plans.
 - Policy 3.9.3: Determine the appropriateness of centralized and shared parking structures, and where suitable and feasible, encourage their development.
 - Policy 3.9.4: Promote the development of para-transit or other local shuttle system and bicycle amenities that provide access for residents of adjacent neighborhoods, where appropriate and feasible.
 - Policy 3.9.7: Provide for the development of public streetscape improvements, where appropriate.
 - Policy 3.9.8: Support the development of public and private recreation and small parks by incorporating pedestrian-oriented plazas, benches, other streetscape amenities and, where appropriate, landscaped play areas.
 - Policy 3.9.9: Require that outdoor areas of developments, parks, and plazas located in community centers be lighted for night use, safety, and comfort commensurate with their intended nighttime use, where appropriate.

The General Plan Framework Element encourages Community Centers to be identifiable focal points and activity centers for surrounding groups of residential neighborhoods, serving a population of 25,000 to 100,000. They differ from neighborhood districts in their size and intensity of business and social activity. They contain a diversity of uses such as small offices, overnight accommodations, cultural and entertainment facilities, schools and libraries in addition to neighborhood-oriented uses. The project is consistent with the Community Centers that is defined as "a mixed-use center that encourages the development of housing in concert with the multi-use commercial uses" in that the project provides housing in conjunction with retail, restaurant, office, hotel and open space uses.

The project is located an area of Southeast Los Angeles consisting of Limited Manufacturing, Public Facilities, Community Commercial and Low Medium II Residential land uses. The variety of uses is evident in the patchwork of development that includes

creative, office and limited manufacturing jobs; retail and restaurant establishments; civic and educational uses and multi-family residential uses contained in structures ranging from low-rise to mid-rise buildings. The project site's proposed Community Commercial land use designation supports the area's diversity of uses, consistent with the Community Commercial's Identity as a focal point of activity for surrounding groups. The project will enliven the immediate area by replacing surface parking lots with a mixed-use project containing residential, retail, restaurant, hotel and publically accessible open space as well as the retention of the Reef building that houses space for wholesale, design, creation, and exhibition of new products. The addition of the project will thereby enhance the existing diversity of jobs, services, and housing in an urban area that is well-served by public infrastructure and transit, including the Metro Blue Line.

In addition, as encouraged by the General Plan Framework in Commercial Centers, the mixed-use nature of the project will increase opportunities for employees to live near their jobs and residents to live near retail and restaurant establishments. As such, the length and number of vehicular trips will decrease while transit, pedestrian and bicycle activity will increase.

- c. Housing Element: 2013-2021 Housing Element, the Housing Element of the General Plan, is the City's blueprint for meeting housing and growth challenges. The Housing Element Identifies the City's housing conditions and needs, identifies goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides an array of programs the City has committed to in order to implement and create sustainable, mixed-income neighborhoods across Los Angeles. The project is consistent with the following goals, objectives and policies of the Housing Element:
 - Goal 1:Housing Production and Preservation: A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels, races, ages, and suitable for their various needs.
 - Objective 1.1: Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.
 - Policy 1.1.3: Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city's households.
 - Policy 1.1.4: Expand opportunities for residential development, particularly in designated Centers, Transit Oriented Districts and along Mixed-Use Boulevards.

The project includes 1,444 residential units in a range of housing types and sizes, including 895 condominiums and 549 apartments (including 21 live/work units). Residential units are offered in live/work, studio, and one-, two- and three-bedroom configurations. The variety in dwelling unit types will accommodate a variety of family sizes within a mixed-use development. The project's 1,444 residential units will help further achieve the Mayor's goal of producing 100,000 dwelling units by 2021.

Goal 2: Safe, Livable and Sustainable Neighborhoods

Objective 2.2: Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities services and transit.

- Policy 2.2.1: Provide incentives to encourage the integration of housing with other compatible land uses:
- Policy 2.2.2: Provide incentives and flexibility to generate new multi-family housing near transit and centers, in accordance with the General plan Framework element, as reflected in Map ES.1.
- Objective 2.3: Promote sustainable buildings, which minimize adverse effects on the environment and minimize the use of non-renewable resources.
 - Policy 2.3.2: Promote and facilitate reduction of water consumption in new and existing housing.
 - Policy 2.3.3: Promote and facilitate reduction of energy consumption in new and existing housing.
 - Policy 2.3.4: Promote and facilitate reduction of waste in construction and building operations.
- Objective 2.4: Promote livable neighborhoods with a mix of housing types, quality design and a scale and character that respects unique residential neighborhoods in the City:
 - Policy 2.4.3: Develop and implement sustainable design standards in public and private open space and street rights-of-way. Increase access to open space, parks and green spaces.

The mixed-use project will replace existing parking lots, creating a safe and livable environment adjacent to existing employment and several public transportation lines. The project also includes several amenities for residents, employees and visitors including a grocery store, pharmacy, retail and restaurant establishments and publically accessible open space. In addition, the project will comply with all state, regional, local and LAMC requirements for water and energy conservation and waste reduction. The project will be constructed to LEED Silver certification standards. The project also includes EV ready parking spaces, solar panels and 162,255 square feet of open space, including landscaped courtyards and pathways that will be publically accessible.

- d. <u>Health and Wellness Element:</u> Plan for a Healthy Los Angeles, the Health and Wellness Element of the General Plan, seeks the promotion of a healthy built environment in a manner that enhances opportunities for improved health and well-being, and which promotes healthy living and working conditions. As further analyzed in the EIR and herein, the project is consistent with the following policies:
 - Policy 2.2: Healthy building design and construction

"Promote a healthy built environment by encouraging the design and rehabilitation of buildings and sites for healthy living and working conditions, including promoting enhanced pedestrian-oriented circulation, lighting, attractive and open stairs, healthy building materials and universal accessibility using existing tools, practices, and programs."

The project includes retention of the existing Reef building and construction of 1,444 residential dwelling units, 97,057 square feet of retail and restaurant space and other commercial spaces, including a gallery. New construction will comply with all LAMC

regulations, including the Green Building Code, and will pursue LEED Silver certification standards. The project also includes 162,255 square feet of open space, including landscaped courtyards and pathways that will be publically accessible. The project's location, near several public transportation lines, and the inclusion of live/work units, retail and restaurant uses at ground level, will encourage pedestrian circulation.

Policy 2.6: Repurpose underutilized spaces for health

"Work proactively with residents to identify and remove barriers to leverage and repurpose vacant and underutilized spaces as a strategy to improve community health."

The project will convert surface parking lots into a mixed-use project with open space and community amenities that will be accessible to the public.

Policy 3.8: Active spaces

"Support public, private, and nonprofit partners in the ongoing development of new and innovative active spaces and strategies to increase the number of Angelenos who engage in physical activity across ages and level of abilities."

The project includes 162,255 square feet of open space, including landscaped courtyards and pathways that will be publically accessible. Public active spaces include an outdoor event and performance space with an amphitheater. Active spaces for the residents include a recreation room, fitness center, multiple swimming pools, yoga lawn and several landscaped recreational areas.

Policy 4.3: Farmers markets

"Promote targeted efforts to increase access to farmers markets in neighborhoods that have reduced access to affordable, fresh, and healthy food."

The outdoor open space between the existing Reef building and the hotel, known as the Exchange, will accommodate a farmers market upon build out of the project.

Policy 4.4: Equitable access to healthy food outlets

"Pursue funding, public, private, and nonprofit partnerships, and develop financial, land use and similar incentives and programs to encourage the equitable availability of healthy, affordable food outlets within close proximity of all residences."

The project includes a 29,355 square-foot space for a grocery store to serve the residents and employees of the project as well as the surrounding community.

Policy 5.1: Air pollution and respiratory health

"Reduce air pollution from stationary and mobile sources; protect human health and welfare and promote improved respiratory health."

The project is located within walking distance of several public transportation lines and is adjacent to designated bicycle routes and lanes. Project residents, employees and

visitors will be within walking distance of retail, restaurants and jobs. In addition, the project provides 1,906 total bicycle parking spaces and EV ready parking spaces, to encourage alternative means of transportation, thus reducing air pollution from vehicles. The project also provides HVAC systems for all residential units with minimum MERV 13 rated filters to improve the health and welfare of project residents and prohibits the use of fireplaces within residential units.

Policy 5.7: Land use planning for public health and GHG emission reduction

"Promote land use policies that reduce per capita greenhouse gas emissions, result in improved air quality and decreased air pollution, especially for children, seniors and others susceptible to respiratory diseases."

As discussed above, the project includes bicycle parking and EV ready spaces to help reduce GHG emissions during operation of the project.

- e. <u>Mobility Element</u>: Mobility Plan 2035, the Mobility Element of the General Plan, will not be negatively affected by the recommended action herein. The project is consistent with the five goals of the plan to provide:
 - 1. Safety First
 - 2. World Class Infrastructure
 - 3. Access for All Angelenos
 - 4. Collaboration, Communication and Informed Choices
 - 5. Clean Environments & Healthy Communities

Pursuant to Mobility Plan 2035, the designations of the project's adjacent streets are: Main Street, adjoining the project site to the east, is designated an Avenue I and has a 100-foot right-of-way; Broadway, bisecting the two blocks, is designated an Avenue II and has a 90-foot right-of-way; Hill Street, adjoining the project site to the west, is designated an Avenue II and has a 92-foot right-of-way; and 21st Street, adjoining the project site to the south, is designated a Local Street and has a 60-foot right-of-way. The project includes project design features (PDF-TR-1) and mitigation measures (MM-TR-1 through MM-TR-14) aimed at addressing transportation-related impacts associated with the proposed project. Moreover, the Bureau of Engineering has required dedications and improvements on Washington Boulevard and improvements at all the dedicated corner cuts by placing additional concrete for sidewalk area purposes including any necessary removal and reconstruction of the existing improvements.

The applicant is requesting approval of a Variance to allow a 10 percent reduction of the required off-street parking spaces for commercial uses because the project site is located within 1,500 feet of a transit facility. Blue Line ridership has increased by almost 175,000 boardings, including weekdays and weekends, in the month of June 2016 as compared to June 2015. The project site is well-served by public transportation, including the following regional and local bus lines:

- Metro Blue Line Grand/LATTC station is located at the corner of Washington Boulevard and Olive Street, one block northwest of the project site, and runs along Washington Boulevard;
- Metro Regional/Local Lines:
 - Metro Local Lines 40 and 45 runs north-south along Broadway:
 - o Metro Rapid Line 745 runs north-south along Broadway

- o Metro Local Lines 35 and 38 run east-west along Washington Boulevard:
- o Metro Local Line 48 runs north-south along Main Street:
- o Metro Local Line 14 runs north-south along Olive Street, one block west of the project site:
- o Metro Local Lines 37, 38, 55, 355 and Metro Shuttle Line 603 run along Grand Avenue, two blocks west of the project site:
- LADOT Dash D Line runs north-south along Olive Street, one block west of the
 project site. The project includes the contribution of funds to LADOT to purchase an
 additional bus to facilitate a slight modification of Route D to pass by the project site.

In addition, Washington Boulevard is a designated Backbone Bikeway Network, Main Street is a designated Bicycle Route, Broadway is a designated Neighborhood Bikeway Network, and Hill Street is a designated Bike Lane in the City's Bicycle Plan. The project includes 1,906 total bicycle parking spaces for residential and commercial uses. For non-residential uses, 160 long-term and 157 short-term bicycle parking spaces are provided to meet the LAMC requirement for commercial development and 1,444 long-term and 145 short-term bicycle parking spaces are provided to meet the LAMC requirement for residential uses. Short and long-term bicycle parking spaces are located throughout the project site. The project also includes a bicycle hub with locker and shower facilities. The short-term bicycle spaces are located in direct proximity to the street, with designated access and signage intended to promote awareness and reduce conflicts with pedestrians and vehicles. However, the applicant is requesting approval of a Variance to allow alternative locations for stall siting and to allow a complimentary valet service for the hotel component.

- f. <u>Sewerage Facilities Element</u>: Improvements may be required for the construction or improvement of sewer facilities to serve the subject project and complete the City sewer system for the health and safety of City inhabitants, which will assure compliance with the goals of this General Plan Element.
- 3. Charter Compliance City Charter Section 555 (General Plan Amendment). The proposed General Plan Amendment complies with the procedures as specified in Section 555 of the Charter, including:
 - a. Amendment in Whole or in Part. The General Plan Amendment before the City Planning Commission represents an Amendment in Part of the Southeast Los Angeles Community Plan, representing a change to the social, physical and economic identity of project site, which is currently designated as Limited Manufacturing and zoned [Q]M1-2-O and M1-2-O. The General Plan Amendment to Community Commercial is consistent with the Community Commercial land use designation of other properties fronting Washington Boulevard to the east and west. In addition, the modification of Footnote No. 1 to allow the project to comply with the regulations of Height District 2 is consistent with a recently approved General Plan Amendment for a property located northwest of the project site along Washington Boulevard. Currently, the project vicinity is a patchwork of land use designations and zoning. The instant request provides the City an opportunity to create consistency along Washington Boulevard while simultaneously developing an underutilized site in a manner consistent with the goals, objectives and policies of the General Plan Framework for Community Centers.

The subject property has significant social, physical and economic identity when viewed with development in the immediate area. The immediate vicinity is a transit-oriented area with the availability of several transit lines and bicycle networks. An increased reliance on public transportation creates a social environment where people are walking to and

from work and home, thus encouraging mixed-use projects that will result in a reduction of vehicular trips. In addition, because of the transit-oriented nature of the vicinity, this portion of Washington Boulevard, from Hill Street to San Pedro Street, is undergoing a physical transition from retail and office use to mixed-use commercial and residential development with the approval of projects over the past few years. The project vicinity has undergone two General Plan Amendments to Community Commercial to allow two transit-oriented, mixed-use commercial and residential projects located on Washington Boulevard. The project will also contribute to a growth in housing and in the overall population of the project vicinity and an increase in jobs and visitors, thus contributing to the economic vitality of the project area.

Thus, the City concludes that approval of the Plan Amendment to Community Commercial and modification of Footnote No. 1 is necessary for the vision of the Southeast Los Angeles Community Plan to create a significant and important social, physical and economic identity for the area with the construction of the mixed-use project. It will allow underutilized parking lots to be improved with much-needed housing and neighborhood commercial uses, in conjunction with an existing employment center (the Reef), in a transit-oriented area where mixed-use projects are encouraged.

As previously mentioned, the Southeast Los Angeles Community Plan is currently undergoing an update. The Draft Plan identifies several goals, policies, implementation programs and design guidelines to help achieve the community's vision. As part of the plan update, a General Plan Amendment is proposed to create consistency among existing/future developments and designated land uses. Specifically, the project site's land use, as well as all of the properties fronting Washington Boulevard to the north and south between Hill Street and San Pedro Street, will be changed from "Limited Manufacturing" to "Community Commercial." The proposed change to Community Commercial is based on the determination of the Industrial Land Use Policy that identifies the area as a transition district as well as input from community members, stakeholders and representatives from Council District 9. Transition Districts are areas where the viability of industrial uses have been compromised by significant conversions and where the transition to other uses should continue. Identified Transition Districts are areas where alternate policies such as specific plans, Transit Oriented Districts (TOD) and other planning efforts are anticipated or are in process. Unlike "Industrial Mixed-Use Districts," stand-alone housing or mixed-use developments containing housing and commercial uses may be appropriate in "Transition Districts."

The Notice of Preparation of an Environmental Impact Report for the Southeast Los Angeles Community Plan Update was issued on October 20, 2008 and two public scoping meetings were held, one on November 6, 2008 and the other on November 13, 2008. Adoption of the Southeast Community Plan update in anticipated in mid-2017 following the release of the Draft EIR (anticipated in the Fall of 2016), a 90-day public comment period and a public hearing before the City Planning Commission.

- b. Initiation of Amendments. In compliance with this sub-section, the Director of Planning proposed the amendment to the Southeast Los Angeles Community Plan (General Plan Land Use Element), pursuant to Council instructions to the Department of City Planning in a motion by Councilmember Curren Price on May 13, 2014 (Council File No. 14-0620).
- c. Commission and Mayoral Recommendations. The noticing and hearing requirements of the General Plan Amendment were satisfied, pursuant to LAMC Section 12.32-C,3. The hearing was scheduled, duly noticed, and held in City Hall on June 21, 2016. The City Planning Commission shall make its recommendation to the Mayor upon a

recommendation of approval, or to the City Council and the Mayor upon a recommendation of disapproval.

This action is further subject to the following sections of Charter Section 555:

- d. Council Action. The Council shall conduct a public hearing before taking action on a proposed amendment to the General Plan. If the Council proposes any modification to the amendment approved by the City Planning Commission, that proposed modification shall be referred to the City Planning Commission and the Mayor for their recommendations. The City Planning Commission and the Mayor shall review any modification made by the Council and shall make their recommendation on the modification to the Council in accordance with subsection (c) above. If no modifications are proposed by the Council, or after receipt of the Mayor's and City Planning Commission's recommendations on any proposed modification, or the expiration of their time to act, the Council shall adopt or reject the proposed amendment by resolution within the time specified by ordinance.
- e. Votes Necessary for Adoption. If both the City Planning Commission and the Mayor recommend approval of a proposed amendment, the Council may adopt the amendment by a majority vote. If either the City Planning Commission or the Mayor recommends the disapproval of a proposed amendment, the Council may adopt the amendment only by a two-thirds vote. If both the City Planning Commission and the Mayor recommend the disapproval of a proposed amendment, the Council may adopt the amendment only by a three-fourths vote. If the Council proposes a modification of an amendment, the recommendations of the Commission and the Mayor on the modification shall affect only that modification."

4. Charter Findings - City Charter Sections 556 and 558 (General Plan Amendment).

The proposed General Plan Amendment complies with Section 556 and 558 in that the plan amendment promotes an intensity and pattern of development that is consistent with the area's proposed General Plan Framework designation that encourages density in commercial centers, transit use, reduced vehicle dependency, and improved air quality. Moreover, the framework further promotes the development of commercial uses near transit and in a manner that enhances the pedestrian environment. The General Plan Amendment will change the land use designation from Limited Manufacturing to Community Commercial and allow a modification of Footnote No. 1, promoting many of the City's land use policies and addressing the City's need to accommodate job and housing growth in established employment and multi-family residential areas. The Community Commercial land use designation will provide consistency in the existing and future planned zoning and land use pattern for this portion of Washington Boulevard. The requested amendment will help promote the general welfare and reflects good zoning practices by supporting many of the land use policies and objectives identified in the Southeast Los Angeles Community Plan, including locating jobs and housing in established employment areas.

The project replaces surface parking lots with commercial and residential uses, which are compatible with other developments and improvements in the immediate vicinity. The General Plan Amendment will unify land use and zoning with adjacent and future planned land use patterns. Moreover, it would allow for redevelopment of the site, reflecting the existing scale of development in the surrounding area, while providing neighborhood-serving retail, restaurants, a hotel, open space and housing in the Southeast Los Angeles area to accommodate a growing population in the surrounding area.

5. Redevelopment Plan (CRA - Council District 9 Redevelopment Project Area)

Enacted on June 29, 2011, Assembly Bill 1x-26 (AB 26) revised provisions of the Community Redevelopment Law of the State of California, to dissolve all redevelopment agencies and community development agencies in existence and designate successor agencies, as defined, as successor entities. Among the revisions, the amendments to the law withdrew all authority to transact business or authorize powers previously granted under the Community Redevelopment Law (Section 34172.a.2), and vested successor agencies with all authority, rights, powers, duties and obligations previously vested with the former redevelopment agencies (Section 34172.b). The CRA/LA, is the Designated Local Authority, and successor agency to the CRA.

The project site is located within the boundaries of the Council District 9 Redevelopment Project Plan area, where land use regulations are superseded by the land use designations and regulations of the Southeast Los Angeles Community Plan. As such, consistency with the Redevelopment Plan goals and objectives must be examined together with the land use policies of the Southeast Los Angeles Community Plan. The Redevelopment Plan does not require additional findings be made in conjunction with a General Plan Amendment. To that end, the Southeast Los Angeles Community Plan permits approval of a General Plan Amendment from Limited Manufacturing to Community Commercial pursuant to City Charter Sections 555, 556 and 558, with City Planning Commission approval.

In addition, the project is not proposing a floor area bonus pursuant to the Greater Downtown Incentive Area and therefore does not require the CRA to make a determination of compliance with any applicable Urban Design Standards and Guidelines approved by the City Planning Commission.

Moreover, the City Planning Commission, acting on the discretionary actions in this case, serves as the implementing authority of the Southeast Los Angeles Community Plan and in determining conformity with the Redevelopment Plan as it does with all applicable specific plans, policies and zoning provisions.

Entitlement Findings

1. Zone Change Findings

a. Pursuant to L.A.M.C. Section 12.32.C.7, and based on these Findings, the recommended action is deemed consistent with the General Plan and is in conformity with public necessity, convenience, general welfare and good zoning.

The project includes a Zone Change for the entire project site from [Q]M1-2-O and M1-2-O to (T)(Q)C2-2-O-SN. Approval of the Zone Change will create a unified site composed of two City blocks that is consistent and compatible with the nearby commercially zoned properties. The project's proposed land use and zoning will be consistent with existing and future planned mixed-use projects along Washington Boulevard. The project includes the conversion of existing surface parking lots into a mixed-use residential and commercial development that is consistent with other transit-oriented mixed-use projects in the vicinity. The project will further contribute to the concentration of similar land uses in the vicinity. In addition, this stretch of Washington Boulevard has been identified as a transition district that is planned to be changed from Limited Manufacturing to Community Commercial land use with the corresponding zones of CR, C2, C4 and RAS3, as designated in the Southeast Los Angeles Community Plan update. Approval of the Zone Change will provide consistency between the land use designation and the zoning of the project site.

The surrounding properties are improved with a mix of low- to high-intensity commercial, civic, educational and residential uses. Nearby buildings include: the Panama Travel Agency, Sports Museum and Santee Education Complex to the east; a furniture store, 12-story creative office building, and a variety of retail stores to the north; the Los Angeles Municipal Court building and DMV vehicle inspection site to the west; and a variety of retail and commercial supply stores to the south. The surrounding uses were developed over a span of decades and feature a variety of building types and architectural styles. Many of the properties in the area are underutilized, as evidenced by several surface parking lots and undeveloped parcels in the area. Furthermore, much of the existing development in the area is sparsely landscaped and lacks pedestrian amenities. As with the project, many of the proposed projects throughout the Southeast Los Angeles Community Plan area and in the project vicinity include replacing existing surface parking lots and other undeveloped parcels with mixed-use buildings of varying heights.

Based on the analysis above, the City finds that the project is consistent with the General Plan and is in conformity with the public necessity, convenience, general welfare and good zoning.

ADDITIONAL FINDINGS FOR A' Q' QUALIFIED CLASSIFICATION:

b. The project will protect the best interests of and assure a development more compatible with the surrounding property or neighborhood.

The project is a development consisting of two City blocks. The project is located an area of Southeast Los Angeles consisting of Limited Manufacturing, Public Facilities, Community Commercial and Low Medium II Residential land uses. The variety of uses is evident in the patchwork of development that includes creative, office and limited manufacturing jobs; retail and restaurant establishments; civic and educational uses and multi-family residential uses contained in structures ranging from low-rise to mid-rise buildings. The mixed-use project will be compatible and complementary with the commercial buildings in the vicinity, such as the building located across Washington Boulevard to the north and the Los Angeles Municipal Court building across Hill Street to the west.

The project will convert an underutilized industrial site with much-needed housing and employment opportunities, as well as a mix of retail, restaurant, hotel and open space amenities along a major transit corridor that is within 0.2 miles of the Metro Blue Line Grand/LATTC Station and adjacent to several Metro Local, Rapid and D Dash bus stops.

The "Q" Conditions will ensure that the project is constructed as approved herein and subject to the mitigation measures and project design features identified in the EIR.

c. The project will secure an appropriate development in harmony with the objectives of the General Plan.

The project promotes an intensity and pattern of development that is consistent with the proposed Community Commercial (referred to as Community Centers) General Plan Framework designation that encourages these areas to be identifiable focal points and activity centers for surrounding groups of residential neighborhoods, serving a population of 25,000 to 100,000. These areas differ from neighborhood districts in their size and intensity of business and social activity and contain a diversity of uses such as small offices, overnight accommodations, cultural and entertainment facilities, schools and libraries in addition to neighborhood-oriented uses. Community Centers are defined as "a mixed-use center that encourages the development of housing in concert with the multi-use commercial

uses." The project will serve as a transit-oriented, pedestrian friendly development that supports the Framework Element's goal of encouraging high activity, multi- and mixed-use centers. Moreover, the framework further promotes the development of new projects that accommodate a broad range of uses that serve the needs of adjacent residents; promote neighborhood and community activity, are compatible with adjacent neighborhoods, and are developed to be desirable places to live, work and visit, during the day and night. The project, as conditioned, will also create consistency between the current and proposed land uses and zoning in the area.

The project will provide an appropriate development that is in harmony with the General Plan by supporting many of the land use goals, objectives and policies identified in the Southeast Los Angeles Community Plan. The project will: reduce vehicular trips and congestion by developing new housing in proximity to adequate services and facilities; locate higher residential densities near commercial centers, light mass transit stations and major bus routes where public service facilities and infrastructure will support the development; provide condominium housing units to increase home ownership options; create opportunities for new development and off-street parking; and improve shopping convenience as well as offer local employment.

d. The project will prevent or mitigate potential adverse environmental effects of the zone change.

The project has been conditioned herein to comply with all project design features, mitigation measures and the mitigation monitoring program of environmental impact report, Case No. ENV-2014-1773-EIR (SCH No. 2014071054), which are hereby identified as Condition No. Q-25.

2. Sign District Findings

a. The proposed Sign District is in conformance with the purposes, intent and provisions of the City of Los Angeles General Plan.

The project includes maintaining and improving the existing Reef building in conjunction with a new mixed-use development and creation of a Sign District. The Reef serves a unique purpose for the wholesale and creative office industry. The 12-story Reef building is 861,162 square feet in size and is approximately 193 feet 10 inches in height. The Reef building was constructed in 1958 as a display showroom for wholesale sales of gift items, decorative accessories, furniture, art, and related interior design products. The L.A. Mart building was renamed The Reef in 2013, and has evolved from a wholesale operation to one that also supports the design, creation, and exhibition of new products. The businesses operating within the Reef employ hundreds of people who have the option to travel to work using various modes of transportation including vehicles, bicycles and public transit.

The Sign District supports the vision of the immediate area along Washington Boulevard as a transit-oriented, mixed-use district. The project includes 1,444 residential units, a hotel, retail and restaurant uses and open space. The Sign District includes project identity, hotel identity, retail identity and static signage. The large-scale signage focuses on the transit-oriented nature of the site, with signs being visible primarily to transit riders along Washington Boulevard. The project and hotel identity signage is integrated with the façade of the buildings and is compatible with the contemporary design of the project. The creation of the Sign District, in conjunction with the new mix of uses, will transform the project site from a mere place of employment to a destination for employees, residents, tourists, and nearby community members during the day and night.

The applicant's original application proposed eight animated digital signs, referred to as "Project Identity" signage. However, after several meetings with City Planning staff, the applicant reduced the number of proposed Project Identity signs to four, including: two wrap-around signs, on the northwest and northeast corners of the existing Reef building, the north facade of the north residential tower, and the north facade of the south residential tower. In addition, the hotel building includes digital tenant identification signage on all four sides of the building at the upper two levels. All of the remaining proposed tenant signage compiles with current LAMC regulations and is also included in the Sign District.

Although the applicant reduced the amount of proposed signage, the recommended signage program is significantly reduced from the original proposal by limiting the number, size and types of project identity signs as follows:

- Project Identity signs are limited to: (1) the north façade (along Washington) of the north residential tower; (2) the north façade (along Washington) of the existing Reef building; and (3) the east façade (along Broadway) of the existing Reef building;
- Project Identity signs on the south residential tower are prohibited;
- Project Identity signs on the west façade (along Broadway) of the existing Reef building are prohibited;
- The Project Identity sign on the north residential tower shall be static, in lieu of the proposed animated sign;
- The maximum height of the Project Identity sign on the north façade (along Washington)
 of the north residential tower is limited to 150 feet to the top of sign, in lieu of 308 feet
 proposed;
- The maximum height of the two Project Identity signs on the existing Reef building is limited to the top of existing parapet, approximately 153 feet to the top of sign, in lieu of 193 feet proposed:
- · Digital, supergraphic, and roof signs are prohibited;
- All sign types require Project Permit Compliance;
- Project Design Features PDF-AES-1 through PDF-AES-5 and Mitigation Measure MM-AES-1 from the Environmental Impact Report are included as "Conditions" for the approval of all signs; and
- Design standards for specific types of signs were revised to comply with current LAMC regulations and the Broadway Sign District.

The Sign District establishes the requirements governing the type, location, maximum height, and maximum allowable area for new signage. Signage includes large-scale static signs designed to convey a business, institution, profession, service, event, brand, changeable copy signs, or any other message commercial or otherwise. The Sign District also identifies permitted location and sign types, including all signs permitted by LAMC Section 14.4.2. The Sign District prohibits all digital signs including aerial view signs, architectural ledge signs, banner signs, building identification signs, channel letter signs, freeway edge signs, and wall murals.

The project is located within the Southeast Los Angeles Community Plan area, with a proposed Community Commercial land use designation. This area of the community plan is envisioned as a pedestrian friendly, transit-oriented district. The Sign District is consistent with applicable Southeast Los Angeles Community Plan objective and policy:

Objective 2-5: To enhance the appearance of commercial districts.

Policy 2-5.1: Improve the appearance and landscaping of commercial properties.

The Sign District is also consistent with signage guidelines of Chapter 5, Urban Design, of the Southeast Los Angeles Community Plan. It is the intent of the Urban Design chapter to establish a set of guidelines that serve to improve the environment, both aesthetically and physically, as opportunities in the Southeast Community Plan area occur that involve public improvements or other public and/or private projects that affect public spaces and rights-of-way. The Sign-District complies with the following guidelines for signage:

- 1. Establish a consistent design for all public signage, including fixture type, lettering, colors, symbols, and logos designed for specific areas or pathways.
- 2. Provide for distinctive signage which identifies principal entries to unique neighborhoods, historic structures and districts, and public buildings and parks.
- 3. Ensure that public signage complements, and does not detract from adjacent commercial and residential uses....
- 4. Provide for signage which uniquely identifies principal commercial, cultural or historic areas in the Plan Area....

The Sign District includes specific regulations for each type of sign to establish a unified sign program for the project as well as specific locations for each sign. In addition, the signage is designed to be physically integrated with the building façade and complement the contemporary architecture of the project. The large-scale signage is purposely oriented towards Washington Boulevard where the major transit lines travel and away from existing residential neighborhoods. As such, the Sign District is in conformance with the purposes, intent and provisions of the General Plan.

Additionally, the mixed-use project and Sign District are consistent with the project site's proposed Community Commercial land use designation. The project site is a centrally located, highly urbanized area of the City. The Sign District further promotes and enhances the identity of the area along Washington Boulevard as a transit-oriented district, visually connecting the two City blocks that comprise the entire development. Because the mix of uses are unique to the project site, sign district regulations will assure appropriate intensity and design, while recognizing the regional significance of the transit-oriented district to the character and economic vitality of the City.

b. The proposed Sign District would conform to public necessity, convenience, general welfare and good zoning practice.

The new Sign District supports the vision of the immediate area along Washington Boulevard as a transit-oriented, mixed-use district. The Sign District includes project identity, hotel identity, retail identity and static signage. The large-scale signage focuses on the transit-oriented nature of the site; with signs being visible primarily to transit riders along Washington Boulevard. The project and hotel identity signage is integrated with the façade of the buildings and is compatible with the contemporary design of the project. The creation of the Sign District, in conjunction with the new mix of uses, will transform the project site from a mere place of employment to a destination for employees, residents, tourists, and nearby community members during the day and night.

In addition, the Sign District is expected to attract visitors to adjacent institutions, businesses, retail establishments and restaurants in the surrounding area. The Sign District reinforces the project vicinity's identity as a transit-oriented area while reinforcing the pedestrian-oriented character of the streets surrounding the project site. The Sign District will enhance the environment by complementing the existing uses in the area while incorporating the existing Reef building through the re-introduction of the ground floor storefront windows and tenant signage.

The Sign District reflects good zoning practice because it is consistent with the character and sign regulations of comparable mixed-use, transit-oriented developments. The Sign District establishes the requirements governing the type, location, maximum height, and maximum allowable area for new signage. Signage includes large-scale static signs designed to convey a business, institution, profession, service, event, brand, changeable copy signs, or any other message commercial or otherwise. The Sign District also identifies permitted location and sign types, including all signs permitted by LAMC Section 14.4.2. The signage is designed to be physically integrated with the building façade and complement the contemporary architecture of the project. In addition, the large-scale signage is purposely oriented towards Washington Boulevard where the major transit lines travel and away from existing residential neighborhoods.

Under Section 13.11-C, a Sign District may be adopted within a supplemental use district, provided it does not supersede its regulations. The Sign District will not supersede any regulations of the 'O' Oil Drilling District. Additionally, the project site is not subject to any conditions pursuant to the Oil Drilling District.

The signage program is consistent with various guidelines and standards applicable to the project site related to complementary uses and integration of signage with the design of the buildings, thereby ensuring consistency across the project site.

The enabling language for the establishment of sign districts, pursuant to LAMC Section 13.11-B requires that the following findings be made:

(A) Each "SN" Sign District shall include only properties in the C or M Zones, except that R5 Zone properties may be included in a "SN" Sign District provided that the R5 zoned lot is located within an area designated on adopted community plan "Regional as Center." "Regional Commercial," "High Intensity Commercial, within any redevelopment project area.

The Sign District is located in the proposed C zone with a proposed Community Commercial land use designation within the adopted Southeast Los Angeles Community Plan area.

(B) No "SN" Sign District shall contain less than one block or three acres in area, whichever is smaller.

The Sign District, is 9.7 acres in size and consists of two City blocks.

(C) The total acreage in the district shall include contiguous parcels of land which may only be separated by public streets, ways or alleys, or other physical features, or as set forth in the rules approved by the Director or Planning.

The Sign District consists of two City blocks that are bisected by Broadway, a public street.

(D) Precise boundaries are required at the time of application for or initiation of an individual district.

The Sign District application submitted at the time of filling includes a radius map and legal description of the entire project site.

c. The Proposed Sign District Would Directly Advance the Purposes of Aesthetics and Traffic Safety.

The establishment of the Sign District provides an exception to the Citywide sign regulations as is typical for other sign districts within the City in cases where there are aesthetic and other benefits that will result from a sign district. The ban and other provisions will continue to directly advance the purposes of aesthetics and traffic safety despite this exception. Any aesthetic or traffic safety harm resulting from signs that will otherwise be prohibited or restricted by the Citywide sign regulations are outwelphed by the improvements to aesthetics and traffic safety resulting from the development of a transit-oriented project, which will be supported by the Sign District.

The project includes maintaining and improving the existing Reef building in conjunction with a new mixed-use development and creation of a Sign District. The mixed-use project includes 1,444 residential units; a hotel, retail and restaurant uses and open space. The Sign District supports the vision of the immediate area along Washington Boulevard as a transit-oriented, mixed-use district. The Sign District includes project identity, hotel identity, retail identity and static signage. The large-scale signage focuses on the transit-oriented nature of the site, with signs being visible primarily to transit riders along Washington Boulevard. The project and hotel identity signage is integrated with the façade of the buildings and is compatible with the contemporary design of the project.

The creation of the Sign District, in conjunction with the new mix of uses, will transform the project site from a mere place of employment to a destination for employees, residents, tourists, and nearby community members during the day and night. The Sign District reinforces the transit-oriented character of Washington Boulevard, north of the project site, as well as the surrounding neighborhood. The project includes various streetscape and sidewalk improvements as well as publically accessible open spaces. Sidewalks will be activated with implementation of ground floor retail and restaurant uses. The improvements to the project site will facilitate activity on the adjacent streets and sidewalks, encouraging pedestrian and bicycle travel and promoting the walkability of and around the project vicinity. Project elements, including pedestrian level tenant signage, will create strong connections between the project uses. Additionally, the project site's close proximity to transit stops and stations support the project site as a significant mixed-use development to the area, as a destination for residents, employees, tourists and nearby neighborhoods. Therefore, the Sign District is appropriate for the transit-oriented project.

The Sign District is also supportive of the ongoing programming of the Reef for events and exhibitions. Given the unique significance of the Reef as a wholesale and creative office center for the City, the Reef and new mix of uses will attract visitors both locally and from around the world. The use and purpose of the Reef provides a substantial benefit to the people of Los Angeles.

Although the project will result in unavoidable traffic impacts, no impacts to traffic safety due to permitted signs under the Sign District will occur. Signs are arranged and regulated in a manner that will not pose hazards to traffic or pedestrian safety. As such, the project is subject to conditions of approval, as well as project design features and mitigation measures, to minimize any adverse effects due to traffic. Specifically, mitigation measures MM-TR-12 and MM-TR-13, include vehicle trip reduction measures to encourage the use of transit and reduce vehicle trips, thereby minimizing potential operational parking and traffic impacts on the surrounding street system to the maximum extent feasible. In addition, any signage that is visible from the Santa Monica I-10 Freeway, exceeds 660 feet from the I-10 right-of-way. Therefore, the project is not subject to the regulations of the Outdoor Advertising Act.

A lighting analysis technical report was prepared for the proposed sign district and all of the proposed signage was analyzed in the EIR. Two types of analyses were prepared for the sign district. First, the Technical Report identifies the maximum luminance allowable on the signage so that light intensity levels do not exceed 2.0 footcandles at any residential property line outside of the project site. Second, the Technical Report identifies whether drivers on the freeways will be faced with light from the project that will exceed brightness standards identified in the California Vehicle Code. In order to satisfy the LAMC requirements, each sign was examined from the viewpoint of the nearby sensitive receptors to ensure that no sign will provide more than 2.0 vertical or horizontal footcandles at the property line of the receptors. To comply with Section 21466.5 of the California Vehicle Code, the project site was studied in tandem with the route of the two nearby freeways (Interstates 10 and 110) to determine if the project's signage fell within ten degrees of the line of sight.

Although approval of the project prohibits digital signage, the EIR analyzed the worst-case scenario for potential light trespass of animated signs. Based on the analysis in the Lighting Analysis Technical Report and the EIR, the proposed signage will not result in any lighting and glare impacts to the sensitive uses. The following mitigation measure was included in the EIR to address lighting impacts associated with significant impacts from the Vertical Zone 3 signage:

MM-AES-2: Operating hours for lighted Limited Animation I and Controlled Refresh I signage within Vertical Sign Zone 3 shall be limited to 7:00 a.m. to 10:00 p.m.

The EIR analyzed the worst-case scenario for the number of signs on all street frontages. Significant impacts associated with concentration of signage on the Reef building in Vertical Zones 1, 2, and 3 are related to the number and size of signs that will be permitted in these locations. Other than reduction of signage and/or limitation of animation, there are no feasible mitigation measures available to address this impact. Although impacts related to the concentration of signage in the worst-case scenario will be significant and unavoidable, a significantly reduced signage program was approved. Remaining impacts related to artificial light and glare as a result of the project will be less than significant.

The EIR determined that with incorporation of regulatory requirements, project design features PDF-AE-1 through PDF-AES-5, mitigation measure MM-AES-2 and by placing a limitation on the maximum luminance produced by the signs and facade glazing, the overall brightness will produce less than 2 footcandles at the property line of any of the sensitive receptors. In the worst-case scenario, significant impacts to the residential neighborhood to the north will be avoided by limiting the luminance of the signage areas to 55 candela/square meter. These values are an average luminance across the whole signage

area, so portions could be substantially brighter, so long as the sum did not exceed these values. Therefore, impacts related to Vertical Zone 3 signage will be reduced to a less than significant level. Remaining impacts related to artificial light and glare as a result of the project will be less than significant. Although impacts related to the concentration of signage in the worst-case scenario were identified as significant and unavoidable, a significantly reduced signage program was approved.

To lessen the aesthetic impacts due to the concentration of signage on the existing Reef building, the approval of the Sign District herein includes a reduction in the number of Project Identity signs, a prohibition of digital signs, and a reduction in the height limit to a maximum of 153 feet. In addition, despite the unavoidable aesthetic impacts caused by signage, the decision-maker has the ability to adopt a Statement of Overriding Considerations in conjunction with the approval of the project. CEQA Guidelines Section 10593 requires the decision-maker to "balance, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project." Therefore, the project includes a Statement of Overriding Considerations that outlines project benefits that may outweigh and override the significant unavoidable impacts of the project.

3. Conditional Use Findings

a. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.

Major Development

The surrounding area is highly urbanized and improved with a mix of low- to high-intensity commercial, civic, educational and residential uses. The buildings include: the Panama Travel Agency, Sports Museum and Santee Education Complex to the east; a furniture store, 12-story creative office building, and a variety of retail stores to the north; the Los Angeles Municipal Court building and DMV vehicle inspection site to the west; and a variety of retail and commercial supply stores to the south. The Santa Monica Freeway is located one block north of the project site. The surrounding uses were developed over a span of decades and feature a variety of building types and architectural styles. Furthermore, much of the existing development in the area is sparsely landscaped and lacks pedestrian amenities. As with the project, many of the proposed projects throughout the Southeast Los Angeles Community Plan area and in the project vicinity include replacing existing surface parking lots and other undeveloped parcels with mixed-use buildings of varying heights.

The project includes the development of two City blocks that are bisected by Broadway. The west block is improved with the existing Reef building on the northern portion of the site. As part of the project, the 861,162 square-foot Reef building will undergo a renovation of the ground floor with the conversion of existing space to include approximately 20,000 square feet of retail space and approximately 10,000 square feet of restaurant space. The Reef building also includes the addition of an 8,000 square-foot restaurant and additional outdoor space to accommodate events on the rooftop. New construction on the southern portion of the west lot includes a new eight-level parking structure with ground floor micro-retail spaces, seven live-work and 100 apartment units along Broadway and an integrated 19-story hotel. A publically accessible outdoor space is located between the Reef building and the new construction.

The east block includes several mixed-use buildings, including two high-rise towers, one on the north end and one on the south end of the block. The north tower is 385 feet in height (32 stories) and includes 432 residential condominiums. The south tower is 420 feet (35 stories) in height to the top of parapet and includes 463 residential condominiums. The lower scale buildings range in height from 77 to 85 feet and include 428 rental units. The east block also includes several retail and restaurant spaces, a grocery store, mobility hub/bikeshare station and several outdoor spaces.

The project provides much needed housing, retail and restaurant establishments, a grocery store, hotel and publically accessible outdoor space; uses that will benefit the immediate area. Therefore, the project will provide a service that is essential and beneficial to the community.

Floor Area Ratio Averaging

The project site is located just south of downtown Los Angeles and one block south of the Santa Monica Freeway. The land uses within the general vicinity of the project site are characterized by a mix of low- to high-intensity commercial, civic, educational and residential uses, that vary widely in building style and period of construction. The project includes a General Plan Amendment to change the project site's land use from Limited Manufacturing to Community Commercial in conformance with the draft Southeast Los Angeles Community Plan update that proposes to designate the project site as Community Commercial and identifies the project site as transit-oriented.

The project site is comprised of two City blocks that are approximately the same size totaling 9.7 acres. The existing permitted floor area ratio (FAR) for the project site is 6.0:1, therefore, the project site allows the development of approximately 2,542,524 total square feet. The General Plan Amendment to modify Footnote No. 1 allows the project to maintain the existing 6.0:1 FAR and will not increase the maximum permitted density or the maximum permitted height.

The project includes development of two City blocks with 1,444 residential units, including 21 live/work units; a 208-key hotel; 67,702 square feet of retail/restaurant uses; a 29,355 square-foot grocery store; a 17,507 square-foot gallery; and a 7,879 square-foot fitness studio. The existing Reef building will be maintained and includes an 8,000 square-foot rooftop restaurant addition. The project also includes 2,512 vehicle parking spaces and 1,906 bicycle parking spaces. The project's total square footage, including the existing Reef building, is approximately 2,541,468 square feet with an FAR of just below 6.0:1. The total square-footage on the west block is 1,121,975 square feet and 1,419,493 square feet the east block. The east block includes 1,337 residential units, including the two high-rise towers, therefore more square-footage is required to accommodate the residential uses and the associated residential amenities on the east block, thus requiring the Conditional Use for FAR averaging.

The development of the project, including the employment, community serving and residential uses near transit, will enhance the built environment in the surrounding neighborhood and will perform a function and provide a service that is essential or beneficial to the community, city or region.

Master Conditional Use (on- and off-site alcohol sales, live entertainment and patron dancing)

The applicant requested the approval of 21 on- and/or -off site licenses for the sale of a fullline of alcoholic beverages for restaurant and retail establishments and to allow 11 establishments to offer live entertainment and/or patron dancing. However, based on the application and plans submitted (Exhibit A), the Master Conditional Use to allow the on-site sale, dispensing and consumption of a full line of alcoholic beverages is limited to the eighteen (18) establishments including the following: eight (8) restaurant/bar establishments on the east block; five (5) establishments within the Reef building including the rooftop restaurant, basement, lobby restaurant, level 2 and level 11; and five (5) establishments in conjunction with the hotel including the hotel rooms, gallery, ground floor restaurant and pool deck. The Master Conditional Use to allow the sale of a full line of alcoholic beverages for off-site consumption is limited to two (2) retail establishments on the east block including the grocery store and pharmacy. The Master Conditional Use to allow live entertainment and/or patron dancing is limited to five (5) establishments including the hotel gallery, hotel pool deck, Reef building rooftop restaurant, Reef building level 2 and Reef building level 11. Each individual establishment is required to file an Approval of Plans, as conditioned by this grant.

The mixed-use project includes multiple retail uses, restaurants, and a grocery store to encourage residents and employees to remain on-site to meet their retail and restaurant needs. In addition, the project is located in an urban area where nearby residents and employees that are within walking distance will be able to take advantage of the neighborhood services included in the project.

The availability of alcoholic beverages in conjunction with the project's restaurants, hotel, event venues and retail establishments is a customary and incidental component of these uses. Restaurant patrons expect the ability to order alcoholic beverages in conjunction with food service. In addition, the ability to offer alcoholic beverages to patrons is essential in attracting top quality dining establishments to the project. The restaurants will serve as an attraction for visitors and neighbors in the area and will reduce the need for local residents to travel to other areas for dining experiences. Customers expect that a full-service grocery store and other retail establishments will offer a full line of alcoholic beverages for purchase and consumption off the premises. Further, live entertainment and patron dancing is also essential for the uses stated above. None of the approved uses will function as a nightclub or after-hours establishment and will be further conditioned as part of the Approval of Plans process.

The Master Conditional Use permit provides an umbrella entitlement with conditions that apply to all establishments within the project. Specific physical and operational conditions will be included as part of the Approval of Plans determination required for each establishment pursuant to the Master Conditional Use permit provisions. The proposed grocery store, pharmacy, restaurants and retail stores, in conjunction with the imposition of operational conditions as part of the Approval of Plans, will provide a service that is essential or beneficial to the community.

Reduction of Off-Street Parking within 1,500 feet of a Transit Facility

The project site is surrounded by a variety of uses and mixed-use buildings. The surrounding properties are improved with a mix of low- to high-intensity commercial, civic, educational and residential uses. The buildings include: the Panama Travel Agency, Sports Museum and Santee Education Complex to the east; a furniture store, 12-story creative office building, and a variety of retail stores to the north; the Los Angeles Municipal Court

building and DMV vehicle inspection site to the west; and a variety of retail and commercial supply stores to the south.

The existing underutilized parking lots will converted into a contemporary mixed-use development to include housing, a hotel, commercial uses and open space. This urban project provides much-needed housing and community serving retail and restaurant establishments to meet the needs of the growing residential population by providing jobs and retail options to the area. The project includes 2,512 vehicle parking spaces and 1,906 bloycle parking spaces for the use of the project, thereby relieving the community of limited street parking.

The applicant is requesting approval of a Variance to allow a 10 percent reduction of the required off-street parking spaces for commercial uses because the project site is located within 1,500 feet of a transit facility. Blue Line ridership has increased by almost 175,000 boardings, including weekdays and weekends, in the month of June 2016 as compared to June 2015. The project site is well-served by public transportation, including the following regional and local bus lines:

- Metro Blue Line Grand/LATTC station is located at the corner of Washington Boulevard and Olive Street, one block northwest of the project site, and runs along Washington Boulevard;
- Metro Regional/Local Lines:
 - o Metro Local Lines 40 and 45 runs north-south along Broadway;
 - o Metro Rapid Line 745 runs north-south along Broadway
 - o Metro Local Lines 35 and 38 run east-west along Washington Boulevard:
 - o Metro Local Line 48 runs north-south along Main Street;
 - o Metro Local Line 14 runs north-south along Olive Street, one block west of the project site;
 - o Metro Local Lines 37, 38, 55, 355 and Metro Shuttle Line 603 run along Grand Avenue, two blocks west of the project site;
- LADOT Dash D Line runs north-south along Olive Street, one block west of the
 project site. The project includes the contribution of funds to LADOT to purchase an
 additional bus to facilitate a slight modification of Route D to pass by the project site.

In addition, Washington Boulevard is a designated Backbone Bikeway Network, Main Street is a designated Bicycle Route, Broadway is a designated Neighborhood Bikeway Network, and Hill Street is a designated Bike Lane in the City's Bicycle Plan. The project includes 1,906 total bicycle parking spaces for residential and commercial uses. For non-residential uses, 160 long-term and 157 short-term bicycle parking spaces are provided to meet the LAMC requirement for commercial development and 1,444 long-term and 145 short-term bicycle parking spaces are provided to meet the LAMC requirement for residential uses. Short and long-term bicycle parking spaces are located throughout the project site. The project also includes a bicycle hub with locker and shower facilities.

The project site is accessible via several modes of public transportation and within walking distance of several residential neighborhoods. Therefore, the project will enhance the built environment in the surrounding neighborhood by providing a mixed-use building that will provide jobs, retail and parking to the community, city, and region.

b. The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

Major Development

The 9.7-acre project site is comprised of two City blocks and is developed with the 12-story Reef building and approximately 7.5 acres of surface parking with minimal landscaping. The mixed-use project provides a vertically integrated mix of uses including 1,444 residential units, retail and restaurant space and a hotel, to assist in promoting the area as a center of population, employment, retail services and entertainment. The existing 861,162 square-foot Reef building includes an approximately 8,000 square-foot rooftop addition and new construction includes approximately 1,680,306 square feet of floor area (including the Reef restaurant) contained within a number of multiple-story buildings, including a 35-story residential tower, a 32-story residential tower and a 19-story hotel tower. The two residential towers are located on the east block, one on the northern portion of the block and one on the southern portion of the block. The hotel tower is located on the west block, south of the Reef building. The ground floors of the project include, open space, retail and restaurant space and live-work units. The project's total square-footage is approximately 2,541,468 square feet of floor area.

The project includes approximately 162,255 square feet of open space, including publically accessible courtyards on the west and east blocks. A substantial portion of the project includes landscaped courtyards and pathways and other open space features that connect the various proposed uses to establish a pedestrian-oriented environment for the surrounding neighborhood. At least 25 percent (29,624 square feet) of the common open space will be planted with ground cover, shrubs and trees. A minimum of 289 trees will be planted throughout the project site, including tree wells in the parkways along the perimeter of the property.

The surrounding area is highly urbanized and improved with a mix of low- to high-intensity commercial, civic, educational and residential uses. The nearby buildings include: the Panama Travel Agency, Sports Museum and Santee Education Complex to the east; a furniture store, 12-story creative office building, and a variety of retail stores to the north; the Los Angeles Municipal Court building and DMV vehicle inspection site to the west; and a variety of retail and commercial supply stores to the south. The Santa Monica Freeway is located one block north of the project site. The surrounding uses were developed over a span of decades and feature a variety of building types and architectural styles. Furthermore, much of the existing development in the area is sparsely landscaped and lacks pedestrian amenities. As with the project, many of the proposed projects throughout the Southeast Los Angeles Community Plan area and in the project vicinity include replacing existing surface parking lots and other undeveloped parcels with mixed-use buildings of varying heights.

Based on the analysis above, the Major Development's project location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

Floor Area Ratio Averaging

As previously mentioned, the 9.7-acre project site is comprised of two City blocks and is developed with the 12-story Reef building and approximately 7.5 acres of surface parking with minimal landscaping. The mixed-use project provides a vertically integrated mix of uses including 1,444 residential units, retail and restaurant space and a hotel, to assist in promoting the area as a center of population, employment, retail services and entertainment. The existing 861,162 square-foot Reef building includes an approximately 8,000 square-foot rooftop addition and new construction includes approximately 1,680,306 square feet of floor area (including the Reef restaurant) contained within a number of multiple-story buildings, including a 35-story residential tower, a 32-story residential tower and a 19-story hotel tower. The two residential towers are located on the east block, one on the northern portion of the block and one on the southern portion of the block. The hotel tower is located on the west block, south of the Reef building. The ground floors of the project include, open space, retail and restaurant space and live-work units. The project's total square-footage is approximately 2,541,468 square feet of floor area.

The project will convert underutilized surface parking lots into an Integrated mix of uses to assist in promoting the immediate area as a center of population, employment, retail services, and entertainment. The project will also enhance the immediate neighborhood by providing housing, jobs, retail and restaurant uses, publically accessible open spaces that will foster pedestrian activity and transit ridership. As such, the request for FAR averaging in conjunction with the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

Master Conditional Use (on- and off-site alcohol sales, live entertainment and patron dancing)

The project site is located just south of the Santa Monica Freeway and downtown Los Angeles. The surrounding properties are improved with a mix of low- to high-intensity commercial, civic, educational and residential uses. The buildings include: the Panama Travel Agency, Sports Museum and Santee Education Complex to the east; a furniture store, 12-story creative office building, and a variety of retail stores to the north; the Los Angeles Municipal Court building and DMV vehicle inspection site to the west; and a variety of retail and commercial supply stores to the south. The L.A. Live entertainment complex, Staples Center and Los Angeles Convention Center are located approximately one mile northwest of the property. The project includes 1,444 residential units, a hotel and maintains the existing Reef building that employs hundreds of people.

The sale of alcoholic beverages and the availability of live entertainment and patron dancing will be controlled within the bounds of the project site. The ground floor restaurants, grocery store, hotel and Reef uses will be desirable to the public convenience and welfare because the project is near multi-family residential, civic, educational and commercial uses. Outdoor dining areas along Broadway and Washington Boulevard will help activate the sidewalk during the day and evening hours. The grocery store, pharmacy and restaurants are in convenient locations that residents, visitors, and employees can patronize by walking, biking or public transit. In addition, the allowance of live entertainment and patron dancing will be further limited to the hotel and Reef building uses on the west block.

As proposed, the use will serve public convenience and welfare and as sited, the location is compatible with the surrounding community. Mitigation measures and project design features identified in the EIR are imposed herein as conditions of this grant to further

minimize potential impacts to the surrounding neighborhood. The grant also includes conditions that are generally recommended by the Los Angeles Police Department (LAPD). In addition, these conditions will be supplemented by more specific conditions designed to address the characteristics of each individual establishment through an Approval of Plans determination. The additional conditions may include, but are not limited to a term grant, security measures, hours of operation, seating, size and any other conditions that are intended to minimize impacts on surrounding uses. Under each review, the Zoning Administrator and LAPD have the opportunity to comment and recommend any conditions. The sale of alcohol is regulated by the State of California through the issuance of an Alcohol Beverage Control (ABC) license. Thus, as conditioned, combined with the enforcement authority of ABC and LAPD, the approval for the sale of alcohol, live entertainment and patron dancing will not be detrimental to the public health, safety and welfare.

Reduction of Off-Street Parking within 1,500 feet of a Transit Facility

The request to allow 10 percent parking reduction for commercial uses located within 1,500 feet of a transit facility will not adversely affect or further degrade the adjacent properties or public health, welfare, and safety because the project site is located in a transit-oriented area. As previously mentioned, the existing underutilized parking lots will converted into a contemporary mixed-use development to include housing, a hotel, commercial uses and open space. The project includes 2,512 vehicle parking spaces and 1,906 bicycle parking spaces for the use of the project, thereby relieving the community of limited street parking.

The project encourages the use of public transportation and bicycles to arrive at the site by providing neighborhood serving commercial uses and short-term bicycle parking spaces at the ground level. The ground level uses are accessible directly from the sidewalk, a short distance from transit stops. Several modes of public transportation serve the project site, including the Metro Blue Line, several Metro bus lines and the D Dash line, as well as City designated bicycle lanes and routes.

Based on the analysis above, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

c. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

Major Development

The project is a mixed-use development consisting of: 549 apartment units, including 21 live/work units, and 895 residential condominiums (or up to 1,444 residential condominiums); a 208-key hotel; 67,702 square feet of retail/restaurant uses; a 29,355 square-foot grocery store; a 17,507 square-foot gallery; and a 7,879 square-foot fitness studio. The existing Reef building will be maintained and includes an 8,000 square-foot rooftop restaurant addition. The development includes several buildings ranging in height from 77 feet up to 420 feet on an approximately 9.7-acre property consisting of two City blocks. The project includes 2,512 vehicle parking spaces and 1,906 bicycle parking stalls and will contain approximately 2,541,468 square feet of floor area upon full build out.

The Southeast Los Angeles Community Plan, a part of the Land Use Element of the General Plan includes the following relevant land use goals, objectives and policies:

- 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.
 - 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 this development.
 - Objective 1-5: To promote and ensure the provision of adequate housing for all persons regardless of income, age, or ethnic background,
 - Policy 1-5.1: Promote greater individual choice in type, quality, price, and location of housing.
 - Policy 1-5.2: Ensure that new housing opportunities minimizes displacement of the residents.
 - Policy 1-5.3: Provide for development of townhouses and other similar condominium type housing units to increase home ownership options.
- 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.
 - Policy 2-1.5: Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.
 - Objective 2-4: To enhance the identity of distinctive commercial districts and to identify Pedestrian Oriented Districts (POD's).
 - Policy 2-4.2: New development should add to and enhance the existing pedestrian street activity.

- Policy 2-4.3: Ensure that commercial infill projects achieve harmony with the best of existing development.
- Policy 2-4.5: Identify pedestrian-oriented areas as preferred locations for mixed-use projects.
- Policy 2-4.6: Required that mixed-use projects and development in Pedestrian Oriented Districts be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses.
- Policy 2-4.7: Require that the first floor street frontage of structures, including mixed-use projects and parking structures located in Pedestrian Oriented Districts, incorporate commercial uses.
- Policy 2-4.8: Require that mixed-use projects be designed to mitigate potential conflicts between the commercial and residential uses (e.g., noise, lighting, security, truck and automobile access, etc.) and provide adequate amenities for residential occupants.
- Policy 2-4.10: Promote mixed-use projects in proximity to transit stations, along transit corridors, and in appropriate commercial areas.
- Objective 2-5: To enhance the appearance of commercial districts.
 - Policy 2-5.1: Improve the appearance and landscaping of commercial properties.
 - Policy 2-5.2: Preserve community character, scale and architectural diversity.
- Goal 5:A community with sufficient open space in balance with new development to serve the recreational, environmental, health and safety needs of the community and to protect environmental and aesthetic resources.
 - Objective 5-1: To preserve existing open space resources and where possible develop new open space.
 - Policy 5-1.3: Require development in major opportunity sites to provide public open space.

As with the current plan, the Draft Southeast Los Angeles Community Plan identifies several goals, policies, implementation programs and design guidelines to help achieve the community's vision. As part of the plan update, a General Plan Amendment is required to create consistency among existing and future developments and designated land uses. Specifically, the project site's land use, as well as all of the properties fronting Washington Boulevard to the north and south between Hill Street and San Pedro Street, will be changed from "Limited Manufacturing" to "Community Commercial." The proposed change to Community Commercial is based on the determination of the Industrial Land Use Policy that identifies this area as a transition district as well as input from community members, stakeholders and representatives from Council District 9. The project site will also be located within a designated Transit Oriented District.

Pursuant to Ordinance No. 171,681, the project site is located within the South Central Alcohol Sales Specific Plan area, effective September 13, 1997. The plan specifies that no

person shall establish in the area an establishment dispensing, for sale or other consideration, alcoholic beverages, including beer and wine, for off-site consumption, without first obtaining Conditional Use approval from the City of Los Angeles.

The project site is located within the redevelopment area for the "Council District Nine Corridors South of the Santa Monica Freeway" plan. The plan was adopted on December 13, 1995, pursuant to Ordinance No. 170,807. The project is consistent with the following objectives for the project area:

- Job retention and generation supporting existing employers and attracting new employers;
- Business expansion and creation of new businesses through public and private funding and business development activities;
- Consumer retail, shopping and entertainment outlets in the community as a result of funding and suitable commercial development sites;
- Housing for all income levels to be provided along with preservation of existing single family housing stock; and
- Improved transportation services through planning and implementation.

The project site is also located within the Greater Downtown Housing Incentive Area. On September 23, 2007, Ordinance No. 179,076 became effective, establishing the Greater Downtown Housing Incentive Area. The project incorporates the following ordinance incentives for projects within the boundaries of the area:

- No maximum unit per lot area, making allowable density unlimited (within the relevant FAR);
- No yard requirements;
- Buildable area is the same as lot area; and
- No requirement for percentages of private and common open space, however the total per unit open space requirement is provided.

The mixed-use project replaces surface parking lots in an area characterized by office, civic, education, light manufacturing, retail and multi-family residential uses that are in close proximity to several public transit options. The project provides much-needed housing (for rent and sale) and jobs to the Southeast Los Angeles Community Plan area, including neighborhood serving retail and restaurant uses, a hotel and publically accessible open space that support this area of Southeast Los Angeles as an emerging commercial center for population growth, employment, retail services and transit.

With adoption of the General Plan Amendment to change the land use designation of the project site to Community Commercial and to modify Footnote No. 1, the project will be consistent with the applicable objectives and policies set forth in the Southeast Los Angeles Community Plan. Based on the above analysis, the project is in substantial conformance with the purposes, intent and provisions of the General Plan, the Specific Plan and applicable Redevelopment Plan.

Floor Area Ratio Averaging

The project provides much-needed housing, as well as a mix of hotel, retail, restaurant, office uses and open space, to an otherwise underutilized property located along a major transit corridor that is within one-quarter mile of several high-capacity transit lines. The Metro Blue Line runs along Washington Boulevard at the northern edge of the project site, with a stop less than 0.2 miles northwest of the project site.

As previously mentioned, the project supports many of the goals, objectives, policies and programs specified in the Southeast Los Angeles Community Plan, specifically the following objectives:

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

The project includes 1,444 residential units within walking distance of a major transit stop and near downtown Los Angeles, the L.A. Live entertainment complex, Staples Center and other major employment centers, services and facilities. The project's proximity to transit and the aforementioned uses will reduce the project's vehicular trips and make it accessible to services and facilities.

Objective 2-4: To enhance the identity of distinctive commercial districts and to identify Pedestrian Oriented Districts (PODs).

The project will enhance the community commercial, transit-oriented district by adding beneficial commercial uses and by retaining and improving the existing Reef building. In addition, because the project site is an identified transit-oriented area in the draft Southeast Los Angeles Community Plan, the project provides a significant amount of bicycle parking spaces, sidewalk and street improvements and pedestrian-oriented uses on the ground floor.

Objective 2-5: To enhance the appearance of commercial districts.

The project site is improved with the 12-story Reef building and approximately 7.5 acres of surface parking lots. The project will enhance the appearance of the project site and the surrounding community. The project is designed in a contemporary architectural style using a variety of materials and colors to create buildings that vary in height, bulk and massing. The project also includes community-serving retail and restaurant uses at the ground level, open space, landscaping and signage to enhance the appearance of the commercial district.

Objective 5-1: To preserve existing open space resources and, where possible, develop new open space.

A substantial portion of the project includes landscaped courtyards and pathways and other open space features that connect the various uses to establish a pedestrian-oriented environment within the project's vicinity. The project includes 162,255 square feet of open space, of which 85 percent is common open space. At least 25 percent (29,624 square feet) of the common open space will be planted with ground cover, shrubs or trees. The publically accessible open space includes courtyards that connect the two blocks.

As mentioned above, the project substantially conforms with the purpose, intents and provisions of the General Plan. The request to allow FAR averaging across the entire project site complies with the objectives of the Southeast Los Angeles Community Plan and the forthcoming plan update, as discussed above.

Master Conditional Use (on- and off-site alcohol sale, live entertainment and patron dancing)

There are eleven elements of the General Plan. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code requirements of the Los Angeles Municipal Code. The Land Use Element of the City's General Plan divides the city into 35 Community Plans. The

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Southeast Los Angeles Community Plan Map designates the property for Limited Manufacturing land use with the corresponding zones of CM, MR1 and M1. However, with approval of the General Plan Amendment and Zone Change, the project site will be changed to Community Commercial land use with the (T)(Q)C2-2-O-SN zone which is intended to provide for concentrations of commercial uses, including restaurants, entertainment venues, and grocery stores, within mixed-use buildings. The Southeast Los Angeles Community Plan text is silent with regards to alcohol sales, live entertainment and patron dancing. In such cases, the decision-maker must interpret the intent of the plan.

Pursuant to Ordinance No. 171,681, the project site is also located within the South Central Alcohol Sales Specific Plan area, effective September 13, 1997. The plan specifies that no person shall establish in the area an establishment dispensing, for sale or other consideration, alcoholic beverages, including beer and wine, for off-site consumption, without first obtaining Conditional Use approval from the City of Los Angeles.

The sale of a full line of alcoholic beverages in conjunction with the grocery store, pharmacy, restaurants, hotel and Reef building and live entertainment and patron dancing in conjunction with the hotel and Reef uses are consistent with the commercial land use discussion of the community plan, including:

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

The plan encourages new uses that strengthen the economic base of the community and promote transit and pedestrian oriented areas. The request achieves the policies of the Southeast Los Angeles Community Plan, which seeks to promote uses that will address the needs of employees, residents, and visitors to the area and complies with the regulations of the South Central Alcohol Sales Specific Plan.

Reduction of Off-Street Parking within 1,500 feet of a Transit Facility

The mixed-use project includes 1,444 residential units; a 208-key hotel; 67,702 square feet of retail/restaurant uses; a 29,355 square-foot grocery store; a 17,507 square-foot gallery; and a 7,879 square-foot fitness studio. The project includes 2,512 vehicle parking spaces and 1,906 bicycle parking stalls to serve the entire project.

The Southeast Los Angeles Community Plan, a part of the Land Use Element of the General Plan, includes the following relevant land use objectives and policies that are consistent with the request for a 10 percent reduction of off-street parking for commercial uses:

- 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 this development.
- Objective 2-4: To enhance the identity of distinctive commercial districts and to identify Pedestrian Oriented Districts (POD's).

Policy 2-4.10: Promote mixed-use projects in proximity to transit stations, along transit corridors, and in appropriate commercial areas.

In addition, Mobility Plan 2035, the Mobility Element of the General Plan, will not be negatively affected by the project. The project is consistent with the following goals and policies of the plan:

Goal 2: World class infrastructure

- Policy 2.3: Pedestrian Infrastructure. Recognize walking as a component of every trip, and ensure high quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.
- Policy 2.6: Bicycle Networks. Provide safe, convenient, and comfortable local and regional bicycling facilities for people of all types and abilities.
- Policy 2.7; Vehicle Network. Provide vehicular access to the regional freeway system.
- Policy 2.10: Loading Areas. Facilitate the provision of adequate on and off-street loading areas.
- Policy 2.15: Allocation of Transportation Funds. Expand funding to improve the built environment for people who walk, bike, take transit, and for other vulnerable roadway users.

Goal 3: Access for all Angelenos.

- Policy 3.3: Land Use Access and Mix. Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.
- Policy 3.4: Transit Services. Provide all residents, workers and visitors with affordable, efficient, convenient, and attractive transit services.
- Policy 3.8: Bicycle Parking: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.
- Goal 5: Clean environments and healthy communities.
 - Policy 5.4: Clean Fuels and Vehicles. Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.

The project site is in a transit-oriented area, one block south of the Santa Monica freeway, that is well-served by several modes of transportation, including the Metro Blue Line, several Metro bus lines and the D Dash. The project is required to include EV ready parking spaces, loading areas for the commercial uses, and improvements to the surrounding streets, sidewalks and intersections. In addition, the project is subject to project design features and mitigation measures to minimize any adverse effects due to parking or traffic congestion. Specifically, mitigation measures MM-TR-12 and MM-TR-13, include vehicle trip reduction measures to encourage the use of transit and reduce vehicle trips. Based on the above

analysis, the project is in substantial conformance with the purposes, intent and provisions of the General Plan.

ADDITIONAL FINDINGS FOR A MAJOR DEVELOPMENT PROJECT:

d. Pursuant to L.A.M.C. Section 12.24 U, and based on these Findings, the recommended action provides for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.

The surrounding area is highly urbanized and includes a mix of low- to high-intensity commercial, civic, educational and residential uses. The existing buildings include: the Panama Travel Agency, Sports Museum and Santee Education Complex to the east; a furniture store, 12-story creative office building, and a variety of retail stores to the north; the Los Angeles Municipal Court building and DMV vehicle inspection site to the west; and a variety of retail and commercial supply stores to the south.

The following project elements are incorporated into the project design in a manner that is compatible with both existing and future development in the surrounding area;

i. <u>Building Design</u>. The project is designed in a contemporary architectural style that includes several separate buildings of different heights in a variety of materials and colors. The two high-rise residential towers on the east block feature slight stepping to create horizontal and vertical articulation and provide visual interest. Materials for the towers include metal panels, metal louvers and glass curtain walls. The north tower accommodates one static project identity sign on the north facade. The lower-scale buildings on the east block include façade layering and a variety of colors to provide depth and horizontal lines. Materials include precast concrete, cast-in-place concrete, metal panels, metal louvers, fibre cement board, cement plaster and phenolic wood wall panels. The ground floors of each building are differentiated from the upper levels with the use of recessed and angled entries, floor to ceiling glazing, glass doors and metal panels.

The west block includes the existing 12-story, concrete Reef building constructed in 1958. The mid-century modern building includes improvements such as the reintroduction of openings on the ground floor along Broadway, Washington Boulevard and Hill Street to accommodate retail space and an addition of a glass structure on the rooftop for restaurant use. The Reef building includes static project identity signage on the north and east facades. The southern portion of the west block includes an eight level parking structure with ground floor micro-retail units along Hill Street and 21st Street. live-work units and apartment units along Broadway and an integrated 19-story hotel. Materials for the parking structure include metal louvers, metal panel screens, corrugated metal panels, precast concrete panels and glass. The ground floor micro units feature storefront, floor-to-ceiling glazing. The rooftop parking level includes the installation of solar panels. The façade fronting Broadway is similar to the lower-scale buildings on the east block incorporating the use of layered, colored fibre cement board. cement plaster and cast-in-place concrete as well as corrugated metal panels. The ground floor live-work units along Broadway incorporate floor to ceiling glazing, glass doors and metal panels. The materials for the hotel include horizontal precast concrete panels, metal louvers and horizontal window panes. The two upper floors feature an identity sign on all four sides of the building. Accordingly, the project is designed to implement the type of high-quality architecture that is compatible with commercial districts within mixed-use urban areas.

ii. Building Orientation/Frontage. The project includes the development of two blocks that are bisected by Broadway. The west block includes the existing Reef building, a new parking structure, residential units and hotel tower. The east block includes several mixed-use buildings, including two high-rise towers, one on the north end and one on the south end of the lot. A majority of the pedestrian activity will be oriented on Broadway with most of the retail/restaurant entrances, including outdoor dining, located along both sides of Broadway and directly accessible from the public sidewalk. Entrances to micro-retail spaces on the west block are from Hill Street and 21st Street while the additional retail, restaurant and grocery store entrances on the east block are from Washington Boulevard and Main Street.

The buildings integrate a pedestrian scale at ground level by incorporation of a variety of textures, materials, street furniture and landscaping appropriate to the project site, thereby minimizing the effects of building mass and street walls in relation to street frontage. Architectural features such as recessed and angled entrances, storefront glazing, tenant signage, and pedestrian-scaled lighting also help to create a pedestrian oriented building frontage.

The two blocks are approximately 795 feet in the north-south direction, therefore the project includes a publically accessible, mid-block passageway extending from the west block to the east block. The Exchange, on the west block is located at grade, while the Strand, on the east block, is located approximately 22 feet above grade and accessed via a stalrcase.

- iii. Height/Bulk. The west block includes the existing 12-story, 193-foot, 10 inch tall Reef building, a new eight level parking structure, an integrated residential building 88-feet in height to top of parapet and a hotel tower 240 feet in height to top of parapet. The east block includes several mixed-use buildings and two residential towers. The north tower is 385 feet in height and the south tower is 420 feet in height to the top of parapet. The lower scale buildings range in height from 77 to 85 feet.
- iv. Setbacks. Pursuant to LAMC Section 12.14-C, buildings erected and used for commercial purposes in the C2 zone do not require front, side or rear yard setbacks. In addition, the Greater Downtown Housing Incentive Area does not require yards for lots in the C2 zone. On the west block, the parking garage, residential and hotel buildings are built up to the property line along Hill Street and 21st Street and has a variable zero-foot to 3-foot, 1 inch setback along Broadway. The hotel is setback approximately 44 feet 11 inches from the Reef building at the narrowest dimension. On the east block, the buildings at the ground level have a variable setback of 1-foot, 1 inch to 19 feet, 2 inches along Broadway; a variable setback of 3 feet, 1 inch to 11 feet, 1 inch along 21st Street; a variable setback of 8 inches to 11 feet, 11 inches along Main Street; and a setback of 5 feet along Washington Boulevard.
- v. Open Space. Pursuant to LAMC requirements, the project includes 162,255 square feet of open space in the form of landscaped courtyards and pathways and other open space features that connect the various proposed uses. Eight-five percent of the provided open space is designated common open space and 15 percent is designated private open space (e.g., unit patios).

The residential open space amenities include multiple swimming pools, a fitness center, and a community room. The common open space for residents on the east block is divided into three main spaces. The Farm includes outdoor dining space, BBQ's; a garden, a seating grove, and a reservoir pool. The Playground includes active space for project residents, an outdoor dining area, BBQs, an outdoor movie

screen, undulating seating decks, a spa and pool, outdoor lounges, a yoga lawn, and a step fountain. The Platform is a community gathering space with movable seating, planters, and a fire pit or water feature.

The project includes two publically accessible outdoor spaces, one on each lot. The Exchange, located just south of the Reef building on the west, includes a café and outdoor seating, event space, and a seating island. The Exchange acts as the entryway into the hotel and the Reef building. The Strand, located on the east block, is the project's primary gathering space, and includes an upper public terrace with a café and outdoor seating, a performance space with amphitheater seating, and acts as the connector between Main Street and the west block.

The project adds to the variety of mixed-use buildings immediately surrounding the project vicinity. The mixed-use residential and commercial development replaces existing parking lots with housing, a hotel, retail and restaurant space and open space to serve the community. The project enhances the existing urban mix of uses in the neighborhood by providing much-needed housing and retail and restaurant establishments to meet the needs of the growing residential population in the area. This project and the forthcoming mixed-use project to the northwest of the project site, support the transition of the area from limited manufacturing uses to community commercial.

Based on the above analysis, the project consists of an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.

e. The Major Development Project complies with the height and area regulations of the zone in which it is located.

The applicant is requesting a General Plan Amendment to change the land use designation of the project site from Limited Manufacturing to Community Commercial, with the corresponding zones of CR, C2, C4 and RAS3 in the Southeast Los Angeles Community Plan. In addition, the applicant is requesting modification of Footnote No. 1 to allow the project comply with the regulations of Height District No. 2 and a Zone Change from [Q]M1-2-O and M1-2-O to (T)(Q)C2-2-O-SN, to establish consistency with the proposed land use. The proposed land use designation, footnote and zone allows a development with an FAR of 6.0:1 and unlimited height.

The project site is composed of two City blocks, with a total gross square footage of 423,754 square feet. Accordingly, the project site's existing FAR of 6.0:1 allows a maximum floor area of approximately 2,542,524 square feet of development on the site. The total proposed floor area of the project is approximately 2,541,468 square feet. Therefore, the project does not exceed the permitted FAR.

With respect to setback regulations pursuant to LAMC Section 12.14-C, buildings erected and used for commercial purposes in the C2 zone do not require front, side or rear yard setbacks. In addition, the Greater Downtown Housing Incentive Area does not require yards for lots in the C2 zone. On the west block, the parking garage, residential and hotel buildings are built up to the property line along Hill Street and 21st Street and has a variable zero-foot to 3-foot, 1 inch setback along Broadway. The hotel is setback approximately 44 feet 11 inches from the Reef building at the narrowest dimension.

On the east block, the buildings at the ground level have a variable setback of 1-foot, 1 inch to 19 feet, 2 inches along Broadway; a variable setback of 3 feet, 1 inch to 11 feet, 1 inch along 21st Street; a variable setback of 8 inches to 11 feet, 11 inches along Main Street; and

a setback of 5 feet along Washington Boulevard. Accordingly, the project complies with the applicable setback requirements.

Therefore, with approval of the General Plan Amendment and Zone Change, the Major Development Project will comply with the height and area regulations of the project site.

f. The Major Development Project is consistent with the City Planning Commission's design guidelines for Major Development Projects, if any.

The project site is located in an area that does not have formally adopted design guidelines for Major Development Projects. However, the applicant designed the project to be consistent with the City's Walkability Checklist, Citywide Design Guidelines for Commercial Buildings, the Downtown Design Guidelines and the Southeast Los Angeles Community Plan Urban Design Guidelines. In addition, the applicant made design modifications based on feedback received through the Department of City Planning's PVP review.

ADDITIONAL FINDINGS FOR FLOOR AREA RATIO AVERAGING IN A UNIFIED DEVELOPMENT:

g. The development, although located on separate parcels or lots of record, is a unified development as defined by LAMC Section 12.24-W,19.

Although the project site consists of two city blocks bisected by Broadway, the project is a unified development in that the mix of uses are dependent on each other, sharing a common architectural design. The site is designed to allow fluidity throughout the project site so that residents, employees and visitors can move freely from their place of employment, to open areas for recreation and relaxation, to retail and restaurant establishments and finally to onsite residential units.

i. A combination of functional linkages, such as pedestrian or vehicular connections.

The project includes multiple functional linkages for pedestrians, bicyclists and vehicles. For example, the publically accessible open spaces, The Exchange and The Strand are midblock pedestrian connections between the west block and east block. The crosswalk on Broadway, which bisects the west block and east block, is designed to connect the two blocks into a unified development. The addition of a stoplight south of the existing stoplight, will widen the crosswalk to approximately 123 feet 5 inches. The wider crosswalk will accommodate pedestrians and bicyclists to move to and from the west and east blocks with ease. In addition, pedestrians and bicyclists will have several ground floor retail and restaurant options along the perimeter of the project site, further creating functional linkages. People arriving to the project site by vehicle have the option to park on either the west or east block and walk freely throughout the project site.

ii. In conjunction with common architectural and landscape features, which constitute distinctive design elements of the development.

The submitted site plan, floor plans, landscape plans, elevations and architectural renderings depict a common contemporary architectural design, featuring the use of similar materials throughout the project and use of similar types of planting throughout the landscape design. The 9.7-acre property is designed to serve a unified purpose of providing housing, employment, commercial uses and open space near transit. The project's layout and architectural design are consistent throughout the two blocks.

iii. Is composed of two or more contiguous parcels, or lots of record separated only by a street or alley.

The east and west blocks are bisected by Broadway, which is a public street. The various lots comprising the west block and the east block are contiguous parcels.

iv. When the development is viewed from adjoining streets appears to be a consolidated whole.

Similar design elements are incorporated into the design of the individual buildings and open spaces that make up the entire project site, making the a consolidated development when viewed from adjoining streets.

ADDITIONAL FINDINGS FOR ALCOHOL SALES AND THE SOUTH LOS ANGELES ALCOHOL SALES SPECIFIC PLAN:

a. The proposed use will not adversely affect the welfare of the pertinent community.

The project site is planned for Community Commercial land use with the corresponding CR, C2, C4 and RAS3 zones. The mixed-use project includes the existing Reef building, 1,444 residential units and several commercial spaces such as a market, pharmacy, restaurants, hotel and Reef building that offer the sale of alcohol for on- or off-site consumption.

Conditions are herein imposed to integrate the uses into the community as well as protect community members from adverse potential impacts. All future operators are required to file an Approval of Plans prior to receiving a Certificate of Occupancy to allow for the review of the mode of operation, security, and the floor plan. The State of California Department of Alcohol Beverage Control will also have the opportunity to impose additional conditions upon each establishment, including limitations on hours of alcohol sales. The limited term of the grant for each individual plan approval allows the City to review the operation of the establishment and consider any changes in the surroundings. Therefore, as conditioned, the Master Conditional Use to allow the sale of alcohol will not adversely affect the welfare of the surrounding community.

b. The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.

According to the California State Department of Alcoholic Beverage Control licensing criteria, two on-site licenses and one off-site license are allocated to the subject Census Tract No. 2240.20. There are currently three on-site and four off-site licenses active within this census tract. The data indicates that for the on- and off-site licenses, the tract is above its allocated number, which is common given the concentration of commercial activity in the immediate area, just south of downtown. The establishments that have either an on- or off-site alcohol license include, two markets, two liquor stores, one bar and two restaurants.

The project site is planned for Community Commercial land use, which is intended to be a pedestrian-oriented, high activity, mixed-use center that can accommodate a broad range of uses to serve those who reside, work or visit. Given the diversity of uses permitted and encouraged within the Community Commercial land use, a high concentration of alcohol licenses is anticipated. The daytime population in the immediate vicinity includes the Reef visitors and employees, local employees, students and faculty of LA Trade Technical College, and the increasing number of residents and tourists during the evening hours.

Statistics from the Los Angeles Police Department's Central Division reveal that in Crime Reporting District No. 1321, which has jurisdiction over the subject property, a total of 443 crimes were reported in 2015, compared to the citywide average of 181 crimes and the high crime reporting district average of 217 crimes for the same period. Of the 443 crimes reported, five arrests were made for liquor laws, eight arrests were made for drunkenness, and 17 arrests were for under the influence.

The above figures indicate that the mixed-use project is located in a high-crime reporting district. Due to high crime statistics, conditions typically recommended by the Los Angeles Police Department, such as those related to the STAR Program, installation of surveillance cameras and age verification, have been imposed in conjunction with this Master Conditional Use Permit approval. Each establishment is part of a larger development that will benefit from oversight of the project as a whole. In addition, concerns associated with any individual establishment will be addressed in more detail through the required Approval of Plans determination. A Zoning Administrator will have the opportunity to consider more specific operational characteristics as each tenant is identified and the details of each establishment are identified. Security plans, floor plans, seating limitations and other recommended conditions, as well as the mode and character of the operation, will be addressed and assured through site specific conditions.

c. The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.

The following sensitive uses are located within a 1,000-foot radius of the project:

- Abram Friedman Occupational Center 1646 South Olive Street:
- Clinica Medica San Miguel 122 East Washington Boulevard;
- Frida Kahlo High School 1924 South Los Angeles Street:
- Glory Church of Jesus Christ 1801 South Grand Avenue;
- Iglesia Del Cuerpo De Cristo 1965 South Los Angeles Street;
- LATTC Child Development Center 2012 South Olive Street;
- Los Angeles Trade Technical College 400 West Washington Boulevard:
- Orthopedic Hospital Medical Magnet High School 300 West 23rd Street; and
- Santee Education Complex 1921 South Maple Avenue

There are no residentially zoned properties within 500 feet of the project site. However, residential units are located within a building located at the northwest comer of Washington Boulevard and Main Street.

The sale of alcoholic beverages at the proposed restaurants and retail establishments will not adversely affect the nearby residential buildings or the sensitive uses listed above

because they will operate within the confines of the project site and will be subject to numerous conditions of approval. To further ensure that the sensitive uses are not adversely affected, live entertainment and patron dancing is limited to the west block, including the Reef building and the hotel. In addition, each of the individual establishments is required to file an Approval of Plans with the Department of City Planning and will be subject to additional conditions of approval. Therefore, the proposed restaurant and retail establishments will not detrimentally affect nearby residential uses or other sensitive uses.

ADDITIONAL FINDINGS FOR SPECIAL PERMISSION FOR THE REDUCTION OF OFF-STREET PARKING:

d. The commercial or industrial buildings are located on a lot not more than 1,500 feet distant from the portal of a fixed rail transit station, or bus station, or other similar transit facility.

The project site is a centrally located transit-oriented area of the city. The project is designed to support the use of public transportation by providing pedestrian access to transit stops and facilities for bicyclists. The project is located on a site that is within 1,500 feet from the portal of a fixed rail transit station. The Metro Blue Line runs along Washington Boulevard at the northern edge of the project site, with the Grand/LATTC stop located one block to the northwest.

In addition, several Metro Local and Rapid bus lines, as well as the D Dash serve the project site. The project site is also adjacent to City designated bicycle lanes and routes. The project includes 1,906 bicycle parking spaces, including both short-term and long-term bicycle parking spaces, that are dispersed throughout the project site, as well as locker and shower facilities.

e. The reduction will not otherwise be materially detrimental to the public welfare or injurious to the properties or improvements in the surrounding area.

The existing underutilized parking lots will be converted into a contemporary mixed-use development to include housing, a hotel, commercial uses and open space. The surrounding properties are improved with a mix of low- to high-intensity commercial, civic, educational and residential uses. The buildings include: the Panama Travel Agency, Sports Museum and Santee Education Complex to the east; a furniture store, 12-story creative office building, and a variety of retail stores to the north; the Los Angeles Municipal Court building and DMV vehicle inspection site to the west; and a variety of retail and commercial supply stores to the south.

The request to allow a 10 percent parking reduction for commercial uses located within 1,500 feet of a transit facility will not be materially detrimental to the public welfare or injurious to the properties or improvements in the surrounding area because the project site is located in a transit-oriented area. The project is subject to the parking provisions of the Los Angeles State Enterprise Zone that allows a reduction in vehicle parking for commercial uses and the Bicycle Ordinance that allows a 15 percent reduction in vehicle parking for residential uses and a 30 percent vehicle parking reduction for commercial uses. In spite of the allowable vehicle parking reductions, the project provides sufficient parking to serve the entire project. The project includes 2,512 vehicle parking spaces and 1,906 bicycle parking spaces for the use of the project, thereby relieving the community of limited street parking.

The project site is a centrally located transit-oriented area of the city. The project is designed to support the use of public transportation by providing pedestrian access to transit stops

and facilities for bicyclists that will naturally reduce the number of vehicles that travel to the project site. The project encourages the use of public transportation and bicycles to arrive at the site by providing neighborhood serving commercial uses and short-term bicycle parking spaces at the ground level. The ground level uses are accessible directly from the sidewalk, a short distance from transit stops. Several modes of public transportation serve the project site, including the Metro Blue Line, several Metro bus lines and the D Dash line, as well as City designated bicycle lanes and routes.

Therefore, based on the project's proximity to transit, its mixed-use nature, and the provision of 1,906 bicycle parking spaces and associated facilities, the parking reduction will not be materially detrimental to the public welfare or injurious to the properties or improvements in the surrounding area.

f. The surrounding area will not be adversely affected by overflow parking or traffic congestion originating or terminating at the lot, and the reduction will not otherwise be materially detrimental to the public welfare or injurious to the properties or improvements in the surrounding area.

The project is located in a transit-oriented district that is within walking distance of several transportation lines, including the Metro Blue Line. Blue Line ridership has increased by almost 175,000 boardings, including weekdays and weekends, in the month of June 2016 as compared to June 2015. In addition, the project site is located along streets with designated bicycle lanes and routes. The project is subject to conditions of approval, as well as project design features and mitigation measures, to minimize any adverse effects due to parking or traffic congestion. Specifically, mitigation measures MM-TR-12 and MM-TR-13, include vehicle trip reduction measures to encourage the use of transit and reduce vehicle trips, thereby minimizing potential operational parking and traffic impacts on the surrounding street system to the maximum extent feasible.

The following measures are included:

- Provide sidewalk bike racks on the project site, including areas near bus stops.
- Coordinate with LADOT to provide the physical space (approximately 1,000 square feet rent free in a strategic location visible to the public) for a Mobility Hub/Bikeshare Station at the project site that could include space for:
 - o secure, long-term parking;
 - o maintenance and repair, and/or potential small Bicycle Store; and/or area for bike share.
 - o Make a one-time financial contribution of \$250,000 to the City of Los Angeles Department of Transportation, the monies to be used in the implementation of the Mobility Hub on the site of the project.
 - o Make a one-time financial contribution of \$250,000 to the City's Bicycle Trust Fund, the monies to be used to improve bicycle facilities in the area of the project.
 - o Participate in a Car-Share Program, and provide a minimum of 10 (ten) off-street car share parking spaces in the project's parking garage.
 - o Facilitate rideshare through an on-site transportation coordinator.
 - o Facilitate carpools and vanpools for project employees, students, etc., by providing locations for carpool and vanpool parking.
 - o Provide on-site facility with information on car-sharing, vanpools, taxis (e.g. kiosk, concierge, or transportation office).
 - Provide emergency or late-night ride homes for transit users or carpoolers who
 reasonably and unexpectedly leave work early or late and can't take
 bus/train/carpool.

- Provide transit information center/concierge/store/klosks on-site (include sale of transit passes).
- Provide bus shelters in area of the project site, as determined by Metro.
- Unbundle parking from housing cost.
- Implement parking cash-out programs for project land uses as appropriate.
- Make a one-time financial contribution of \$500,000 to LADOT for the purchase of one DASH bus, to facilitate modifying slightly the route of Route D to include the project pite. LADOT to pay for the operating costs of the vehicle.

As such, implementation of the conditions of approval, as well as project design features and mitigation measures, will ensure that the reduction in required parking will not increase traffic congestion and will not be materially detrimental to the public welfare or injurious to the properties or improvements in the surrounding area.

4. Variance Findings

a. The strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.

Reduction of On-Site Trees

The project site is currently improved with the Reef building, surface parking lots and an approximately 11,150 square-foot warehouse building. The project site currently contains a total of 59 trees, 46 of which are located in the perimeter parkway areas of the property. The existing trees are all common ornamental species, primarily Chinese Golden Rain Tree, that were planted as part of the landscape development. There is one Mexican Fan Palm that was naturalized on the site. New landscaping includes a variety of groundcover and shrubs and 289, 24-inch box trees including Canary Island Palm, Ginkgo, Yew Pine, Australian Willow, Honey Locust, Western Redbud and Olive. In addition, as part of the Development Agreement, the project will be required to pay the City "in lieu" fees for the 72 trees that cannot be accommodated on-site.

The project complies with the requirements of LAMC 12.21-G for open space, including square-footage, accessibility, dimensions and recreational amenities. However, LAMC Section 12.21-G,2(a)(3) requires residential projects to provide one 24-inch box tree per four dwelling units. The strict application of the LAMC will require the applicant to plant 361 trees on-site for the 1,444 residential units. The applicant is requesting a Variance to permit a 20 percent reduction in on-site trees to allow a total of 289 trees.

The project includes a total of 162,255 square feet of open space (73 percent common open space), slightly more than the LAMC requirement. A minimum of 25 percent of the common open space will be planted with ground cover as required by the LAMC. The open space provided includes a mix of public and private courtyards, gathering spaces and passageways.

In order to comply with the LAMC requirement for trees, the vast majority of green space will be dedicated to tree planting, causing trees to be planted closely together, thus providing inadequate area for proper canopy growth and roots and making the open space unusable for gathering or recreation. For example, the Strand, located on the east block, is designed to be the project's primary gathering space and includes an upper public terrace with a café and outdoor seating and performance space with amphitheater seating. If the project is

required to provide additional on-site trees, areas like the Strand will either be eliminated or reduced in size.

The purpose and intent of LAMC 12.21-G is for the provision of adequate and usable open space for residential projects and to insure proper shade for residents to offset any impacts to the urban setting resulting from the development. The location of the outdoor courtyard areas are situated so that buildings will provide enough shade for project residents while providing protection from air particulates emanating from the Santa Monica Freeway to the north.

On-site tree requirements are written on a citywide basis and do not take into account individual characteristics of a project or project site. Meeting the strict interpretation of the LAMC requirement for trees will make the outdoor open space impractical for use of project residents and visitors. Therefore, the strict application of the provisions of the zoning ordinance will result in practical difficulties and create an unnecessary hardship that is inconsistent with the purpose of the zoning regulations.

Alternative Bicycle Stall Siting

The applicant is seeking approval of a Variance to permit alternative blcycle stall siting for the required blcycle parking and a complimentary valet service for bicycles of the hotel component. The project is providing 1,906 bicycle parking spaces, including 1,604 long-term spaces and 302 short-term spaces. The hotel requires 10 long-term and 10 short-term bicycle parking spaces. LAMC Section 12.21-A,16(e)(2), which became effective on March 13, 2013, requires short and long-term bicycle parking spaces to be provided on the same lot as the use it is intended to serve, with short-term parking to be provided outdoors and long-term parking to be provided either outdoors or within the first level of a parking garage closest to the ground floor.

Short-term bicycle parking spaces for the commercial and residential uses on the west block (107 and 11 required, respectively) are provided inside the parking structure on Level 1, which is the ground floor, with direct access to 21st Street. On the east block, the short-term bicycle parking spaces for the commercial and residential uses (41 and 134 required, respectively) are provided inside the podium on Level 1, which is the ground floor, with direct access to Broadway.

Although the LAMC requires that short-term bicycle parking spaces be located outdoors, within 50 feet of a main pedestrian entrance, the residential and commercial uses on the west block necessitate the Variance request. If the short-term bicycle parking spaces are located outside of the building, it will form an almost continuous wall fronting nearly the entire perimeter of the west and east blocks. Full street walls of bicycle parking spaces will impede pedestrian mobility and will minimize usability of the publically accessible open space areas. While locating some of the bicycle parking spaces outdoors is appropriate, walls of bicycle parking spaces facing the street will present practical difficulties and unnecessary hardships.

Long-term bicycle parking spaces for the commercial and residential uses on the west block (110 and 107 required, respectively) are located on Level 7 of the parking structure. On the east block, the long-term bicycle parking spaces for the commercial and residential uses (41 and 1,337 required, respectively) are dispersed across levels P1 and P2 of the subterranean parking structure. Although the LAMC requires that long-term bicycle parking be located along the shortest walking distance to the nearest pedestrian entrance, or on the level of the parking garage closest to the ground floor and with direct access to a public street, the high-density, mixed-use project necessitates the Variance request.

Given the high-rise nature of the project, the configuration of the towers, American with Disabilities Act (ADA) requirements, ingress and egress requirements, and open space requirements as well as the location of retail and restaurant uses on the ground floor, it will be practically difficult and create a hardship to locate all of the long-term bicycle parking on the ground floor, or the floor closest to the ground floor. Devoting the ground floor parking level to bicycle parking will reduce the amount of retail and restaurant floor area, required circulation areas, lobbles, emergency access and vehicle parking spaces. The retail and restaurant uses are an integral component of the mix of uses and are essential to increasing the pedestrian activity at street level. These uses serve both residents and others who live, work or visit the area. In addition, removing vehicle parking spaces from the first parking level to accommodate the long-term bicycle parking spaces will require an additional subterranean parking level. Relocating the retail and restaurant uses to a higher floor with less pedestrian visibility and access and the construction of an additional subterranean parking level will be a hardship thus making the project infeasible.

The bicycle ordinance requires very specific locations for short-term and long-term bicycle parking, however the intent of the requirements is based on making the short-term bicycle parking convenient to retail patrons, employees and residential guests and making the long-term bicycle parking convenient and accessible to residents. All of the short-term bicycle parking spaces are located adjacent to the building entrance on the ground level with direct access to the adjacent street or within a short walking distance of elevators with convenient access to the building entrance. As such, the project will meet the intent of the bicycle ordinance. To ensure that the intent of the bicycle siting requirements of the LAMC are fulfilled, the applicant has been conditioned to be in substantial compliance with Exhibit A and to develop a bicycle storage and retrieval program to provide the LAMC required number of stalls for the hotel use. The program includes a complimentary valet service that will function in the same manner as a valet service for yehicles.

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

Reduction of On-Site Trees

The project site consists of two City blocks totaling 9.7 net acres. The site is improved with surface parking lots, an 11,150 square-foot warehouse building and the Reef building. The project includes the construction of 1,444 residential units, 97,057 square feet of retail and restaurant space and other commercial spaces, including a gallery, in the (T)(Q)C2-2-O-SN zone with 2,512 total on-site parking spaces.

The surrounding properties are improved with a variety of uses including the Los Angeles County Municipal Traffic Court building to the west and office, manufacturing, warehouse and retail uses to the north, south and east. The Santee Education Complex located on Los Angeles Street to the east has three grass sports fields. Generally, the surrounding area is lacking much needed parks, landscaped areas and trees.

The special circumstances applicable to the property that prevent the planting of 361 trees on the property relate to the constraints of the project site and the project's high-rise and transit-oriented nature. High-density residential uses, such as the project, are desirable near transit and job centers. As such, the best option available is to build vertically with restaurant and retail uses on the ground floor. The podium design to accommodate ground floor uses also limits the availability of open space for the planning of trees. Also, because parking structures are generally discouraged, parking for the uses on the east block is

accommodated within subterranean parking levels that extend to the property line. The project site must also maintain existing sidewalk widths, utilities and street lights, that make the planting of street trees problematic in some areas. Trees will however be planted in the parkway areas surrounding the project in accordance with street planting standards.

The project will greatly improve the area with the addition of public open space and the planting of 289 trees. In addition, as part of the Development Agreement, the project will be required to pay the City "in lieu" fees for the 72 trees that cannot be accommodated on-site. As previously mentioned, the surrounding properties are improved with non-residential land uses that do not require the planting of trees. In order to accommodate the required number of on-site trees in accordance with LAMC Section 12.21-G, residential units will be reduced to 1,156 units. There is a significant shertage of housing in the City, specifically in the Southeast Los Angeles Community Plan area, therefore the project is utilizing the provisions of the Greater Downtown Housing Incentive Area to provide 1,444 housing units. The property's ability to locate 1,444 housing units near transit and downtown, and the project's ability to locate housing without eliminating existing units, are special circumstances and unique opportunities that do not generally apply to other properties:

Alternative Bicycle Stall Siting

The applicant is seeking approval of a variance to permit alternative bicycle stall siting for the required bicycle parking and a complimentary valet service for bicycles of the hotel component. The project replaces under-utilized surface parking lots with much-needed housing, commercial uses, and open space. The project is providing 1,906 bicycle parking spaces, in compliance with LAMC requirements.

Short-term bicycle parking spaces for the commercial and residential uses on the west block are provided inside the parking structure on Level 1, which is the ground floor, with direct access to 21st Street. On the east block, the short-term bicycle parking spaces for the commercial and residential uses are provided inside the podlum on Level 1, which is the ground floor, with direct access to Broadway. Long-term bicycle parking spaces for the commercial and residential uses on the west block are located on Level 7 of the parking structure. On the east block, the long-term bicycle parking spaces for the commercial and residential uses are dispersed across levels P1 and P2 of the subterranean parking structure.

The project site is located prime location of the City that is a transit-oriented district, encouraging high-density, mixed-use development. The immediate vicinity offers several public transportation options including the Metro Blue Line that runs along Washington Boulevard, several Metro Rapid and Local lines and the D Dash line. In addition, the project has been conditioned (Mitigation Measure MM-TR-13) to make a one-time financial contribution of \$500,000 to LADOT for the purchase of one DASH bus, to facilitate modifying slightly the route of Route D to include the project site.

The surrounding area and project also encourage the use of bicycles. Washington Boulevard is a designated Backbone Bikeway Network and a Bike Lane in the City's Bicycle Plan, Main Street is a designated Bicycle Route in the City's Bicycle Plan, Broadway is a designated Neighborhood Bikeway Network in the City's Bicycle Plan and Hill Street is a designated Bike Lane in the City's Bicycle Plan. In addition to providing 1,906 bicycle parking spaces, the project is conditioned (Mitigation Measure MM-TR-12) to include a mobility hub/bikeshare station on the southeast corner of Washington Boulevard and Broadway with shower and locker facilities.

The size and type of the project, including the addition of 1,444 housing units in the Southeast Los Angeles Community plan area, and the location of the project, adjacent to and within a short walking distance to several public transportation options and bicycle lanes, are special circumstances that do not generally apply to other properties in the City. The project also includes 162,255 square feet of open space for project residents, visitors and employees as well as the surrounding community and ground floor retail and restaurant spaces and sidewalk improvements to encourage pedestrian activity. The project is providing the LAMC required number of parking spaces in thoughtfully placed locations throughout the project site that are easily accessible.

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

Reduction of On-Site Trees

The LAMC requirement for on-site trees is extremely difficult to comply with on properties that are located in dense urban communities where residential density is not limited by minimum lot-size requirements, such as the Greater Downtown Housing Incentive Area. The requested variance to provide 289 trees is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other properties in the same zone and vicinity. Providing all of the required trees on-site is a practical difficulty that will overwhelm the open space and render it unusable.

The project is providing 1,444 residential units, pursuant to the provisions of the Greater Downtown Housing Incentive Area, to help achieve the Mayor's goal of producing 100,000 dwelling units by 2021. In addition, the project site is desirable location for high-density development that is near transit. Approval of the variance will permit the development of the project with much-needed residential units. This project is similar to nearby downtown projects that were granted approval for a reduction of on-site trees:

- ZA 2014-2221(ZV)(SPR) The mixed-use project located 811 South Francisco Street was granted approval to allow 344 trees on-site in lieu of the required 391 trees.
- ZA 2013-3197(CU)(ZV)(ZAA)(SPR) The mixed-use project located 432-440 South Olive Street was granted approval to allow 88 trees on-site in lieu of the required 154 trees.
- ZA 2007-3256(ZV)(CU)(SPR)(YV) The mixed-use project located at 830 South Flower was granted approval to allow 40 trees on-site in lieu of the required 73 trees on Lot 6 and 50 trees on-site in lieu of the required 132 trees on Lot 3.
- ZA 2005-7403(CU)(ZV)(SPR) The project located at 710-798 South Grand Avenue was granted approval to allow 89 trees on-site in lieu of the required 218 trees.
- ZA 2005-1673(ZV)(ZAA)(SPR) The mixed-use project located at 900 South Figueroa was granted approval to allow 20 trees on-site in lieu of the required 157 trees.
- ZA 2005-1041(ZV)(ZAA)(SPR) The mixed-use project located at 1050 South Grand was granted approval to allow eight trees on-site in lieu of the required 32 trees.
- ZA 2004-7070(ZV)(W)(ZAA)(SPR) The mixed-use project located at 948-950 South Figueroa was granted approval to allow 14 trees on-site in lieu of the required 39 trees.
- ZA 2003-9146(ZV) The mixed-use project located at 111 South Grand Avenue was

granted approval to allow 25 trees on-site for each phase in lieu of the required 49 trees (Phase I) and 56 trees (Phase 2).

The project will comply with all other LAMC and Greater Downtown Incentive Area requirements for open space and setbacks. Accordingly, approval of the Variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships, is denied the property in question.

Alternative Bicycle Stall Siting

The project site is subject to special circumstances that do not generally apply to other properties in the same zone and vicinity, including the size, type and location of the project. The project replaces under-utilized surface parking lots with much-needed housing, commercial uses, and open space. The project is providing 1,906 bicycle parking spaces, in compliance with LAMC requirements. Should the project be required to locate short-term bicycle parking spaces outdoors and long-term bicycle parking spaces on the first parking level, project residents, visitors and employees will not be able to enjoy the amenities offered by the project.

The LAMC requires long-term bicycle parking spaces be directly accessible from the public street on the first parking level and short-term bicycle parking spaces be located outside of the building. As previously stated, if all the short-term spaces are located outside of the building they will create walls of bicycle parking around the perimeter of the project. In turn, bicycle parking will render the outdoor spaces unusable and create an obstruction to the outdoor spaces for pedestrians. Bicycle parking will not allow the project to function as a pedestrian friendly development with access to ground floor retail and restaurant establishments. In addition, should the project be required to provide all long-term bicycle parking spaces on the first parking level, the retail and restaurant amenities will be greatly reduced in size and vehicle parking spaces will be moved to a lower parking level. As stated previously, the project will be unable to provide the neighborhood serving amenities as proposed or the project will require an additional subterranean parking level.

Therefore, the requested variance to allow alternative stall siting and a valet/retrieval program for the hotel is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other properties in the same zone and vicinity but which, because of the hardship of losing open space and amenities at the ground level, is denied to the subject property.

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

Reduction of On-Site Trees

The granting of the Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located. The 9.7-acre property project site currently contains a total of 59 trees, 46 of which are located in the parkway areas surrounding the property. The mixed-use project includes approximately 162,255 square feet of open space in the form of landscaped courtyards and pathways and other open space features that connect the various proposed uses. Eight-five percent of the provided open space is designated common open space and 15 percent is designated private open space (e.g., unit patios). Pursuant to LAMC

requirements, 25 percent (29,624 square feet) of the common open space, including the public courtyards, will be planted with ground cover, shrubs, or trees. At least 289 trees will be planted throughout the property, including tree wells in the parkways along the project site perimeter.

Open space consists of amenities for the residents including a recreation room, a large central courtyard and gardens, multiple swimming pools, entertaining patios, and landscaped recreational areas as well as publically accessible outdoor spaces. The Exchange, located just south of the Reef building on the west, includes a café and outdoor seating, event space, and a seating island. The Exchange acts as the entryway into the hotel and the Reef building. The Strand, located on the east block, is the project's primary gathering space, and includes an upper public terrace with a café and outdoor seating, a performance space with amphitheater seating, and acts as the connector between Main Street and the west block.

The mixed-use project is an improvement in comparison to the existing surface parking lots, by providing more trees and landscaping on-site than what currently exists. . In addition, as part of the Development Agreement, the project will be required to pay the City "in lieu" fees for the 72 trees that cannot be accommodated on-site. Therefore, the granting of such Variance will not be detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity.

Alternative Bicycle Stall Siting

The project is accessible via bicycle as envisioned by City regulations. As mentioned above, the surrounding area and project encourage the use of bicycles. Washington Boulevard is a designated Backbone Bikeway Network and a Bike Lane in the City's Bicycle Plan, Main Street is a designated Bicycle Route in the City's Bicycle Plan, Broadway is a designated Neighborhood Bikeway Network in in the City's Bicycle Plan and Hill Street is a designated Bike Lane in the City's Bicycle Plan. In addition to providing 1,906 bicycle parking spaces, the project is conditioned to include a mobility hub/bikeshare station on the southeast corner of Washington Boulevard and Broadway with shower and locker facilities (Mitigation Measure MM-TR-12) and is permitted to provide up to 10 long-term and 10-short bicycle parking spaces to be served by a complimentary 24-hour attendant/valet service for the hotel (Condition No. Q-11). As such, the granting of the Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.

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

Reduction of On-Site Trees

The project site is located within the Southeast Los Angeles Community Plan area, a part of the Land Use Element, however the plan does not address the requirement of trees for individual properties. It does however state the need for additional open space. The project is consistent with the following goal, objective, and policies of the Southeast Los Angeles Community Plan regarding open space:

Goal 5: A community with sufficient open space in balance with new development to serve the recreational, environmental, health and safety needs of the community and to protect environmental and aesthetic resources.

- Objective 5-1: To preserve existing open space resources and where possible develop new open space.
 - Policy 5-1.1: Encourage the retention of passive and visual open space which provides a balance to the urban development of the Plan Area.
 - Policy 5-1.2: Accommodate active parklands, and other open space uses.
 - Policy 5-1.3: Require development in major opportunity sites to provide public open space.

The 2013-2021 Housing Element of the General Plan, is the City's blueprint for meeting housing and growth challenges. The project is consistent with the following goal, objective and policy of the Housing Element for open space:

- Goal 2: Safe, Livable and Sustainable Neighborhoods
 - Objective 2.4: Promote livable neighborhoods with a mix of housing types, quality design and a scale and character that respects unique residential neighborhoods in the City.
 - Policy 2.4.3: Develop and implement sustainable design standards in public and private open space and street rights-of-way. Increase access to open space, parks and green spaces.

As previously mentioned, the project provides 162,255 square feet of open space in the form of landscaped courtyards and pathways and other open space features that connect the various proposed uses. The project includes two publically accessible outdoor spaces, one on each lot. The Exchange, located just south of the Reef building on the west, includes a cafe and outdoor seating, event space, and a seating island. The Exchange acts as the entryway into the hotel and the Reef building. The Strand, located on the east block, is the project's primary gathering space, and includes an upper public terrace with a cafe and outdoor seating, a performance space with amphitheater seating, and acts as the connector between Main Street and the west block. The project includes 289 on-site trees, as such; the reduction in on-site trees will not adversely affect any element of the General Plan.

Alternative Bicycle Stall Siting

The project site is located within the Southeast Los Angeles Community Plan area, a part of the Land Use Element. The project is consistent with the following goal, objective, and policy of the Southeast Los Angeles Community Plan regarding accessibility:

- Goal 1: A safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the Community.
 - 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 this development.

The 2010 Bicycle Plan, a component of the Transportation Element, adopted on March 1, 2011, is not affected by the approval of the Variance. The three goals of the Bicycle Plan and the applicable policies implemented by the project are as follows:

Goal 1: Increase the number and types of bicyclists who bicycle in the City.

Policy 1.2.4: Ensure the maintenance of safe, secure bicycle parking facilities.

Policy 1.2.8: Encourage creative solutions to increase the availability of bicycle parking.

Goal 2: Make every street a safe place to ride a bicycle.

Policy 2.3.2: Mitigate obstacles or obstructions that impede safe and convenient bicycle passage.

Goal 3: Make the City of Los Angeles a bicycle friendly community.

Policy 3.1.3: Adopt a strategy for project vehicle trips to be mitigated through bicycle plan projects and/or programs

Policy 3.3.4: Promote bicycle connectivity to community-serving uses such as schools, libraries, retail, and parks.

The project is accessible via bicycle as envisioned by City regulations. As mentioned above, the surrounding area and project encourage the use of bicycles. Washington Boulevard is a designated Backbone Bikeway Network and a Bike Lane in the City's Bicycle Plan, Main Street is a designated Bicycle Route in the City's Bicycle Plan, Broadway is designated a Neighborhood Bikeway Network in in the City's Bicycle Plan and Hill Street is a designated Bike Lane in the City's Bicycle Plan.

The project supports the visions of the Southeast Los Angeles Community Plan and Bicycle Plan by providing a mixed-use project in a transit-oriented district and by increasing the supply of secure bicycle parking. As such, the project is in conformance with the applicable plans, provides adequate bicycle access to the project site and provides LAMC required bicycle parking. In addition, the project is conditioned to provide up to 10 long-term and 10-short bicycle parking spaces to be served by a complimentary, 24-hour attendant/valet service for the hotel (Condition No. Q-11). Therefore, granting of the Variance to allow alternative stall siting will not adversely affect any element of the General Plan.

5. Site Plan Review Findings

a. Pursuant to L.A.M.C. Section 16.05, and based on these Findings, the recommended action is deemed in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.

The project is a mixed-use development consisting of: 549 apartment units, including 21 live/work units, and 895 residential condominiums (or up to 1,444 residential condominiums); a 208-key hotel; 67,702 square feet of retail/restaurant uses; a 29,355 square-foot grocery store; a 17,507 square-foot gallery; and a 7,879 square-foot fitness studio. The existing Reef building will be maintained and includes an 8,000 square-foot rooftop restaurant addition. The project will contain approximately 2,541,468 square feet of

floor area upon full build out. The project site is located within the Southeast Los Angeles Community Plan area, the South Central Alcohol Sales Specific Plan and the Council District Nine Corridors South of the Santa Monica Freeway redevelopment plan.

The mixed-use project is consistent with several goals, objectives, and polices of the Southeast Los Angeles Community Plan. The plan text includes the following relevant residential and commercial land use goals, objectives and policies:

- 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.
 - 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 this development.
 - Objective 1-5: To promote and ensure the provision of adequate housing for all persons regardless of income, age, or ethnic background.
 - Policy 1-5.1: Promote greater individual choice in type, quality, price, and location of housing.
 - Policy 1-5.2: Ensure that new housing opportunities minimizes displacement of the residents.
 - Policy 1-5.3: Provide for development of townhouses and other similar condominium type housing units to increase home ownership options.
- 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.

Policy 2-1.5:

Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.

As with the current plan, the Draft Southeast Los Angeles Community Plan Identifies several goals, policies, implementation programs and design guidelines to help achieve the community's vision. As part of the plan update, a General Plan Amendment is required to create consistency among existing and future developments and designated land uses. Specifically, the project site's land use, as well as all of the properties fronting Washington Boulevard to the north and south between Hill Street and San Pedro Street, will be changed from "Limited Manufacturing" to "Community Commercial." The proposed change to Community Commercial is based on the determination of the Industrial Land Use Policy that identifies the area as a transition district as well as input from community members, stakeholders and representatives from Council District 9. The project site will also be located within a designated Transit Oriented District.

Pursuant to Ordinance No. 171,681, the project site is located within the South Central Alcohol Sales Specific Plan area, effective September 13, 1997. The plan specifies that no person shall establish in the area an establishment dispensing, for sale or other consideration, alcoholic beverages, including beer and wine, for off-site consumption, without first obtaining Conditional Use approval from the City of Los Angeles.

The project site is also located within the redevelopment area for the "Council District Nine Corridors South of the Santa Monica Freeway" plan. The plan was adopted on December 13, 1995, pursuant to Ordinance No. 170,807. The project is consistent with the following objectives for the project area:

- Job retention and generation supporting existing employers and attracting new employers;
- Business expansion and creation of new businesses through public and private funding and business development activities;
- Consumer retail, shopping and entertainment outlets in the community as a result of funding and suitable commercial development sites;
- Housing for all income levels to be provided along with preservation of existing single family housing stock; and
- Improved transportation services through planning and implementation.

The mixed-use project replaces surface parking lots in an area characterized by office, civic, educational, light manufacturing, retail and multi-family residential uses that are in close proximity to several public transit options. The project provides much-needed housing (for rent and sale) and jobs to the Southeast Los Angeles Community Plan area, including neighborhood serving retail and restaurant uses, a hotel and publically accessible open space that support this area of Southeast Los Angeles as an emerging commercial center for population growth, employment, retail services and transit.

With adoption of the General Plan Amendment to change the land use designation of the project site to Community Commercial and to modify Footnote No. 1, the project will be consistent with the applicable objectives and policies set forth in the Southeast Los Angeles Community Plan. Based on the above analysis, the project is in substantial conformance with the purposes, intent and provisions of the General Plan, the Specific Plan and applicable Redevelopment Plan. In addition, should the applicant or subsequent applicants choose to utilize the Land Use Equivalency Program, the subsequent phase(s) of the project

will be subject to the provisions of LAMC Section 16.05 (Site Plan Review) as conditioned by this approval (Condition No. Q-11).

b. That 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 highly urbanized and includes a mix of low- to high-intensity commercial, civic, educational and residential uses. The existing buildings include: the Panama Travel Agency, Sports Museum and Santee Education Complex to the east; a furniture store, 12-story creative office building; and a variety of retail stores to the north; the Los Angeles Municipal Court building and DMV vehicle inspection site to the west; and a variety of retail and commercial supply stores to the south.

The following project elements are incorporated into the project design in a manner that is compatible with both existing and future development in the surrounding area:

i. Building Design. The project is designed in a contemporary architectural style that includes several separate buildings of different heights in a variety of materials and colors. The two high-rise residential towers on the east block feature slight stepping to create horizontal and vertical articulation and provide visual interest. Materials for the towers include metal panels, metal louvers and glass curtain walls. The lower-scale buildings on the east block include façade layering and a variety of colors to provide depth and horizontal lines. Materials include precast concrete, cast-in-place concrete, metal panels, metal louvers, fibre cament board, cement plaster and phenolic wood wall panels. The ground floors of each building are differentiated from the upper levels with the use of recessed and angled entries, floor to ceiling glazing, glass doors and metal panels.

The west block includes the existing 12-story, concrete Reef building constructed in 1958. The mid-century modern building includes improvements such as the reintroduction of openings on the ground floor along Broadway, Washington Boulevard and Hill Street to accommodate retail space and an addition of a glass structure on the rooftop for restaurant use. The southern portion of the west block includes an eight level parking structure with ground floor micro-retail units along Hill Street and 21st Street, livework units and apartment units along Broadway and an integrated 19-story hotel. Materials for the parking structure include metal louvers, metal panel screens. corrugated metal panels, precast concrete panels and glass. The ground floor micro units feature storefront, floor-to-ceiling glazing. The rooftop parking level includes the installation of solar panels. The façade fronting Broadway is similar to the lower-scale buildings on the east block incorporating the use of layered, colored fibre cement board. cement plaster and cast-in-place concrete as well as corrugated metal panels. The ground floor live-work units along Broadway incorporate floor to ceiling glazing, glass doors and metal panels. The materials for the hotel include horizontal precast concrete panels, metal louvers and horizontal window panes. Accordingly, the project is designed to implement the type of high-quality architecture that is compatible with commercial districts within mixed-use urban areas.

ii. <u>Building Orientation/Frontage</u>. The project includes the development of two blocks that are bisected by Broadway. The west block includes the existing Reef building, a new parking structure, residential units and hotel tower. The east block includes several

mixed-use buildings, including two high-rise towers, one on the north end and one on the south end of the lot. A majority of the pedestrian activity will be oriented on Broadway with most of the retail/restaurant entrances, including outdoor dining, located along both sides of Broadway and directly accessible from the public sidewalk. Entrances to microretail spaces on the west block are from Hill Street and 21st Street while the additional retail, restaurant and grocery store entrances on the east block are from Washington Boulevard and Main Street.

The buildings integrate a pedestrian scale at ground level by incorporation of a variety of textures, materials, street furniture and landscaping appropriate to the project site, thereby minimizing the effects of building mass and street walls in relation to street frontage. Architectural features such as recessed and angled entrances, storefront glazing, tenant signage, and pedestrian-scaled lighting also help to create a pedestrian oriented building frontage. The project includes improvements to all sidewalks around the perimeter of the project site. Sidewalk widths around the perimeter of the project are as follows:

- Washington Boulevard on the west block, adjacent to the Reef building = existing 16 feet 8 inches
- Washington Boulevard on the east block = 16 feet 8 inches
- Broadway on the west block = variable 14 feet 11 inches, adjacent to the Reef building, up to 22 feet 3 inches at the public plaza between the Reef building and new construction
- Broadway on the east block = variable 14 feet 11 inches up to 32 feet
- Hill Street = variable 11 feet 1 inch up to 11 feet 6 inches
- Main Street = variable 16 feet 9 inches up to 21 feet
- 21st Street on the west block = 9 feet 11 inches
- 21st Street on the east block = 12 feet 10 inches

All sidewalks include planting of new street trees and parkways, installation of new street lights, trash and recycling bins, dog waste stations and street furniture such as benches and seating for outdoor dining. Street tree types include Chinese Flame Tree, Yew Pine and Australian Willow.

The two blocks are approximately 795 feet in the north-south direction, therefore the project includes a publically accessible, mid-block passageway extending from the west block to the east block. The Exchange, on the west block is located at grade, while the Strand, on the east block, is located approximately 22 feet above grade and accessed via a staircase.

- iii. Height/Bulk. The west block includes the existing 12-story, 193-foot, 10 inch tall Reef building, a new eight level parking structure, an integrated residential building 88-feet in height to top of parapet and a hotel tower 240 feet in height to top of parapet. The east block includes several mixed-use buildings and two residential towers. The north tower is 385 feet in height and the south tower is 420 feet in height to the top of parapet. The lower scale buildings range in height from 77 to 85 feet.
- iv. <u>Setbacks</u>. Pursuant to LAMC Section 12.14-C, buildings erected and used for commercial purposes in the C2 zone do not require front, side or rear yard setbacks. In addition, the Greater Downtown Housing Incentive Area does not require yards for lots in the C2 zone. On the west block, the parking garage, residential and hotel buildings are built up to the property line along Hill Street and 21st Street and has a variable zero-foot to 3-foot, 1 inch setback along Broadway. The hotel is setback approximately 44 feet 11

inches from the Reef building at the narrowest dimension. On the east block, the buildings at the ground level have a variable setback of 1-foot, 1 inch to 19 feet, 2 inches along Broadway; a variable setback of 3 feet, 1 inch to 11 feet, 1 inch along 21st Street; a variable setback of 8 inches to 11 feet, 11 inches along Main Street; and a setback of 5 feet along Washington Boulevard.

v. Open Space and On-Site Landscaping. Pursuant to LAMC requirements, the project includes 162,255 square feet of open space in the form of landscaped courtyards and pathways and other open space features that connect the various proposed uses. Eight-five percent of the provided open space is designated common open space and 15 percent is designated private open space (e.g., unit patios). Pursuant to LAMC requirements, 25 percent (29,624 square feet) of the common open space, including the public courtyards, will be planted with ground cover, shrubs, and a variety of trees including Canary Island Palm, Ginkgo, Yew Pine, Australian Willow, Honey Locust, Western Redbud and Olive. At least 289, 24-inch box trees will be planted throughout the property, including tree wells in the parkways along the project site perimeter.

The residential open space amenities include multiple swimming pools, a fitness center, and a community room. The common open space for residents on the east block is divided into three main spaces. The Farm includes outdoor dining space, BBQ's, a garden, a seating grove, and a reservoir pool. The Playground includes active space for project residents, an outdoor dining area, BBQs, an outdoor movie screen, undulating seating decks, a spa and pool, outdoor louriges, a yoga lawn, and a step fountain. The Platform is a community gathering space with movable seating, planters, and a fire pit or water feature.

The project includes two publically accessible outdoor spaces, one on each lot. The Exchange, located just south of the Reef building on the west, includes a café and outdoor seating, event space, and a seating island. The Exchange acts as the entryway into the hotel and the Reef building. The Strand, located on the east block, is the project's primary gathering space, and includes an upper public terrace with a café and outdoor seating, a performance space with amphitheater seating, and acts as the connector between Main Street and the west block.

- i. Off-Street Parking and Driveways. The project includes 2,512 vehicle parking spaces. Vehicle parking is provided within a four-level subterranean parking structure with 1,354 parking spaces on the east block and within an eight-level, above-grade parking structure with 1,158 parking spaces on the west block. The Reef building provides 1,100 parking spaces, equal to the number that currently exists at the property to serve the Reef building. Vehicular access to the subterranean parking structure on the east block is from an entrance along Main Street and 21st Street and vehicular access to the parking structure on the west block is from three entrances along Broadway, 21st Street, and Hill Street, respectively. The driveway locations are at approximately mid-block locations and situated to not interfere with driver and pedestrian visibility and safety. As part of the project, the applicant will create a new signalized driveway on Main Street between Washington Boulevard and 21st Street. In addition, the project provides 1,906 bicycle parking spaces.
- Building Signage and Lighting. The project includes the creation of a Sign District with on- and off-site signage. The project identity signs are limited to: (1) one static sign on the north façade (along Washington) of the north residential tower; (2) one static sign on the north façade (along Washington) of the existing Reef building; and (3) one static sign on the east façade (along Broadway) of the existing Reef building;

The maximum height permitted for the project identity sign on the north residential tower is limited to 150 feet and the maximum height permitted for the two project identity signs on the Reef building is limited to the top of existing parapet (approximately 153 feet). The hotel identity signage is limited to four static signs, one on each façade, with a maximum permitted height of 242 feet (top of parapet). All other tenant identity signage complies with current LAMC regulations.

Outdoor lighting consists of lamp posts, wall sconces and in-ground lighting. Any exterior lighting will incorporate fixtures and light sources that focus light on-site to minimize light trespass.

- ii. Loading Areas. The loading area for The Reef remains in its current location on Hill Street. Service vehicles will enter the west block from Hill Street and will exit the west block from Broadway and make a right turn going south towards 21st Street. Service vehicles for the uses on the east block will enter from Main Street and will exit the east block from 21st Street and make either a right or left turn.
- iii. <u>Trash Collection</u>. All trash areas are located within enclosed trash rooms within the parking areas and not visible to the public.

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 are compatible with existing and future planned development on adjacent and neighboring properties.

The project adds to the variety of mixed-use buildings immediately surrounding the site. The mixed-use residential and commercial development replaces existing parking lots with housing, a hotel, retail and restaurant space, and open space to serve the community. The project enhances the existing urban mix of uses in the neighborhood by providing much-needed housing and retail and restaurant establishments to meet the needs of the growing residential population in the area. This project and the forthcoming mixed-use residential project to the northwest of the project site, support the transition of the area from limited manufacturing uses to community commercial.

c. That any residential project provide recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

As previously mentioned, the project includes 162,255 square feet of open space in the form of landscaped courtyards and pathways and other open space features that connect the various proposed uses, in compliance with LAMC Section 12.21-G. Eight-five percent of the open space is designated common open space and 15 percent is designated private open space (e.g., unit patios). The residential open space amenities include multiple swimming pools, a fitness center, and a community room. The common open space for residents on the east block is divided into three main spaces. The Farm includes outdoor dining space, BBQ's, a garden, a seating grove, and a reservoir pool. The Playground includes active space for project residents, an outdoor dining area, BBQs, an outdoor movie screen, undulating seating decks, a spa and pool, outdoor lounges, a yoga lawn, and a step fountain. The Platform is a community gathering space with movable seating, planters, and a fire pit or water feature.

In addition, the EIR prepared for the project found that with implementation of regulatory requirements, such as the payment of the Dwelling Unit Construction Tax and/or the payment of Quimby Fees, impacts to local parks and recreation facilities will be less than

significant. Therefore, it is determined that the project provides sufficient recreational and service amenities to serve residents without creating negative impacts on neighboring properties.

6. Findings of Fact (CEQA)

I. INTRODUCTION

The Environmental Impact Report (EIR), consisting of the Draft EIR and the Final EIR, is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and components of the project at 1900 South Broadway, Los Angeles. PHR LA MART LLC (applicant) filed a Master Land Use Application with the City of Los Angeles (City) on May 1, 2014.

IL ENVIRONMENTAL DOCUMENTATION BACKGROUND

The project was reviewed by the Los Angeles Department of City Planning, Environmental Analysis Section (serving as Lead Agency) in accordance with the requirements of the CEQA. The City prepared an Initial Study in accordance with Section 15063(a) of the State CEQA Guidelines. Pursuant to the provisions of Section 15082 of the State CEQA Guidelines, the City then circulated a Notice of Preparation (NOP) to State, regional and local agencies, and members of the public for a 30-day period commencing on July 16, 2014 and ending August 15, 2014. The purpose of the NOP was to formally inform the public that the City was preparing a Draft EIR for the project, and to solicit input regarding the scope and content of the environmental information to be included in the Draft EIR.

In addition, a public scoping meeting was conducted on July 30, 2014, to further inform the public agencies and other interested parties of the project and to solicit input regarding the Draft EIR. The meeting provided interested individuals, groups, and public agencies the opportunity to provide oral and written comments to the Lead Agency regarding the scope and focus of the Draft EIR as described in the NOP and Initial Study. Written comment letters responding to the NOP were submitted to the City by public agencies and interested organizations. Comment letters were received from nine public agencies. Also, written comments were provided by three interested organizations and/or individuals via mail, email or submittal at the NOP scoping meeting. The NOP letters and comments received during the comment period, as well as comment sheets from the public scoping meeting, are included in Appendices I-2 and I-3 of the Draft EIR.

The Draft EIR evaluated in detail the potential effects of the project. It also analyzed the effects of a reasonable range of five alternatives to the project, including a "No Project" alternative. The Draft EIR for the project (State Clearinghouse No. 2014071054), incorporated herein by reference in full, was prepared pursuant to CEQA and State, Agency, and City CEQA Guidelines (Pub. Resources Code § 21000, et seq.; 14 Cal. Code Regs. §15000, et seq.; City of Los Angeles Environmental Quality Act Guidelines). The Draft EIR was circulated for a 47-day public comment period beginning on September 17, 2015, and ending on November 2, 2015, beyond the 45 days required by CEQA Guidelines Section 15105(a). Copies of the written comments received are provided in the Final EIR. Pursuant to Section 15088 of the CEQA Guidelines, the City, as Lead Agency, reviewed all comments received during the review period for the Draft EIR and responded to each comment in Section III of the Final EIR.

The City published a Final EIR for the project on June 10, 2016, which is hereby incorporated by reference in full. The Final EIR is intended to serve as an informational document for public agency decision-makers and the general public regarding objectives and components of the project. The Final EIR addresses the environmental effects

associated with implementation of the project, identifies feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts, and includes written responses to all comments received on the Draft EIR during the public review period. Responses were sent to all public agencies that made comments on the Draft EIR at least 10 days prior to certification of the Final EIR pursuant to CEQA Guidelines Section 15088(b). In addition, all individuals that commented on the Draft EIR also received a copy of the Final EIR. The Final EIR was also made available for review on the City's website. Hard copies of the Final EIR were also made available at four libraries and the City Department of Planning. Notices regarding availability of the Final EIR were sent to those within a 500-foot radius of the project site as well as individuals who commented on the Draft EIR, attended the NOP scoping meeting, or provided comments during the NOP comment period.

A duly noticed public hearing for the project was held by the Hearing Officer/Deputy Advisory Agency on behalf of the City Planning Commission on June 21, 2016.

The documents and other materials that constitute the record of proceedings on which the City's CEQA findings are based are located at the Department of City Planning, Environmental Review Section, 200 North Main Street, Room 750, Los Angeles, California 90012. This information is provided in compliance with CEQA Section 21081.6(a)(2).

III. FINDINGS REQUIRED TO BE MADE BY LEAD AGENCY UNDER CEQA

Section 21081 of the California Public Resources Code and Section 15091 of the State CEQA Guidelines (the "Guidelines) require a public agency, prior to approving a project, to identify significant impacts and make one or more of three possible findings for each of the significant impacts.

- A. The first possible finding is that "[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (Guidelines Section 15091 (a)(1)); and
- B. The second possible finding is that "[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency." (Guidelines Section 15091(a)(2)); and
- C. The third possible finding is that "[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible, the mitigation measures or Project alternatives identified in the final EIR." (Guidelines, Section 15091(a)(3)).

The findings reported in the following pages incorporate the facts and discussions of the environmental impacts that are found to be significant in the Final EIR for the project as fully set forth therein. Section 15091 of the CEQA Guidelines requires findings to address environmental impacts that an EIR identifies as "significant." For each of the significant impacts associated with the project, either before or after mitigation, the following sections are provided:

 Description of Significant Effects – A specific description of the environmental effects identified in the EIR, including a judgment regarding the significance of the impact;

- 2. <u>Project Design Features</u> Reference to the Identified Project Design Features that are a part of the project (numbering of the features corresponds to the numbering in the Draft EIR):
- 3. <u>Mitigation Measures</u> Reference to the identified mitigation measures or actions that are required as part of the project (numbering of the mitigation measures correspond to the Mitigation Monitoring Program, which is included as Section V of the Final EIR);
- 4. Finding One or more of the three specific findings in direct response to CEQA Section 21081 and CEQA Guidelines Section 15091:
- 5. Rationale for Finding A summary of the reasons for the finding(s);
- 6. Reference A notation on the specific section in the Draft EIR which includes the evidence and discussion of the identified impact.

IV. DESCRIPTION OF THE PROJECT

The project involves the construction of a mixed-use development consisting of: 1,444 residential condominiums; 950 commercial condominiums; a 208-key hotel; 67,702 square feet of retail/restaurant uses; a 29,355 square-foot grocery store; a 17,507 square-foot gallery; and a 7,879 square-foot fitness studio. The project includes maintenance of the existing 861,162 square-foot, 12-story Reef building with 8,000 square feet of restaurant and outdoor space added to the rooftop. The development consists of a 35-story residential tower, a 32-story residential tower, a 19-story hotel tower, and multiple low- and mid-rise residential buildings ranging in height from 88 feet up to 420 feet. A total of 2,512 parking spaces and 1,906 bicycle parking spaces are provided.

V. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT OR LESS THAN SIGNIFICANT BY THE INITIAL STUDY

The City Planning Department prepared an Initial Study dated July 16, 2014. The Initial Study is located in Appendix I-1 of the Draft EIR. The Initial Study found the following environmental impacts not to be significant or less than significant:

- A. Agricultural and Forest Resources
 - 1. Farmland
 - 2. Existing Zoning for Agricultural Use or Williamson Act Contract
 - 3. Forest Land or Timberland Zoning
 - 4. Loss or Conversion of Forest Land
 - 5. Cumulative Impacts
- B. Air Quality
 - 1. Objectionable Odors
- C. Biological Resources
 - 1. Sensitive Biological Species
 - 2. Riparian Habitat and Wetlands

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- 3. Movement of any Resident or Migratory Species
- 4. Habitat Conservation Plans
- D. Geology and Soils
 - 1. Landslides

2. Septic Tanks

- E. Hazards and Hazardous Materials
 - 1. Airport Land Use Plans and Private Airstrips
 - 2. Wildland Fires
- F. Hydrology and Water Quality
 - 1. 100-Year Flood Hazard Areas and 100-year Flood
 - 2. Seiche, Tsunami or Mudflow
- G. Land Use and Planning
 - Habitat or Natural Community Conservation Plans
- H. Mineral Resources
 - 1. Loss of Availability of Known Mineral Resources
 - 2. Loss of Mineral Resources Recovery Site
 - 3. Cumulative impacts
- I. Noise
 - 1. Airport Land Use Plans
 - 2. Private Airstrips
- J. Population and Housing
 - Displacement of Existing Housing
 - 2. Displacement of Existing Residents
- K. Recreation
 - 1. Recreational Facilities
- L. Transportation/Circulation
 - Air Traffic Patterns

VI. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT PRIOR TO MITIGATION

The following impact areas were determined to be less than significant, and based on that analysis and other evidence in the administrative record relating to the project, the City finds and determines that the following environmental impact categories will not result in any significant impacts and that no mitigation measures are needed:

A. Aesthetics

1. Visual Character/Quality

Operational Impacts (Except Vertical Zone 3 Signage): Under the project, the height of the Reef building would remain the same. Except for the project's two high rise towers, the remainder of the development consists of mid-rise buildings varying in height between 6 and 7 stories, consistent with or lower than the height and mass of other visually prominent buildings in the surrounding area like the 14-story commercial building to the north across Washington Boulevard and the 8-story courthouse across Hill Street to the west. In addition, the project replaces underutilized surface parking lots with a high-intensity, pedestrian-oriented urban center that is consistent with the visual character of the existing urbanized area. The project's creation of an transit-oriented

development is also consistent with the goals to concentrate development near transit station areas stated in the General Plan Framework, the Southeast Los Angeles Community Plan, the Draft/Proposed Southeast Los Angeles Community Plan, the Council District 9 Redevelopment Plan, the Downtown Housing Incentive area, the Central City Revitalization Zone, and the Los Angeles State Enterprise Zone. The overall effect of the project is to create an urban center by improving the current appearance of the project site, while also providing a pedestrian-oriented experience. Thus, the height and massing and architectural and urban design of the project are appropriate within the context of both existing and contemplated development patterns in the area. Therefore, there is a less-than-significant impact:

The project's Signage Supplemental Use District (SUD) allows large scale signage in designated locations within the project site. The effect of the signage permitted by the SUD is to reinforce and contribute to the visual character of the urban center created by the project. Potential impacts of this signage depend upon several factors, including the size, height, and location of signs, the level of lighting and animation permitted, along with the concentration of signage (i.e., the location of multiple signs within the same area), and the locations of sensitive receptors relative to the signs. Specifically, the Draft EIR identifies five Sign Zones and three Vertical Sign Zones and the permitted signs that are allowed in each zone. To assess potential visual impacts, the Draft EIR evaluates all signs from representative vantage points around the project site as well as the light impacts of the entire signage program. In addition, for a more accurate measure, the Draft EIR analyzes the different sign types based on their individual characteristics. To reduce potential impacts, the SUD limits or prohibits certain signage that might impact sensitive receptors. The project limits both the size and permitted animation of the northfacing signage on the North Tower in Vertical Zone 1 and 2, immediately across Washington Boulevard from the Rutland Apartments. West-facing, highly animated signage in Vertical Zone 1 and 2, immediately adjacent to sensitive receptors, is also prohibited.

The signage program also has a less-than-significant impact on nearby freeways. Specifically, views of project signage from southbound and northbound traffic on the I-110 are intermittent and distant and are therefore not prominent and only visible for a short duration. As such, project signage does not represent a safety hazard for traffic on the I-110 freeway. The views of the project site from the westbound Santa Monica I-10 Freeway are oblique and the signage complies with Section 21466.5 of the California Motor Vehicle Code (CMVC). The CMVC identifies thresholds when light sources can become distracting to divers. Therefore, because the project signage from the westbound freeway does not exceed the thresholds of the CMVC, the project does not pose a safety hazard to motorists. From the eastbound I-10 freeway, the high-rise buildings of the project first become visible at approximately Hoover Street, approximately 5.500 feet from the project site. At this distance, the project site can be seen among the landscaping adjacent to the freeway. A view of the project site continues to be available until the freeway passes the project site, for a distance of approximately 6,200 feet (approximately 1.2 miles). Throughout this distance, the view to the project site is always at an oblique angle to the driver's right. The signage viewed from the eastbound freeway traffic also complies with the governing requirements provided in the CMVC, and, therefore, the project does not impair motorists. The Draft EIR analysis of the impacts from the different views and from the signage program as a whole are incorporated into these Findings. In summary, while impacts associated with Vertical Zone 3 signage are significant and unavoidable, impacts associated with the remaining signage are less than significant.

Operational Impacts (Views and View Corridors): Views from the project site are extremely limited, in particular views of the Hollywood Hills. Therefore, views of the Hollywood Hills are not a valued scenic resource from this area. The project has the potential to obstruct private views from the four-story Da Capo residential building on the northwest comer of Main Street and Washington Boulevard, but views to the south are limited by existing development in the area and consist of an urban landscape containing no substantial visual resources. Therefore, there is a less-than-significant impact.

Cumulative Impacts: The geographic context for the analysis of cumulative aesthetic impacts includes areas with views of the project like portions of Downtown Los Angeles and the Southeast Los Angeles Community Plan Area. Development of the project in combination with the Related Projects results in an intensification of land uses in an already urbanized area of the City. However, anticipated growth would continue to be guided by the General Plan and other planning tools that anticipate the continued evolution of this area of the City, ensuring protection of the visual character of the area and a less-than-significant impact.

2. Light or Glare

Construction Impacts: Construction could include nighttime activities involving the use of on-site lighting during demolition, excavation, framing, and building construction. Pursuant to the requirements of the LAMC, construction hours would be limited to 7:00 AM to 9:00 PM Monday through Friday, and 8:00 AM to 6:00 PM on Saturday. These construction hours are consistent with routine development in an urban area, resulting in a less-than-significant impact.

Operation Glare Impacts: Glare, a condition which causes an observer to experience visual discomfort, can result from high brightness due to the project during operation. The glare impacts from the project are less than significant at all off-site sensitive receptor locations because of project compliance with LAMC Section 93.0117 and PDF-AES-3, which limits brightness to 2.0 foot-candles at sensitive receptors. In addition, the project building and signage are prohibited from using highly reflective building materials. As such, the project results in a less-than-significant glare impact.

Cumulative Impacts: The geographic context for the analysis of cumulative lighting impacts includes areas with views of the project, such as certain portions of Downtown Los Angeles and the Southeast Los Angeles Community Plan Area. The cumulative effect of increased building lighting raises ambient lighting levels, but to levels consistent with an urban area, resulting in a less-than-significant impact.

3. Shade or Shadow

Summer and Winter Shadows and Cumulative Impacts: The project casts far-reaching shadows to the west through the east during the Summer Solstice. However, no residential building or other sensitive use is shaded by the project for more than four hours, the threshold of significance, between the hours of 9:00 AM and 5:00 PM during the Summer Solstice. The project casts far-reaching shadows to the northwest and northeast during the Winter Solstice. However, no residential building or other sensitive use is shaded by the project for more than three hours, the threshold of significance, between the hours of 9:00 AM and 3:00 PM during the Winter Solstice. Therefore, impacts are less than significant.

Cumulative Impacts: The project site and surrounding area are situated in a mid- to high-density, mixed-use area adjacent to Downtown Los Angeles. Development of the

project, in conjunction with the Related Projects, results in an increase of shading impacts in the project vicinity, but not to a level of significance. Therefore, impacts are less than significant.

4. Project Design Features

The City finds that the Project Design Features PDF-AES-1, PDF-AES-2, PDF-AES-3, PDF-AES-4, and PDF-AES-5, Incorporated into the project, reduce the potential aesthetics impacts of the project. The Project Design-Features were taken into account in the analysis of potential impacts.

- B. Air Quality
- 1. Consistency with Applicable Air Quality Management Plan

The SCAQMD's 2012 Air Quality Management Plan ("AQMP") contains a comprehensive list of pollution control strategies directed at reducing emissions and achieving the National Ambient Air Quality Standards. The project complies with all SCAQMD rules and regulations that are in effect at the time of development. Therefore, impacts are less-than-significant.

2. Violation of Air Quality Standards or Substantial Contribution to Air Quality Violations

Mass Daily Construction Emissions (Except VOC): Based on conservative assumptions, except for VOC, the mass daily construction-related emissions generated during the project construction phase do not exceed the thresholds of significance recommended by the SCAQMD and, therefore, are less than significant.

Mass Daily Operational Emissions (Except VOC and NO_x). The nearest sensitive receptors to the project site are the residents of the Rutland Apartments building located across the East Block of the project site approximately 100 feet north on Washington Boulevard. The closest schools are the Santee Education Complex and Frida Kahlo Continuation High School, approximately one block east of the project site. With the exception of VOC and NO_x operational emissions, impacts to these sensitive receptors are less than significant.

Mass Daily Construction and Operational Emissions Cumulative Impacts (Except VOC for Construction and Operation and NO $_x$ Operation): Although the mass daily construction-related and operational emissions generated by the project will exceed thresholds of significance recommended by the SCAQMD for VOC (construction and operation) and NO $_x$ (operation), the remaining cumulative impacts will not exceed SCAQMD thresholds and, therefore, are less than significant.

Exposure of Sensitive Receptors to Substantial Pollutant Concentrations: Emissions generated by the project do not expose sensitive receptors in the vicinity of the project site to substantial pollutant concentrations. Therefore, impacts are less than significant.

Toxic Air Contaminants (TACs): The greatest potential for TACs emissions during construction comes from diesel particulate matter emissions associated with heavy-duty equipment during demolition, excavation and grading activities. However, the SCAQMD does not generally consider diesel particulate matter emissions from temporary construction activities to contribute substantially to an incremental increase in diesel-related cancer risks because of the short-term and temporary nature of construction activities. Therefore, impacts are less than significant,

3. Consistency with General Plan Air Quality Element:

The project is consistent with the General Plan Air Quality Element of the City's General Plan. Therefore, impacts are less than significant.

4. Project Design Features

The City finds that the Project Design Features PDF-AQ-1, PDF-AQ-2 and PDF-AQ-3, incorporated into the project, reduce the potential Air Quality impacts of the project regarding Consistency with Applicable Air Quality Management Plan, Exposure of Sensitive Receptors to Substantial Pollutant Concentrations, Toxic Air Contaminants, Consistency with General Plan Air Quality Element, and Violation of Air Quality Standards or Substantial Contribution to Air Quality Violations, Mass Daily Construction Emissions (Except VOC), Mass Daily Operational Emissions (Except VOC and NO_x), and Mass Daily Construction and Operational Emissions Cumulative Impacts (Except VOC for Construction and Operation and NO_x for Operation). The Project Design Features were taken into account in the analysis of potential impacts.

C. Biological Resources

1. Trees and Cumulative Impacts

Trees: The project includes the planting of 289 trees, which exceeds the 1:1 ratio for tree replacement identified in the City's tentative tract map guidelines, as well as replacement of all existing trees within the public right-of-way at greater than a 1:1 ratio. Therefore, impacts are less-than-significant.

Cumulative Impacts: It is not known at this time if future development of the Related Projects or other development projects in the City would involve the removal of protected tree species. However, the project will not affect protected tree species, and thus would not contribute to any potential cumulative effect. Therefore, cumulative impacts are less than significant.

D. Cultural Resources

1. Historical Resources

Historical Resources: There is one potential discretionary historic resource located on the project site: the Reef building, originally constructed by the Los Angeles Furniture Makers Association in 1958, and designed by local architect Earl T. Heitschmidt. The Reef building is not designated a landmark at the national, state, or local levels, nor has it been identified or evaluated as significant in any previous historic resource surveys. The building does not appear to be eligible for listing in the National or California Registers or the City designation due to a lack of historical significance and a lack of architectural distinction. Additionally, the Reef building has been altered and no longer retains historic integrity, and it does not appear to contribute to a potential historic district. Therefore, the buildings are not historic resources subject to CEQA. Although it is not known at this time if future development of the related project sites would involve historic resources, it is anticipated that if historic resources are potentially affected, the Related Projects would be subject to the requirements of CEQA and the City's historic resource protection ordinance. It is further anticipated that the effects of cumulative development on historic resources would be mitigated to the extent feasible in accordance with CEQA and other applicable legal requirements. Therefore, cumulative impacts on historical resources are less than significant.

2. Archaeological Resources and Human Remains

According to the South Central Coastal Information Center, no archaeological sites have been identified within the project site. The records search provided in the Draft EIR concluded that there is one archaeological resource within a ½ mile radius of the project site. However, no archaeological determinations of eligibility ("ADOE") are identified on the project site or within a ½ mile radius of the site. Therefore, impacts are less-than-significant. It is not known at this time if future development of the related project sites would involve cultural resources. However, similar to the project, the Related Projects are subject to the requirements of CEQA and City archaeological resource protection ordinances. As such, the Related Projects would be evaluated on a case-by-case basis and any potential impacts to archaeological resources would be addressed at that time. Therefore, cumulative impacts on archaeological resources are less than significant.

E. Geology and Soils

1. Seismic Fault Rupture, Strong Seismic Ground Shaking, Liquefaction, Subsidence and Expansive Soils

Seismic Fault Rupture: The project site is not included in a State of California Alquist-Priolo Earthquake Fault Zone or a City of Los Angeles Fault Rupture Study Area. Based on the available geologic data, active or potentially active faults with the potential for surface fault rupture are not known to be located beneath or projecting toward the project site. Therefore, the potential for surface rupture at the project site due to fault plane displacement propagating to the ground surface is considered low and less than significant.

Strong Seismic Ground Shaking: The project site is located in a seismically active region, and future users on the project site will be exposed to seismic ground shaking. Although the project is within the Puente Hills Blind Thrust Fault Zone, and is nearby many other faults on a regional level, the potential seismic hazard to the project site will not be higher than in most areas of the City or elsewhere in the region. In addition, conformance with current Building Code requirements will minimize the potential for structures on the project site to sustain damage during an earthquake event. Therefore, impacts are less than significant.

Liquefaction: The project site is not located in a liquefaction zone. Therefore, potential impacts from liquefaction are deemed less than significant.

Subsidence: Groundwater and petroleum are not currently being extracted from the project site and would not be extracted as part of the project. Thus, subsidence as a result of such activities will not occur and impacts are less than significant.

Expansive Soils: According to the preliminary geotechnical evaluation prepared for the project, the project is not be affected by expansive soils. In addition, construction of the project is required to comply with the City UBC and the 2013 California Building Code, which include building foundation requirements appropriate to site-specific conditions, and the site-specific requirements identified in the Geotechnical Study that also address lateral spreading and settlement. Therefore, impacts are less than significant.

Cumulative Impacts: The geographic scope of the cumulative geology and soils analysis is the project vicinity. Geologic, soils and seismicity impacts tend to be localized; therefore, the area near the project site would be most affected by project activities (generally within a 500-foot radius) and, as there are no project impacts for geology and

soils, the project does not contribute to cumulative impacts, and therefore, cumulative impacts are less than significant.

- F. Hazards and Hazardous Materials
- 1. Construction and Operational Impacts of Hazardous Materials, Proximity to a School, and Emergency Response Plan

Construction (Except Radon): Construction of the project involves the use of those hazardous materials that are typically necessary for construction of mixed-use development (i.e., paints, building materials, cleaners, fuel for construction equipment. etc.). The project's transport, use and disposal of construction-related hazardous materials conforms to all applicable local, State, and federal regulations governing such activities. In addition, the Phase I site assessment did not identify on- or off-site land uses that represent a potential recognized environmental condition to the project site. The 200-gallon-capacity Above Ground Storage Tank (AST) utilized for storage of diesel fuel for the 400-kws emergency Caterpillar generator within the Reef building does not show any signs of spillage and is properly registered and maintained. Redevelopment or renovation of spaces within the Reef could disturb previously identified Asbestos Containing Materials (ACMs). However, surveys of affected on-site structures and facilities are required to verify the presence or absence of ACMs, and remediation or abatement are required before any disturbance. Similarly, since the existing structures and facilities on-site may contain Lead Based Paint (LBP), surveys of affected on-site structures and facilities are required to verify the presence or absence of LBP and, if they are, remediation or abatement are required. Finally, since the project site is within a City-designated methane zone, the project is required to comply with the General Methane Requirements pursuant to Section 91.7103 of the LAMC and existing City regulations if methane gas is detected at pressures and/or concentrations of concern. Therefore, impacts are less than significant.

Operation: The project does not utilize hazardous materials during day-to-day operations, other than small quantities of typical household, vehicle, and landscape maintenance materials such as cleaning supplies, paints, oil, grease, and fertilizers, all in accordance with manufacturers' instructions for use, storage, and disposal. In addition, the Phase I site assessment did not identify on- or off-site land uses that represent a potential recognized environmental condition to the project site. Therefore, impacts are less than significant.

Proximity to a School: Santee Education Complex and Frida Kahlo Continuation High School are approximately 0.10 mile east of the project site. The LATTC is approximately 0.15 mile west. There are no other schools within 0.25 miles. As the project complies with all standards, regulations, and good housekeeping practices, it does not emit any hazardous emissions during construction or operation that adversely affect schools located within one-quarter mile of the project site and, therefore, impacts are less than significant.

Emergency Response Plan: The project site is not located in the vicinity of a designated disaster route. The majority of construction activities are confined to the site, although the project may result in temporary closures of travel lanes during construction. Implementation of a Construction Staging and Traffic Management Plan described in Section IV.N, Transportation, of the Draft EIR, and compliance with access standards reduce the potential for the impacts on emergency response during construction. In addition, drivers of emergency vehicles normally have a variety of options for avoiding traffic, such as using their sirens to clear a path of travel or driving in the lanes of

opposing traffic. Therefore, construction and operation of the project does not significantly impair implementation of, or physically interfere with, any adopted or on-site emergency response or evacuation plans and impacts are less than significant.

Cumulative Impacts: The geographic scope of cumulative impacts related to hazardous materials is the area within one-quarter mile of the project site. The potential presence of hazardous substances would require evaluation on a case-by-case basis, in conjunction with the development proposals for each of the Related Projects. Compliance with all applicable local, state, and federal laws regarding hazardous materials would reduce cumulative impacts associated with the development of the Related Projects to less than significant.

- G. Hydrology and Water Quality
- Surface Water Quality, Groundwater, Surface Water Flood Hazards, Hydrology/Drainage

Surface Water Quality: Project construction involves potential sources of stormwater pollution; such as adhesives, cleaning agents, landscaping, plumbing, painting, heat/cooling, masonry materials, floor and wall coverings, and demolition debris. However, all hazardous materials are required to be stored, labeled and used in accordance with the OSHA regulations. In addition, Best Management Practices (BMPs) ensure that construction related water quality impacts will be lessened. Similarly, during operation, runoff may contain urban pollutants, such as auto fluids and oils, but the project is required to comply with County and City regulations, including the SUSMP and the City's LID ordinance, to retain and treat storm water and prevent additional flows into the City's stormwater system. The project also includes four storage tanks and drywell systems for stormwater runoff. Therefore, impacts are less than significant.

Groundwater: Direct additions or withdrawals of groundwater are not proposed by the project. Furthermore, the project decreases the amount of impervious surfaces with the inclusion of landscaped areas and provides facilities for groundwater recharge. Therefore, the project does not increase the amount of impervious surfaces and impacts are less than significant.

Flooding: The project site is in Flood Zone X, and therefore outside of the 50, 100 and 500-year flood zones. Accordingly, potential flood impacts hazard are less than significant.

Drainage: During project construction, a temporary alteration of the existing on-site drainage pattern may occur. Specifically, grading activities can increase erosion processes. However, these changes do not result in substantial erosion or siltation due to stringent controls imposed under the General Construction Activity Stormwater Permit, including implementation of a SWPPP, and the Los Angeles County MS4 Permit. Common measures for controlling fugitive dust emissions, such as covering truck loads and street sweeping, are also effective in controlling stormwater quality. Second, the construction area will be secured to control off-site migration of pollutants. Erosion control devices, including temporary diversion dikes/berms, drainage swales, and siltation basins, are typically required around construction areas to ensure that sediment is trapped and properly removed. During operation, the project does not modify the manner in which the surrounding streets convey storm runoff to the City storm drain system. Furthermore, the project is required to comply with the SUSMP, MS4 permit and the City's LID, which reduce the volume of runoff from the site after the project is constructed. Therefore, impacts are less than significant.

Cumulative Impacts: The geographic scope of cumulative hydrology and water quality impacts is the Los Angeles River watershed and associated receiving waters. Future development of the Related Projects and other development within the watershed could affect the amount, the rate, the velocity, and the quality of runoff within their respective local drainage areas. However, similar to the project, each of the Related Projects is required to prepare and implement a SUSMP and undergo a review by the City to ensure compliance with the MS4 permit and the LID Ordinance. The Related Projects also have to determine what drainage improvements and BMPs are required to ensure that the storm drain capacity of the system is adequate and that no downstream flooding occurs as a result of exceedance of storm drain capacity, and that no significant water quality issues occur. With compliance with regulatory requirements, the project does not result in any significant hydrology and water quality impacts. Therefore, cumulative impacts are less than significant.

H. Land Use and Planning

1. Community Division and Land Use Compatibility, and Consistency with Land Use Plans and Policies

Community Division and Land Use Compatibility: The project does not physically divide an established community because it is being constructed on a site that has been developed for over 50 years. In addition, the project site is within a densely developed urban area with a mix of institutional, educational, commercial, light industrial and residential uses. No existing streets will be eliminated and no existing residents will be displaced. Thus, the development does not separate the community from those elements that establish the area as a community. The project's physical characteristics do not prevent or substantially impair existing adjacent land uses to continue their function since the project includes uses compatible with those of the surrounding area. Specifically, the project site and the surrounding area are in a portion of the City undergoing a significant transition and many new developments, including mixed-use projects, are either built, under construction or proposed within or adjacent to Downtown Los Angeles. The project's pedestrian, transit-oriented and mixed-use characteristics are compatible with the commercial, institutional, educational uses surrounding the site as well as the commercial, mixed-use and entertainment developments one mile north of the project site. Therefore, impacts are less than significant.

Consistency with Land Use Plans and Policies: The development of the project is subject to numerous state, regional and City land use plans and policies, such as the 2008 Regional Comprehensive Plan (RCP), the Southern California Compass Blueprint Growth Vision, the Regional Transportation Plan/Sustainable Communities Strategy, the City General Plan, the Southeast Los Angeles Community Plan, the Draft/Proposed Southeast Los Angeles Community Plan, the Plan For a Healthy Los Angeles, the Citywide Design Guidelines, the 2013-2021 Housing Element, and City Planning and Zoning Code requirements. The project is generally consistent with all land use plans and policies. Specifically, the project is consistent with SB 375, a state law targeting greenhouse gas emissions from vehicles, since it reduces vehicle miles traveled due to the fact that project residents, employees, and visitors may use public transit, such as the nearby Metro Blue Line, Metro Expo Line and various Metro bus lines. The project also conforms to the goals set forth in the 2008 RCP, including those goals related to regional growth, mobility, and sustainability as shown in Table IV.J-1 (Project Consistency with Applicable Regional Comprehensive Plan Objectives) of the Draft EIR. Similarly, the project conforms to the Southern California Compass Blueprint Growth Vision goals related to the improvement of mobility for residents, the increase in livability

in all communities, the increase in prosperity for all people, and the promotion of sustainability for future generations. The project achieves these goals due to its nature as an infill redevelopment project that creates an urban center with opportunities for people to live, work, and visit in this Downtown Los Angeles-adjacent area.

The project also conforms to the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) as shown in Table IV.J-2 (Consistency of the Project with the Applicable Goals of Regional Transportation Plan) of the Draft EIR. Similarly, the project is consistent with a Plan For A Healthy Los Angeles, as analyzed in Table IV.J-5 (Consistency of the Project with the Applicable Policies of the Plan For A Healthy Los Angeles). Specifically, the project is consistent with these plans by converting surface parking lots into a mixed-use project with significant open space and community amenities conducive to pedestrian use. In addition, the vertical integration of a mix of uses, and concentration of jobs and new development within walking distance of public transit options, reduce air pollution and greenhouse gas emissions.

In addition, the project is also consistent with General Plan, as shown in Table IV.J-3 (Project Consistency with the Applicable Objectives and Policies of the City of Los Angeles General Plan Framework Element) of the Draft EIR. Specifically, the project is consistent with 15 goals related to the provision of both commercial and residential uses close to significant public transit opportunities and the inclusion of open space, pedestrian amenities and bicycle facilities. The project is also consistent with several similar goals of the Southeast Los Angeles Community Plan, as shown in Table IV.J-4 (Comparison of Southeast Los Angeles Community Plan Objectives to Project Characteristics) of the Draft EIR,

As analyzed in Table IV.J-6 (Consistency of the Project with Applicable Objectives of the City of Los Angeles Citywide Design Guidelines), the project also implements Objectives 1 through 5 of the Citywide Guidelines. The project achieves these Objectives by being designed to provide direct paths of travel to multiple public transit facilities and through the incorporation of public bicycle spaces. In addition, the project employs high quality architecture with detail and articulation at all levels and provides mid-block paseos connecting the project uses internally as well as to the surrounding streets. Finally, the project creates 162,255 square feet of open space, of which 73 percent will be common public open space.

As analyzed in Table IV.J-7 (Consistency of the Project with Applicable Goals, Objectives and Policies of the City of Los Angeles Housing Element 2013-2021) of the Draft EIR, the project implements a number of the City of Los Angeles Housing Element Goals, Policies and Objectives. Namely, the project promotes housing production by providing a range of housing types in a new mixed-use development near public transit options. The project also promotes safe, livable and sustainable neighborhoods by converting surface parking lots into a new mixed use residential, commercial development.

Project uses would not be consistent with the existing General Plan land use designation and zoning of the project site and, thus, the applicant has requested a General Plan Amendment and corresponding Zone Change for the project site from [Q]M1-2-O and M1-2-O to C2-2-O. In accordance with Sections 12.14 of the City Planning and Zoning Code, with these requests, the proposed project uses are permitted in and consistent with the C2 zone because this commercial zone allows for the construction of a variety of commercial uses, including retail stores, offices, restaurants, parking structures, as well as hotel and multi-family residential uses.

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Therefore, impacts related to consistency with these land use plans are less than significant.

Cumulative Impacts: Development of the project, in conjunction with the Related Projects, results in an intensification of existing prevailing land uses in the project vicinity. However, these projects would be subject to specific findings and conditions. As such, development of the project and related projects is not anticipated to substantially conflict with the intent of the City's General Plan regarding the future development of the Southeast Los Angeles community, or with other land use regulations required to be consistent with the General Plan, such as the Planning and Zoning Code. Therefore, cumulative impacts are less than significant.

I. Noise

1. Traffic Noise and Vibration

Off-Site Construction: The major noise sources associated with off-site construction trucks would be associated with delivery/haul trucks during the project site excavation phase.). The noise level generated by construction trucks during the peak period (excavation phase) will be approximately 75 dBA Leq along the haul routes. The estimated noise from the haul trucks is consistent with the existing daytime ambient noise levels at two sensitive receptors along Hill Street and Main Street. During other construction phases, the number of construction trucks will be lower, which will result in lower noise levels. Therefore, the construction traffic noise impacts is less than significant.

Operational Noise: Operational noise consists of noise from building mechanical systems, parking facilities, loading and trash areas and outdoor spaces. However, all onsite mechanical equipment are required to comply with the regulations under Section 112.02 of the LAMC, which prohibits noise from air conditioning, refrigeration, heating, pumping, and filtering equipment from exceeding the ambient noise levels on the premises of other occupied properties by more than 5 dBA. Noise impacts from parking facilities are also less than significant since the subterranean parking levels at the East Block will be fully enclosed on all sides. The loading docks and trash areas for the project are located within the West Block and East Block parking structures. Therefore, noise associated with the loading/unloading and trash collection activities will be attenuated from off-site sources by the parking structures walls. Noise could also emanate from the project's outdoor spaces, such as the restaurant and outdoor space on the roof of the Reef Building, the hotel outdoor pool area and other open spaces. Compliance with existing regulations ensures that amplified program sound would not exceed the significance threshold. Furthermore, as indicated in Table IV.K-14 of the Draft EIR, the estimated noise levels from outdoor spaces use will be below the significance threshold at all off-site sensitive receptors. Finally, compliance with existing regulatory measures ensure that necessary noise insulation features are included in the final building design to achieve an interior noise environment that do not exceed 45 dBA Leq, in accordance with the City's Building Code.

Additional off-site noise comes from traffic generated once the project is operating. Table IV.K-15 of the Draft EIR summarizes the off-site roadway noise in the future produced by the project. This table shows that the project results in a maximum of a 0.7 dBA increase in traffic noise along Main Street between Venice Boulevard and Washington Boulevard. The projected increases in noise level are considered negligible in the existing exterior noise environment. In addition, the change will be below the 3 dBA CNEL significance threshold which is considered to be an increase just perceptible to the human ear. When

compared with existing conditions, as shown in Table IV.K-16 of the Draff EIR, the project results in a maximum of a 1.8 dBA (CNEL) increase in traffic noise along Main Street, between Venice Boulevard and Washington Boulevard. The estimated increase in off-site traffic noise levels as compared to existing conditions is well below the 3 dBA CNEL significance threshold. Therefore, the traffic noise impact is less than significant.

Construction and Operational Related Ground-borne Vibration: The project will generate ground-borne construction vibration during site demolition and excavation/grading activities when heavy construction equipment; such as large buildozers, will be used. As indicated in Table IV.K-11 of the Draft EIR, vibration velocities from typical heavy construction equipment during construction are below the significance thresholds. The project does not include uses that are expected to generate measurable levels of ground-borne vibration during operation. Therefore, vibration impacts are less than significant:

Cumulative Impacts (Except 17th Street, west of Hill Street and Related Project No. 53): It is anticipated that construction-related noise levels from the Related Projects would be intermittent and temporary. In addition, the Related Project are required to comply with time restrictions and other relevant provisions in the LAMC. In addition, noise associated with cumulative construction activities would be reduced to the degree reasonably and technically feasible through proposed mitigation measures for each individual related project and compliance with locally adopted and enforced noise ordinances. Off-site construction haul trucks would have a potential to result in cumulative impacts if the haul trucks for the Related Projects and the project utilize the same haul routes. However, the estimated noise levels from project haul trucks are below the significance threshold. Potential vibration impacts due to construction activities are generally limited to buildings/structures that are located in close proximity of the construction site (i.e., within 15 feet as related to building damage and 80 feet as related to human annovance). However, the nearest Related Project is located approximately 95 feet from the project. Therefore, there would be less than significant cumulative impacts except for at 17th Street, west of Hill Street, and at Related Project No. 53, discussed below under Significant and Unavoidable Impacts...

J. Population, Housing and Employment

Construction of the project results in increased construction jobs, which could potentially result in increased permanent population and demand for housing in the vicinity of the project site. However, construction workers are unlikely to relocate their households. Operation of the project is projected to generate approximately 3,808 employees, a net increase of approximately 1,161 employees on the project site. This increase is within the parameters of SCAG's forecast of 82,500 additional jobs in the City between 2008 and 2020. The project's construction of 1,444 additional residential dwelling units is expected to accommodate between 2,224 and 6,309 new permanent residents in the City. The addition of these new residents is within the SCAG growth projection. Therefore, impacts to population, housing and employment are less than significant.

Operation Impacts: The project has no impact on displacement of housing or residents because there are currently no residential units on the project site. In addition, as discussed in Response to Comment 10-8 in the Final EIR (FEIR), which is incorporated into these Findings by reference herein, there is no correlation between the project and any physical impact on the environment which could result in nearby residents and businesses being displaced and experiencing health impacts. Accordingly, since CEQA does not require an analysis of potential economic and social effects which are not

caused by a project's physical change to the environment, nor an analysis of speculative impacts, the project does not create any environmental impacts due to displacement.

Cumulative Impacts: The projected cumulative employment growth associated with the project and Related Projects is 1,639 employees, within the parameters of SCAG's forecast. The projected increase in employment therefore does not require the construction or extension of major infrastructure that could accelerate unexpected development, as this projected growth is within developed urban areas. The projected cumulative housing growth associated with the project and Related Projects is 4,288 units, within the parameters of SCAG's forecast. The projected increase in housing units does not require the construction or extension of major infrastructure that could accelerate unexpected development, as this projected growth is within developed urban areas. The projected cumulative population growth associated with the project and Related Projects is 14,453 persons, within the parameters of SCAG's forecast. The projected increase in population does not require the construction or extension of major infrastructure that could accelerate unexpected development, as this projected growth is within developed urban areas. Therefore, the projects contribution to cumulative population growth impacts would be less than significant.

K. Public Services and Recreation

1. Fire Protection, Schools, Parks and Recreation, and Libraries

Fire Protection: Construction on the project site increases the potential for accidental onsite fires from such sources as the operation of mechanical equipment and use of flammable construction materials. However, the implementation of "good housekeeping" procedures by the construction contractors and the work crews minimizes these hazards. The increase in employees and visitors to the project site generated by the project also potentially increases demand for fire protection services. DWP has indicated the existing static water pressure in the project area ranges from 55 to 74 pounds psi, in excess of the minimum residual water pressure of 20 pounds PSI. The final fire flow required for the project will be established by the LAFD during its review of the project plot plan, prior to the issuance of a building permit by the City. The plot plan for the project is required to identify the minimum fire flow requirements and the location of fire hydrants. Approval of this plot plan and compliance with existing regulations ensure the requisite fire flow for the project site. The project site is approximately 0.6 mile from Fire Station 10. which houses a task force; therefore, the project site is within the LAMC maximum response distance for both residential and commercial land uses. In addition, based on the project's circulation, it is anticipated that the LAFD can respond to on-site areas within the established response time. Furthermore, a sprinkler system and conformance with applicable Fire Code and LAFD building requirements ensure adequate on-site fire protection. Therefore, project impacts on fire protection services are less than significant.

Schools: Schools that serve the project site are San Pedro Elementary School, Adams Middle School, and Santee Education Complex. The total increase of students as a result of the project is approximately 1,893 students. These students can be accommodated within the existing LAUSD system. Therefore, project impacts on schools are less than significant.

Parks and Recreation: The project site is served by the Hoover Recreation Center. The project provides open space in accordance with LAMC Section 12.21(G)(2) and supplements the existing parks and recreation facilities with 3.7 acres of common open space features and recreational amenities that serve the residents' recreational needs.

Therefore, the project's inclusion of on-site open space and recreational facilities reduces the use of parks by project residents. Future impacts on park facilities are mitigated through the collection of Quimby fees to the City to satisfy its obligations under the Quimby Act and/or provide payment of the Dwelling Unit Construction Tax. Therefore, impacts to parks and recreation services are less than significant.

Libraries: The project site is served by the Central Library located at 630 5th Street. The project is expected to generate a maximum of approximately 6,309 residents, which is expected to generate the need for between approximately 1,112 and 3,155 square feet of library facility space. At 538,000 square feet, the Central Library exceeds the recommended standards for the number of residents at the project. Therefore, library impacts associated with project are less than significant.

Cumulative impacts: It is anticipated that the additional population and commercial land use can increase the demand for fire protection services in the service areas for LAFD Fire Stations 9, 10, and 15. However, each of the Related Projects is required to install automatic fire sprinkler systems if located at a distance to the nearest fire station that exceeds the LAFD required response distance. In addition, each of the Related Projects is subject to LAFD review of site plans, hydrant location and fire flow requirements. Finally, through the allocation of City resources in the City's annual programming and budgeting processes, the cumulative demand for fire protection growth in residential population and commercial development is addressed and, thus, the project, in conjunction with growth in demand for fire protection services Citywide, does not represent a substantial contribution to a significant cumulative effect. Therefore, with incorporation of the Project Design Feature and compliance with existing regulatory measures, the project's contribution to cumulative fire protection impacts is less than significant.

The project, in combination with the related and other future projects, would be expected to increase the cumulative demand for schools in LAUSD as shown in Table IV.M.3-3 (Cumulative Student Generation) of the Draft EIR. However, pursuant to SB50, future impacts on school facilities are mitigated through the collection of development impact fees to the LAUSD Developer Fee office. In addition, LAUSD opened three new schools within the past five years to provide approximately 2,500 additional seats to supplement the schools that serve the project site.

The increase in residential population by the Related Projects increases the demand for parks and recreation facilities and further impacts the shortage of park/recreational space in the Southeast Los Angeles Community Plan area. In accordance with State CEQA Guidelines Section 15130(a)(3), the project's contribution to the cumulative impact is less than cumulatively considerable through adherence to the City's parks fee programs for new development. Adherence to the requirements of this program constitute implementation or funding of the project's fair share of measures designed to alleviate the cumulative impact and, therefore, impacts are less than significant.

The project is expected to increase demand for library services in the project vicinity. Under the terms of Measure L, libraries have been required to pay for their own direct and indirect costs since July 2014. This dedicated funding source is intended to address cumulative demand for library services throughout the City. Therefore, cumulative impacts are less than significant.

It is anticipated that the additional population and commercial land use creates an increase the demand for police protection services in the Newton Station service area. Each of the Related Projects would be subject to LAPD review of site plans, and security

measures. In addition, demands are met by LAPD through the allocation of available resources by LAPD management to meet varying needs throughout the LAPD's Bureaus and Community Police Stations, as well as through the allocation of City resources between LAPD and other City departments, accomplished through the City's annual programming and budgeting processes. Through this process, cumulative demand for police services within the Newton Station area would be managed, and the project, in conjunction with Related Projects, does not result in a substantial contribution to a significant cumulative impact. Impacts are therefore less than significant.

2. Project Design Feature

The City finds that Project Design Feature PDF-PS-1, which is incorporated into the project and is incorporated into these Findings as though fully set forth herein, would reduce the potential fire protection services impacts of the project. This Project Design Feature was taken into account in the analysis of potential impacts.

L. Transportation/Circulation

Construction: The number of construction workers and construction equipment vary throughout the construction process. Construction worker traffic occurs before the morning and afternoon peak commute hours. An average of 125 workers occur on-site with a peak of up to 500 workers. Because construction worker traffic occurs outside the peak hours, traffic from construction workers is not expected to create a significant impact on the street system. In addition, parking for construction workers is provided onsite, on the part of the project site that is not under construction (i.e., on the East Block during West Block construction, and vice versa). The traffic analysis showed that the level of traffic from truck hauling does not result in a significant traffic impact on the street system, as it would be well below the projected traffic from the project. In addition, haul traffic is temporary. The hourly volume of delivery trucks is less than the estimated level of truck activity during the excavation phase and does not create a significant traffic impact on the street system. Flagmen can also control traffic movement during the ingress and egress of trucks and heavy equipment. Any required lane closures are included in the Work Area Traffic Control Plan required for the project, which must be submitted and approved by LADOT prior to issuance of any construction permits. Therefore, transportation/circulation impacts associated with project construction are less than significant.

Operation: Traffic volume projections were developed to analyze the existing traffic conditions after completion of the project. Potential operational impacts were analyzed in the Draft EIR through the study of sixty-five intersections, in two traffic horizon years (Existing Year 2014 and Future Year 2035) using the City Department of Transportation (LADOT), guidelines and methodologies and the Highway Capacity Manual (HCM) Methodology for both signalized and unsignalized intersections. The intersection level of service analyses for the Existing With Project and the Future With Project conditions are summarized in Table 5.1, Table 5.2, Table 6.1 and in Table 6.2 of the Traffic Study. Figures illustrating these traffic forecasts are provided in the Appendix IV.N of the Draft EIR. With the exception of the intersections identified on page IV.N-24 of the Draft EIR and in the Significant and Unavoidable Impacts discussion below, the operational impacts at the remaining intersections are less than significant. Project trip volumes are less than the CMP threshold of 50 both in the AM and PM peak hours at all CMP arterial monitoring locations closest to the project site. Similarly, the Traffic Study shows that the level of service would not change at any mainline freeway segment due to the project and that the project trips will not exceed the CMP threshold. All project driveways are designed in accordance with LADOT standards and approvals. Therefore, project

driveways do not create any significant impacts. Therefore, impacts are less than significant.

Cumulative Impacts: With the exception of significant impacts discussed further below, the project's remaining cumulative operational traffic impacts are less than significant. There are approximately seven Related Projects (Nos. 6, 42, 53, 54, 57, 63 and 71) within a quarter mile of the project site with most a block or two from the site and one (No. 57) directly across Main Street. Due to the close distance of these Related Projects, there may be some overlap with construction activities such as temporary lane or sidewalk closures along Washington Boulevard or Main Street. However, these impacts are temporary and limited to the construction phase of each project, and each of the Related Projects is required to submit a construction work site traffic control plan to LADOT for review and approval prior to the start of any construction work. In addition, with adherence to LADOT's requirements and with compliance with existing regulations, the project's contribution to cumulative construction traffic impacts is less than significant.

1. Project Design Feature

The City finds that Project Design Feature, PDF-TR-1, which are incorporated into the project and incorporated into these Findings as though fully set forth herein, reduce the potential transportation/circulation impacts of the project. This Project Design Feature was taken into account in the analysis of potential impacts.

M. Utilities

1. Wastewater, Water, Solid Waste, Electricity, Natural Gas

Wastewater: The project is anticipated to generate an increase of approximately 329,258 gpd of wastewater (0.33 mgd), within the design capacity of existing infrastructure. In addition, the Hyperion Treatment Plant (HTP) has sufficient treatment capacity to accommodate the project's average daily total scenario wastewater generation. With the City's implementation of the provisions of the Sewer Allocation Ordinance, the project's wastewater generation is not projected to exceed the future scheduled capacity of the HTP. Also, based on current gauging, the 52-inch line beneath Jefferson Boulevard and the 12-inch line beneath Main Street, are operating at approximately 50 percent design capacity. Based on project wastewater flows, the sewer system can accommodate the projected flows. Further detailed gauging and evaluation, at the time of project connection to the system, is needed as part of the permit process to identify a specific sewer connection point, based on the flows in the multiple existing lines serving the project site at the time of connection. Therefore, project impacts on wastewater are less than significant.

Water: The average daily domestic net water demand of the project is estimated to be approximately 327,527 gpd (or 366.825 af/y), which is within the growth projections of the LADWP. Therefore, the LADWP can meet the project's water demand, as indicated in the Water Supply Assessment (WSA) dated May 20, 2015. In addition, the project complies with the City's mandatory water conservation measures that, relative to the City's increase in population, have reduced the rate of water demand in recent years. Should it be determined during the plot plan review that the existing fire-flow is not sufficient to serve the project site, and that the project requires the installation of new water lines, meters, private fire hydrants, or other fire safety features, these features are required to conform to the City's Fire Code in consultation with the City Fire Department. Therefore, project Impacts on water are less than significant.

Solid Waste: Construction debris consists primarily of debris from the removal of these existing surface parking lots located on the East and West Blocks and demolition of 11,150 square feet of existing warehouse/distribution building on the East Block. However, project-generated demolition and construction-related waste represents a small percentage of the inert waste disposal capacity in the region.

Operation of the project results in ongoing generation of solid waste. Over the long-term, the project is expected to generate approximately 8,032 net ppd of solid. The remaining combined intake of the Sunshine Canyon Landfill and the Chiquita Canyon Landfill is approximately 90.48 million tons. As such, they have adequate capacity to accommodate the daily operational waste generated by the project and, therefore, solid waste impacts are less than significant.

Electricity: The existing land uses on the project site consume approximately 26,519 kilowatt-hours (kWh) per day. Project consumption is approximately 121,698 kWh per day, a net increase of approximately 95,179 kWh per day over the existing uses. The LADWP has indicated that the project's demand for electricity can be served via existing infrastructure, and no improvements or additions to LADWP's off-site distribution system are needed. In addition, the project is designed in accordance with 2013 Title 24, California's Energy Efficiency Standards for Residential and Nonresidential Buildings. Therefore, project impacts on electricity are less than significant.

Natural Gas: The existing land uses on the project site consume approximately 82,189 cf of natural gas per day. The estimated net increase in demand is approximately 224,708 cf per day. Decreases in California natural gas demand and State Energy Conservation ensure there is not a significant effect on natural gas resources. Therefore, project impacts on natural gas are less than significant.

Cumulative Impacts: Implementation of the project in combination with the Related Projects increases the demand for wastewater conveyance infrastructure provided by LABS. Each of the Related Projects is required to obtain a final approval from for a sewer capacity connection permit. In addition, sewer line capacity is to be evaluated on a case-by-case basis and addressed through project-specific gauging and provision of additional infrastructure as required, in accordance with existing permitting processes. Wastewater generation from the project and Related Projects are addressed in the total increased wastewater flows throughout the HTP in the IRP and are sufficient to handle the projected flows through 2020. Therefore, cumulative impacts associated with wastewater are less than significant.

Implementation of the project in conjunction with Related Projects increases demand for water supplied by the LADWP, but the demand falls within the UWMP's projected water supplies. LADWP has confirmed that there are no known infrastructure deficiencies in the project vicinity, therefore, it is anticipated that the local water infrastructure can adequately accommodate the increased demand to serve the project and the Related Projects. Implementation of the project in conjunction with Related Projects increases solid waste demands, but the Related Projects is subject to the Citywide Construction and Demolition Waste Recycling Ordinance and there is adequate capacity in the County for the disposal of waste. To address the total long range solid waste disposal needs of the City, the City is developing the Solid Waste Integrated Resources Plan (SWIRP), to develop and implement of a 20 year master plan for the City's solid waste and recycling programs. Implementation of the SWIRP therefore addresses the disposal of solid waste from the project and other development in the City. Implementation of the project in conjunction with Related Projects could create increased demand for

electricity; however, the LADWP annually prepares a Power Integrated Resource Plan to ensure that current and future energy needs are met. Additionally, the project is designed to meet LEED certification requirements from USGBC and comply with State Building Energy Efficiency Standards outlined in Title 24 of the California Code of Regulations, implementation of the project in conjunction with Related Projects could generate increased demand for natural gas; however, the Southern California Gas Company has the resources and infrastructure in place to plan for and meet the increased demand. Therefore, the project's cumulative impact on utilities is less than significant.

2. Project Design Features

The City finds that Project Design Features PDF-UT-1 PDF-UT-2, PDF-UT-3, PDF-UT-4, PDF-UT-5, PDF-UT-6, and PDF-UT-7, which are incorporated into the project and incorporated into these Findings as fully set forth herein, reduce the potential utilities impacts of the project related to Wastewater/Sewer, Water, Solid Waste, Electricity, Natural Gas and Cumulative Impacts. These project design features were taken into account in the analysis of potential impacts.

N. Land Use Equivalency Program and Design Guidelines

1. Land Use Equivalency Program

The full description of the Land Use Equivalency Program is contained in the Land Use Equivalency Program Technical Report in Appendix II-1 to the Draft EIR. The Land Use Equivalency Program is predicated on the requirement to avoid any additional impacts. with an emphasis in two areas - peak hour traffic and wastewater infrastructure. As discussed in the project's traffic study (Appendix IV-N to the Draft EIR), the most impactful time period with respect to project traffic is the Friday Evening Hour. However, as shown in the Traffic Study, the trip generation rates for the PM Peak Hour and the Friday Evening Hour are the same. Therefore, the PM Peak Hour/Friday Evening Hour trip rate is used in the Draft EIR analysis as the basis for potential land use exchanges. Accordingly, the Land Use Equivalency Program ensures that the project would not have any greater impacts than the project during either the PM Peak Hour or the Friday Evening Hour. LABS has identified Wastewater infrastructure that would serve the project and surrounding area as potentially constrained, particularly with respect to a 52inch trunk line in Jefferson Boulevard that is currently operating at 50% capacity (see Section IV.O-1 of the Draft EIR). Accordingly, the Land Use Equivalency Program has been structured to ensure that no new wastewater generation beyond that associated with the project, and analyzed in the Draft EIR, would occur as a result of the land use exchanges that would be permitted under the Land Use Equivalency Program. These analyses in the Draft EIR show that no additional environmental impacts result from implementation of the Land Use Equivalency Program. The Land Use Equivalency Program includes a City discretionary review process if the property owner desires to use either the Land Use Equivalency Program or the Design Guidelines described below (collectively, the Equivalency Program). In the event the applicant or subsequent applicants should choose to utilize the Land Use Equivalency Program, the subsequent phase(s) of the project are subject to LAMC Section 106.5 (Site Plan Review) in addition to the provisions stated on page II-37 of the Draft EIR, which will be identified in a "Q" condition if the project is approved.

2. Design Guidelines

The Design Guidelines allow for flexibility in the project building design within a determined set of parameters. These parameters frame the analysis of the project in the Draft EIR and through the entitlement process. The project as developed conforms to the following design parameters:

- Building coverage of the combined site area between the heights of 22 feet and 100 feet shall be no more than 50 percent of the site area.
- Building coverage above a height of 100 feet shall be no more than 25 percent of the site area.
- The mid-block paseo, podium levels, parking structures, and the existing Reef building shall be included in the area not considered building coverage.
- Building separation above a height of 100 feet shall be a minimum of 70 feet.
- No building shall have a footprint above a height of 100 feet of greater than 30,000 square feet.
- The mid-block paseo shall be no smaller than 15,000 square feet and shall be generally oriented towards Broadway between Washington Boulevard and 21st Street.
- If the mid-block paseo is at grade, it may have auto circulation.
- There shall be, at a minimum, one pedestrian connection from Hill Street to Broadway, and one pedestrian connection from Broadway to Main Street.
- Within the mid-block paseo, at least 20 percent of the area shall be landscaped or included in a water feature, as distinct from the hardscape area.
- On each of the five frontages of the property, the following minimum proportions of the building faces, from sidewalk grade to 100 feet above, shall be transparent (i.e., openings or glass) rather than opaque: (i)Washington Boulevard — 50 percent; (ii) Broadway — 50 percent; (iii) Hill Street — 25 percent; (iv) Main Street — 25 percent; and (v) 21st Street — 25 percent.
- The existing Reef building shall not be included in the building facade calculations.
- No building above a height of 100 feet shall have any façade longer than 300 feet in length.
- Access points and site circulation shall be maintained in general conformance with the Conceptual Plan for the project.

In the event the applicant or subsequent applicants should choose to utilize the Design Guidelines, the subsequent phase(s) of the project are subject to LAMC Section 106.5 (Site Plan Review) in addition the provisions stated on page II-37 of the Draft EIR, which will be identified in a "Q" condition if the project is approved.

VII. ENVIRONMENTAL IMPACTS FOUND LESS THAN SIGNIFICANT PRIOR TO MITIGATION, WHERE MITIGATION NONETHELESS PROVIDED TO FURTHER REDUCE IMPACTS

The following impact areas were concluded by the Draft EIR to be less than significant prior to mitigation. However, mitigation measures described in the Final EIR nonetheless are provided to further reduce impacts. Based on that analysis and other evidence in the administrative record relating to the project, the City finds and determines that mitigation measures described in the Final EIR reduce impacts identified for the following environmental impact categories.

A. Greenhouse Gas Emissions

The SCAQMD's draft 2020 target for project-level analysis is 4.8 MT/year CO2e per service population. The project's efficiency metric is calculated to be 4.76MT/year CO2e per service population which does not exceed the SCAQMD draft efficiency target.

Details regarding the assumptions and calculations of GHG emissions associated with the project are contained in the GHG Report in Appendix IV.G-1 to the Draft EIR. The geographic extent of GHG emissions is global, and the effect of these emissions on global climate change is potentially world-wide. The contribution of the project to the cumulative effect of global climate change would not be cumulatively considerable. The project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses. Specifically, the project is consistent with the goals of AB 32 and will meet the energy efficiency requirements of the 2013 Title 24 CALGreen Code, and the City Green Building Code. Therefore, project impacts are less than significant. Nonetheless, to reduce the less than significant impacts related to greenhouse gas emissions, MM-TR-13 is incorporated into the project to encourage the use of transit and reduce vehicle trips and to ensure that impacts remain less than significant.

1. Project Design Features

The City finds that Project Design Features PDF-GHG-1, PDF-GHG-2, PDF-GHG-3, and PDF-GHG-4, which are incorporated into the project and incorporated into these Findings as fully set forth herein, reduce the potential greenhouse gas emissions impacts of the project. These Project Design Features were taken into account in the analysis of potential impacts.

2. Mitigation Measure

The City finds that Mitigation Measure MM-TR-13, which is incorporated into the project and incorporated into these Findings as fully set forth herein, lessens the less-than-significant impacts related to greenhouse gases. This mitigation measure was taken into account in the analysis of potential impacts.

B. Public Services - Police Protection

Construction: While there is the potential for the construction of the project to increase the demand for police protection services, the project provides security to the site during the construction process as part of the Work Area Traffic Control Plan, thereby reducing the demand for LAPD services. Traffic generated by construction workers and trucks is primarily during off-peak hours. Emergency access is to be maintained to the project site during construction through marked emergency access points approved by the LAPD. Therefore, police protection impacts during construction are less than significant.

Operation: The project is served by the Newton Community Police Station. The average response time to emergency calls for service for the Newton Community Station in 2013 was approximately six minutes. This response time is slightly above the citywide average of 5.9 minutes recorded during 2013, but below the seven-minute response time that is a set standard for LAPD. Using the existing officer to population ratio for the Newton Station; the project could warrant the addition of 5 to 14 new officers to maintain the existing officer to population ratio in the Newton Community Police Station service area. However, it is not anticipated that this level of additional staffing requires the enlargement or the construction of a police station. In addition, project features that deter crime could include, but are not limited to, adequate and strategically positioned functional lighting to enhance public safety, minimizing visually obstructed and infrequently accessed "dead zones," and limiting public access to properly patrolled public areas. The building and layout design also include crime prevention features, such as nighttime security lighting, secured parking facilities, and provision of on-site security service, which comply with the design guidelines outlined in the LAPD Design

Out Crime Guidelines and Mitigation Measure MM-PS-1. Response times should not be substantially affected given that the significant traffic impacts are at limited locations and given the availability of alternative routes within the street pattern in the area surrounding the project site. In addition, the police have a variety of options to avoid traffic, such as using sirens to clear a path of travel for driving in the lanes of opposing traffic. Furthermore, upon completion of the project, the Newton Area Commanding Officer has to provide a diagram of each portion of the property to show access routes and any additional information that may facilitate police response to the project site. Therefore, the project results in less than significant operational impacts on police protection services. Nevertheless, the following mitigation measures reduce the less-than-significant impacts.

1. Mitigation Measure

The City finds that Mitigation Measures MM-PS-1 and MM-PS-2, which are incorporated into the project and incorporated into these Findings as fully set forth herein, will lessen the less than significant impacts related to Public Services – Police Protection and that implementation of these mitigation measures ensure that impacts remain less than significant. These mitigation measures were taken into account in the analysis of potential impacts.

VIII.ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT AFTER MITIGATION

The following impact area was concluded by the Draft EIR to be less than significant with the implementation of mitigation measures described in the Final EIR. Based on that analysis and other evidence in the administrative record relating to the project, the City finds and determines that mitigation measures described in the Final EIR reduce potentially significant impacts identified for the following environmental impact categories to below the level of significance.

A. Cultural Resources

Paleontological Resources (Construction Impacts): Construction of the project includes excavations for subterranean parking, foundations, and utilities installation, which have the potential to disturb any existing, but undiscovered, paleontological resources. If paleontological resources exist within the project site, they are likely to exist in native (i.e., undisturbed) sediments at depth, since previous development of the project site has likely displaced any resources on the surface. Therefore, the potential to encounter paleontological resources is low.

Cumulative Impacts: It is not known at this time if future development of the Related Project sites would involve paleontological resources. However, similar to the project, the Related Projects are subject to the requirements of CEQA, and City paleontological resource protection ordinances.

1. Mitigation Measures

The City finds that Mitigation Measures MM-CUL-1, MM-CUL-2, and MM-CUL-3, which are incorporated into the project and incorporated into these Findings as set forth herein, reduce the impacts related to paleontological resources to less than significant. These mitigation measures were taken into account in the analysis of project impacts.

2. Finding

Paleontological Resources: With implementation of the Mitigation Measures MM-CUL-1, MM-CUL-2 and MM-CUL-3, impacts related to paleontological resources are less than significant. No further mitigation measure is required. With implementation of MM-CUL-1, MM-CUL-2 and MM-CUL-3, the project's contribution to cumulative impacts related to paleontological resources is less than significant.

3. Rationale for Finding

Paleontological Resources: There are no known paleontological sites within the project site. Furthermore, the project site is not in an area designated by the City General Plan Framework Element EIR or the Environmental and Public Facilities Maps of the Department of City Planning as a paleontological site or survey area. However, excavations are anticipated for the project for subterranean parking, foundations, and utilities installation - thereby creating the potential to disturb any existing, but undiscovered, paleontological resources. Nonetheless, changes or alterations and mitigation measures have been required in, or incorporated into, the project that avoid or substantially lessen potential significant environmental effects on paleontological resources. Mitigation Measure MM-CUL-1 calls for halting or diverting work if paleontological materials are encountered during the course of earth-moving activities to allow the resources and their significance to be assessed. MM-CUL-1 is to be memorialized with a covenant and agreement prior to obtaining a grading permit. Mitigation Measure MM-CUL-2 requires the project's construction superintendent to be instructed by a paleontologist or other qualified paleontological monitor regarding identification of conditions whereby potential paleontological resources could occur. In addition, Mitigation Measure MM-CUL-3 requires all significant fossil specimens be prepared, identified, curated and catalogued in accordance with designated museum repository requirements. Therefore, the project's paleontological impacts are less than significant with the implementation of mitigation measures MM-CUL-1, MM-CUL-2, and MM-CUL-3.

Cumulative Impacts: The geographic scope of the cumulative cultural resources analysis with respect to paleontological resources is the project vicinity. Paleontological resource impacts tend to be localized; therefore, the area near the project site could be most affected by project activities (generally within a 500-foot radius). Nevertheless, all of the Related Project sites were considered in the EIR analysis. It is not known at this time if future development of the Related Project sites would involve paleontological resources. However, similar to the project, the Related Projects are subject to the requirements of CEQA. and City paleontological resource protection ordinances. As such, the Related Projects are evaluated on a case-by-case basis and any potential impacts to paleontological resources are addressed at that time. It is further anticipated that the effects of cumulative development on paleontological resources would be mitigated to the extent feasible in accordance with CEQA and other applicable local cultural resource protection ordinances. If subsurface paleontological resources are protected upon discovery as required by law, impacts to those resources are expected to be cumulatively less than significant and, thus, when evaluated in conjunction with the project, are not cumulatively considerable.

4. Reference

For a complete discussion of impacts associated with Cultural Resources, please see Section IV.E.3 of the Draft EIR.

B. Hazards and Hazardous Materials

Impacts of Hazardous Materials - Radon Only: Construction of the project involves the use of hazardous materials (i.e., paints, building materials, cleaners, fuel for construction equipment, etc.). Operation of the project does not include hazardous materials, other than small quantities of typical household, vehicle, and landscape maintenance materials such as cleaning supplies, paints, oil, grease, and fertilizers, all in accordance with manufacturers' instructions for use, storage, and disposal. The project site is within a zone designated by the California Geological Survey as having a Moderate potential to experience radon levels over 4.0 pCi/L, resulting in a potentially significant impact.

1. Mitigation Measures

The City finds that Mitigation Measure MM-HAZ-1, which is incorporated into the project and incorporated into these Findings as fully set forth herein, reduces the potentially significant impact related to radon to less than significant and is, therefore, required. This mitigation measure was taken into account in the analysis of potential impacts.

2. Findings

Changes or alterations and mitigation measures have been required in, or incorporated into, the project that avoid or substantially lessen potential significant environmental effects on hazards associated with radon exposure to less than significant levels with the implementation of mitigation measure MM-HAZ-1. No further mitigation is required.

4. Rationale for Findings

The project site is located within a zone designated by the California Geological Survey (CGS) as having a Moderate potential to experience radon levels over 4.0 pCi/L. According to the CGS, location within a Moderate radon potential zone indicates a less than 10% likelihood of encountering radon levels over 4.0 pCi/L. Nonetheless, the potential to encounter such radon levels at the project site is potentially significant. Measurement of radon gas levels prior to construction, and inclusion of modifications in the design of the project, if warranted, reduce the impact of radon levels over 4.0 pCi/L to less than significant, if levels over 4.0 pCi/L are encountered. Potential mitigation measures for radon levels over 4.0 pCi/L include installation of soil suction systems that prevent radon gas present in the surrounding soil from entering buildings, sealing of underground paths into project buildings, and installation of gas-impermeable barriers in project buildings. With implementation of MM-HAZ-1, requiring a mitigation program to be designed by a certified radon mitigator if radon levels over 4.0 pCi/L are encountered within, or immediately adjacent to, the project site, impacts related to radon hazards are less than significant.

5. Reference

For a complete discussion of impacts associated with Hazards and Hazardous Materials, please see Section IV.H of the Draft EIR.

C. Noise

Construction of the West Block, including demolition, grading and construction, is expected to require approximately 30 months, while construction of the East Block, including demolition, excavation and construction, would require approximately 32 months. These construction activities will result in potentially significant noise.

1. Mitigation Measures

The City finds that Mitigation Measures MM-NOI-1, MM-NOI-2, MM-NOI-3 and MM-NOI-4, which are incorporated into the project and incorporated into these Findings as fully set forth herein, reduce the potentially significant impacts related to construction noise to less than significant levels. In addition, MM-NOI-2 was amended to require the use of solar powered generators to offset the noise generated by reducing energy consumption. These mitigation measures were taken into account in the analysis of potential impacts.

2. Findings

The City finds that changes or alterations and mitigation measures have been required in, or incorporated into, the project that avoid or substantially lessen potential significant construction noise impacts to less than significant levels with the implementation Mitigation Measures MM-NOI-1, MM-NOI-2, MM-NOI-3, and MM-NOI-4. No further mitigation is required.

3. Rationale for Findings

Each stage of project construction involves the use of various types of construction equipment that have their own distinct noise characteristics. The Federal Highway Administration has compiled data regarding the noise generating characteristics of specific types of construction equipment and typical construction activities. These data are presented in Table IV.K-8 of the Draft EIR for the types of equipment that are expected to be used at the project site. To more accurately characterize constructionperiod noise levels, the average (Hourly Leq) noise level associated with each construction stage is calculated based on the quantity, type, and usage factors for each type of equipment that would be used during each construction stage. Table IV.K-9 and Table IV.K-10 of the Draft EIR provide the estimated construction noise levels for various construction stages at the off-site noise sensitive receptors for the construction of the West Block and East Block, respectively. As indicated in Table IV.K-9, the estimated construction related noise impacts from the West Block construction is less than significant at all off-site sensitive receptors. Even though the estimated construction noise levels at receptor R1 exceeds the existing ambient noise levels by more than 5 dBA, receptor R1 is not considered noise sensitive receptor. The estimated noise levels from the East Block construction, as indicated in IV.K-10, result in less-than-significant impacts at all off-site noise sensitive receptors, with the exception of receptor R2 - the residential building at the northwest corner of Washington Boulevard and Main Street. At receptor R2, the construction activities during demolition exceed the significance threshold by 1 dBA. Implementation of Mitigation Measure MM-NOI-1 reduce the construction-related noise levels Receptor R2 by a minimum of 5 dBA, making the noise impact less than significant. In addition, compliance with regulatory measures, the noise regulations under Section 41.40 of the LAMC and implementation of Mitigation Measures MM-NOI-2 through MM-NOI-4 reduce construction noise impacts to the maximum extent feasible, in accordance with the City of Los Angeles Noise Ordinance.

Therefore, the project's short-term construction-related noise impact are less significant with implementation of these mitigation measures.

4. Reference

For a complete discussion of impacts associated with Noise, please see Section IV.K of the Draft EIR.

IX. ENVIRONMENTAL IMPACTS FOUND TO BE SIGNIFICANT AND UNAVOIDABLE

The project results in the following impacts, which are found to be significant and unavoidable.

A. Aesthetics

Construction: Although temporary in nature, construction activities associated with the project are likely give the project site a visually unappealing quality for the duration of these activities.

Operation (Vertical Zone 3 Signage Only): Potential impacts of the project SUD signage depend on several factors, including the size, height, and location, the level of lighting and animation permitted, along with the concentration of signage (i.e., the location of multiple signs within the same area), and the locations of sensitive receptors relative to signs. High levels of animation are permitted in the Vertical Zone 3 signage on the Reef building and proposed hotel building, including Controlled Refresh I (changes every 8 seconds), and Limited Animation I (changes every two minutes). The Vertical Zone 3 signage on the Reef building is visible at some distance from the site, and be prominent because the signage can extend up to 194 feet and because of the high levels of animation permitted on this signage. The Vertical Zone 3 signage on the proposed hotel building extends up to 240 feet, and be prominent because of the permitted animation. Therefore, Vertical Zone 3 signage impacts are significant during the daytime and evening operating hours.

Light and Glare: Even though the animation of the signage within Vertical Zones 1 and 2 would be less than permitted in Vertical Zone 3, impacts of permitted east-facing signage within Vertical Zones 1 and 2 on the Reef building are significant because of the prominence of the signage concentrated at this location. Accordingly, the substantial increase in lighting from this concentration of signage substantially and adversely affects the surrounding area.

Shade/Shadow: The project shadows during the Spring and Fall Equinox cover all or part of the Rutland Apartments, a shadow sensitive residential use, for more than three hours between the hours of 8:00 AM and 4:00 PM, resulting in a significant and unavoidable impact.

1. Project Design Features

The City finds that Project Design Features PDF-AES-1, PDF-AES-2, PDF-AES-3, PDF-AES-4 and PDF-AES-5, which are incorporated into the project and incorporated into these Findings as fully set forth herein, further reduce light and glare impacts and reflect good planning and design practices currently promoted by the City. These Project Design Features were taken into account in the analysis of potential impacts.

2. Mitigation Measure

Light and Glare: The City finds that Mitigation Measure MM-AES-2, which is incorporated into the project and incorporated into these Findings as fully set forth herein, further reduces the light and glare impacts and reflects good planning and design practices currently promoted by the City and, therefore, is required. This mitigation measure was taken into account in the analysis of project impacts. However, this mitigation measure does not reduce the significant impact to a less-than-significant impact.

Shade/Shadow: There are no feasible mitigation measures the project could implement to avoid significant shadow impacts to the Rutland Apartments during the spring and fail equinox, which is caused by the angle of the sun in combination with the rotation and orbit of the earth around the sun.

3. Findings

Changes and alterations and mitigation measures, where available, have been required for or incorporated into the project to reduce unavoidable aesthetic impacts to the greatest extent possible. There are no additional measures which the City can impose to reduce aesthetic impacts to less-than-significant levels.

Construction: Even with compliance with existing regulatory measures, the temporary impacts related to construction of the project are significant and unavoidable.

Operation (Vertical Zone 3 Signage): Even with implementation of Project Design Features PDF-AES-1, 2, 3, 4, and 5, and Mitigation Measure MM-AES-2, impacts to visual character of the project site are significant and unavoidable with respect to Vertical Zone 3 animated signage during the daytime operating hours of the signage.

Light and Glare: Due to the concentration of signage on the Reef building in Vertical Zones 1, 2, and 3, including the number and size of signs permitted in these locations, impacts related to the concentration of signage on the Reef building, specifically Vertical Zone 3 signage, are significant and unavoidable.

Shade/Shadow: Shadow impacts of the project on the Rutland Apartments during the spring and fall equinox would be significant and unavoidable.

4. Rationale for Findings

Construction: Although temporary in nature, construction activities give the project site a visually unappealing quality for the duration of 60 months. Temporary fencing could partially shield views of construction activities and equipment. However, construction activities typically include both a disturbance in existing natural and man-made features and the development of structures, which, at least temporarily, are devoid of external treatments designed to improve visual character. Temporary construction-related towers and cranes could also interfere with existing view lines. Therefore, construction activities result in temporary changes as viewed from nearby viewsheds. Even with compliance with regulatory measures, the temporary impacts related to construction of the project are significant and unavoidable.

Operation (Vertical Zone 3 Signage Only): Project signage permitted under the Reef project SUD includes four large sign areas – the Reef (23,050 square feet in Vertical Zone 3, and 9,700 square feet in Vertical Zone 2); North Tower (14,858 square feet in Vertical Zone 2); and South Tower (15,480 square feet in Vertical Zone 2). Signage is visible in the surrounding area, including the Superior Court building, LATTC, Hill Street, Washington Boulevard, and other streets to the west. High levels of animation are permitted in the Vertical Zone 3 signage on the Reef building and proposed hotel building, including Controlled Refresh I (changes every 8 seconds), and Limited Animation I (changes every two minutes). The Vertical Zone 3 signage on the Reef building is visible at some distance, and is prominent because of high levels of animation and the elevation to which this signage can extend (up to 194 feet). The Vertical Zone 3 signage on the hotel building could extend to a greater height (up to 240 feet), and

therefore be prominent because of the permitted animation. In addition, this signage does not contribute to the aesthetic image of an urban center. Therefore, impacts of permitted north-, east-, south-, and west-facing Vertical Zone 3 signage are significant. No feasible mitigation measures, other than reduction or limitation of animation of signage related to Sign Zone 3, are available to completely address the impact. Implementation of Mitigation Measure MM-AES-2, which limits the operating hours of Sign Level 3 signage to address the lighting impact associated with this signage, reduces the visual impact of this signage during nighttime hours to less than significant. However, the impact remains during the daytime and evening hours when the signage is in operation. Reduction of signage and limitation of animation as a means of mitigating this impact are discussed in Section VI, Alternatives, of the Draft EIR. However, the City finds these alternatives to be infeasible as more fully explained in the Sections X and XII of these Findings. Therefore, impacts to visual character of the project site are significant and unavoidable with respect to Vertical Zone 3 animated signage during the daytime and evening operating hours of the signage.

Shade/Shadow: Shadow figures for buildout of the project are shown in Figure IV.B-16 (Project Summer Solstice Shadows); Figure IV.B-17 (Project Winter Solstice Shadows); and Figure IV.B-18. While Summer and Winter shadows are less than significant, Equinox shadows are significant. As shown in Figure IV.B-18 of the Draft EIR, the project casts far-reaching shadows to the west through the east during the Spring and Fall Equinox. These shadows shade commercial uses directly north of the project site, a corner of the four-story mixed-use Da Capo building, which includes the Rutland Apartments, to the north, and portions of South Hill Street and West Washington Boulevard. At 4:00 PM spring and fall shadows from the project are cast in a northeasterly direction. These shadows shade commercial uses directly north of the project site, the Rutland Apartments, a portion of South Hill Street, portions of West Washington Boulevard, and extend to the Santa Monica Freeway. These shadow impacts exceed the LA CEQA Thresholds Guide shade/shadow thresholds and, therefore, impacts are significant and unavoidable.

5. Reference

For a complete discussion of impacts associated with Aesthetics, please see Section IV.B of the Draft EIR.

B. Air Quality

1. Violation of Air Quality Standards or Substantial Contribution to Air Quality Violations

Mass Daily Construction Emissions (VOC Only): Based on conservative assumptions, the mass daily construction-related emissions generated during the project construction phase exceeds the thresholds of significance recommended by the SCAQMD for VOC only.

Mass Daily Operational Emissions (VOC and NO $_x$ Only): The nearest sensitive receptors to the project site are the residents of the Rutland Apartments building located across Washington Boulevard from the East Block, approximately 100 feet north of the project site. The closest schools to the project site are the Santee Education Complex and Frida Kahlo Continuation High School located approximately one block east. VOC and NO $_x$ operational emissions are significant and unavoidable at these sites.

Mass Daily Construction and Operational Emissions Cumulative Impacts - VOC (Construction and Operation) and NO_x (Operation Only): The mass daily construction-

related and operational emissions generated by the project exceed thresholds of significance recommended by the SCAQMD for VOC (construction and operations) and NO_x (operations); in accordance with SCAQMD guidance, these emissions are cumulatively considerable.

2. Freeway Adjacent Health Risk

The project is located in close proximity to the 10 Freeway and therefore a Health Risk Assessment was prepared to evaluate potential cancer risks associated with the project. The assessment found the cancer risk for the residential scenarios of the project ranges from 17.7 to 29.2 per one million, which exceeds the SCAQMD stationary source threshold of 10 in one million.

3. Project Design Features

The City finds that Project Design Features PDF-AQ-1, PDF-AQ-2, PDF-AQ-3, PDF-AQ-4, PDF-AQ-5 and PDF-AQ-6, which are incorporated into the project and incorporated into these Findings as fully set forth herein, reduce the potential air quality impacts of the project. These Project Design Features were taken into account in the analysis of potential impacts.

4. Mitigation Measures

Mass Daily Construction Emissions – VOC Only; Mass Daily Operational Emissions – VOC and NO_x Only; and Mass Daily Construction and Operational Emissions Cumulative Impacts – VOC (Construction and Operation) and NO_x (Operation) Only: Since the project results in potentially significant air quality impacts related to VOC and NO_x, and Mass Daily Construction and Operational Emissions Cumulative Impacts for VOC (Construction and Operation) and NO_x (Operation) only, the City finds that Mitigation Measure MM-TR-13, which is incorporated into the project and incorporated into these Findings as fully set forth herein, further reduces the air quality impacts and reflects good planning and design practices currently promoted by the City and, therefore, is required. This mitigation measure was taken into account in the analysis of project impacts.

Freeway Adjacent Health Risk: Since the project results in potentially significant air quality impacts related to Freeway Adjacent Health Risk, the City finds that Mitigation Measures MM-AQ-1, MM-AQ-2, MM-AQ-3, MM-AQ-4 and MM-AQ-5, which are incorporated into the project and incorporated into these Findings as fully set forth herein, further reduce the air quality impacts and reflect good planning and design practices currently promoted by the City and, therefore, are required. These mitigation measures were taken into account in the analysis of project impacts.

5. Findings

The City finds that changes and alterations and mitigation measures were made to the project to reduce the significant air quality impacts of the project. No additional measures are available to reduce these impacts to less-than-significant levels. Specifically:

Mass Daily Construction Emissions (VOC Only): Mass daily construction emissions for VOC generated during project construction are significant and unavoidable.

Mass Daily Operational Emissions (VOC and NO_x Only): Mass daily operational emissions for VOC and NO_x are significant and unavoidable.

Mass Daily Construction and Operational Emissions Cumulative Impacts - VOC (Construction and Operation) and NO_x (Operation) Only: Cumulative Impacts with respect to VOC during construction and operation and NO_x during operation only are significant and unavoidable.

Freeway Adjacent Health Risk: Freeway adjacent health risks are conservatively assessed to be significant and unavoidable, although these risks are associated with the existing environment, and are not a direct or indirect environmental effect of the project.

5. Rationale for Findings

Mass Daily Construction Emissions (VOC Only): The analysis of mass daily construction emissions was prepared utilizing CalEEMod recommended by the SCAQMD with the assumption that the project comply with the fugitive dust control requirements of SCAQMD Rule 403. The mass daily construction-related emissions are shown in Table IV.C-7 of the Draft EIR. As shown in Table IV.C-7, mass daily construction emissions for VOC generated during project construction exceed the thresholds of significance recommended by the SCAQMD. The SCAQMD threshold of significance for VOC is 75 pounds per day, and the estimated mass daily construction emissions of the project is 129 pounds per day. Therefore, construction emissions with respect to VOC only would be significant and unavoidable.

Mass Daily Operational Emissions (VOC and NO $_x$ Only): According to the analysis shown in Table IV.C.-8 (Estimated Mass Daily Operational Emissions) of the Draft EIR, the SCAQMD threshold of significance for VOC is 55 pounds per day, and the estimated project net increase in mass daily operational emissions is 76 pounds per day. Similarly, the SCAQMD threshold of significance for NO $_x$ is 55 pounds per day, and the estimated project net increase in mass daily operational emissions is 60 pounds per day. Therefore, VOC and NO $_x$ operational emissions are significant and unavoidable.

Mass Daily Construction and Operational Emissions Cumulative Impacts – VOC (Construction and Operation) and NO_x (Operation) Only: Mass daily construction emissions for VOC generated during project construction exceed the thresholds of significance recommended by the SCAQMD. Therefore, the mass daily construction-related and operational emissions generated by the project exceed thresholds of significance recommended by the SCAQMD for VOC (construction and operations) and NO_x (operations).

Freeway Adjacent Health Risk: As shown in Table 6 in Appendix IV.C-2 to the Draft EIR, the summation of carcinogenic risk from all primary Mobile Source Air Toxics (MSATs – diesel particulate matter (DPM), formaldehyde, 1,3 butadiene, benzene, acrolein, acetaldehyde, and naphthalene) for the worst-case ground level location at the project site totaled a carcinogenic risk of 17.7 per one million for the 9-year residential scenario, 24.8 per one million for the 30-year residential scenario, 29.2 per one million for the 70-year residential scenario, and 1.6 per one million for the 25-year worker scenario is below the SCAQMD stationary source threshold of 10 in one million. However, the cancer risk for the residential scenarios ranges from 17.7 to 29.2 per one million, which exceeds the SCAQMD stationary source threshold of 10 in one million. Therefore, the EIR conservatively concludes that the cancer risk from freeway sources on project residents is significant because of the exceedance of the SCAQMD stationary source cancer risk threshold.

6. Reference

For a complete discussion of impacts associated with Air Quality, please see Section IV.C of the Draft EIR.

C. Noise

Cumulative Construction Impacts and Operation Impacts — 17th Street west of Hill Street: Development of the project in conjunction with the other Related Projects results in an increase in construction-related and traffic-related noise as well as on-site stationary noise sources in the already urbanized area of the City. If it was constructed concurrently with the project, construction of Related Project No. 53, a residential development located at 220 E. Washington Boulevard, approximately 600 feet east of the project site, could cause cumulative construction noise impacts. Additionally, the cumulative operational traffic noise impact on 17th Street west of Hill Street, where there are residential land uses, is significant and unavoidable.

1. Mitigation Measures

The City finds that all feasible mitigation measures to reduce cumulative construction noise and cumulative traffic noise impacts have been imposed and that there are no further feasible mitigation measures the project could implement to avoid significant cumulative traffic noise impacts at 17th Street west of Hill Street or the potential significant cumulative construction noise impacts if construction for Related Project 53 were to overlap with the construction schedule for the project.

2. Findings

Cumulative Construction Noise Impacts: The cumulative construction causes significant and unavoidable impacts if Related Project 53 is constructed concurrently with the project.

Cumulative Operation Noise Impacts: The cumulative operational traffic noise impact on the residential uses on 17th Street west of Hill Street is significant and avoidable.

3. Rationale for Findings

Cumulative Construction: The following Related Projects are within 1,000 feet of the project site and could cause cumulative construction noise impacts: (i) Related Project No. 6, the LA Trade Technical College — 5-Year Master Plan is located at 400 W. Washington Boulevard, approximately 350 feet west; (ii) Related Project No. 42, a Mixed-Use Building development located at 233 W. Washington Boulevard, approximately 400 northwest; and (iii) Related Project No. 53, the Washington Boulevard Opportunity MU (Mercy Housing), a residential development located at 220 E. Washington Boulevard, approximately 600 feet east. The existing residential building at the northwest corner of Washington Boulevard and Main Street (represented by Receptor R2) has direct line-of-sight to both the project and the Related Project No. 53. Therefore, if construction of Related Project No. 53 were to occur concurrently with the project, cumulative noise impacts at Receptor R2 could occur.

The mitigation measures as specified for the Related Project No. 53 and the project would reduce the construction noise at the residential building at the northwest corner of Washington Boulevard and Main Street. Nonetheless, even with mitigation measures, if nearby Related Project No. 53 were to be constructed concurrently with the project, it is

conservatively concluded that significant and unavoidable cumulative construction noise impacts could result.

Cumulative Operation: The noise levels associated with existing traffic volumes and future year 2035 traffic volumes with the project are provided in Table IV.K-17 of the Draft EIR. The traffic generated by the project and cumulative development increase the existing traffic noise levels by 3.3 dBA Leq along 17th Street (west of Hill Street), and by 3.1 dBA at the other two locations. With respect to the 3.1 dBA increase on the Pico Boulevard (east of Main Street), and Grand Avenue (between Venice Boulevard and Washington Boulevard) segments, this increase does not constitute a significant impact because these segments contain commercial land uses. Per the L.A. CEQA Thresholds Guide, the 3 dBA threshold applies when the projected noise is within the "normally unacceptable" or "clearly unacceptable" category. The land uses along the 17th Street (west of Hill Street) segment includes residential uses. The projected noise environment on this segment would be within the "normally unacceptable" category for residential land use and the 3dBA threshold would apply. Accordingly, cumulative noise impacts on this roadway segment are significant and unavoidable.

4. Reference

For a complete discussion of impacts associated with Noise, please see Section IV.K of the Draft EIR.

D. Transportation/Circulation

Operation: Even with Mitigation Measures MM-TR-1 through MM-TR-14, there is one remaining significant impact in the AM peak hour (with this impacted intersection operating at LOS D), eight remaining significant impacts in the PM peak hour (with one of the impacted intersections operating at LOS D, six operating at LOS E, and one operating at LOS F), seven remaining significant impacts in the Friday Evening peak hour (with two of the impacted intersections operating at LOS D or better, one operating at LOS E, and four operating at LOS F), and one remaining significant impact in the Saturday Midday peak hour (the impacted intersections operating at LOS C). Mitigation Measure MM-TR-14 reduces the significant impact at the project's Main Street driveway to less than significant. However, this mitigation measure requires modifications to the Sports Museum driveways, which are located on private property outside the control of the project applicant, and would therefore require the concurrence of the Sports Museum property owner. In the event the Sports Museum property owner does not agree to the modifications, Mitigation Measure MM-TR-14 are infeasible and impacts at this location are significant and unavoidable.

1. Project Design Features

The City finds that Project Design Feature PDF-TR-2, which is incorporated into the project and incorporated into the Findings as fully set forth herein, reduce the potential operational traffic impacts of the project. This Project Design Feature was taken into account in the analysis of potential impacts.

2. Mitigation Measures

The City finds that Mitigation Measures MM-TR1, MM-TR-2, MM-TR-3, MM-TR-4, MM-TR-5, MM-TR-6, MM-TR-7, MM-TR-8, MM-TR-9, MM-TR-10, MM-TR-11, MM-TR-12, MM-TR-13 and MM-TR-14, which are incorporated into the project and incorporated into these Findings as fully set forth herein, are included to further reduce the operational

traffic impacts and reflect good planning and design practices currently promoted by the City. These mitigation measures were taken into account in the analysis of project impacts.

3. Findings

Changes and alterations and mitigation measures, where available, have been required for or incorporated into the project to reduce unavoidable operational traffic impacts to the greatest extent possible. There are no additional measures which the City can impose to reduce the unavoidable operational traffic impacts to less-than-significant levels. Specifically:

Operation – Intersections: Even with implementation of the mitigation measures, there is one remaining significant impact in the AM peak hour, eight remaining significant impacts in the PM peak hour, seven remaining significant impacts in the Friday Evening peak hour, and one remaining significant impact in the Saturday Midday peak hour.

Operation — Driveway: With implementation of Mitigation Measure MM-TR-14, impacts from the project's Main Street driveway are less than significant. However, since this Mitigation Measure requires the approval of modifications to private property not within the control of the City, the City finds that without the cooperation of the Sports Museum Property Owner, this Mitigation Measure is infeasible and impacts at this location are significant and unavoidable.

4. Rationale for Findings

Operation: Tables 7.2 through 7.5 in the Traffic Study (Appendix N to the Draft EIR) show the change in V/C at the significantly impacted intersections after implementation of the mitigation measures, and compare these changes to LADOT significance criteria to determine whether the impacts at the intersections are significant after mitigation. Intersections identified in these tables as "Partially Mitigated" would not have their impacts reduced below the threshold of significance, and these impacts are significant and unavoidable. There are no additional feasible mitigation measures which can be imposed to reduce the operational traffic impacts to these intersections to a less-than-significant level.

Driveway: The project Main Street driveway adversely impacts the Sports Museum driveways, which are located across Main Street from the project site. Implementation of Mitigation Measure MM-TR-14 reduces the impact at this location to less than significant. In the event the Sports Museum property owner does not agree to the modifications associated with Mitigation Measure MM-TR-14 on the Sports Museum property, Mitigation Measure MM-TR-14 is considered infeasible and impacts at this location are significant and unavoidable.

5. Reference

For a complete discussion of impacts associated with Transportation/Circulation, please see Section IV.N of the Draft EIR.

X. ALTERNATIVES TO THE PROJECT

in addition to the project, the Draft EIR evaluated a reasonable range of five alternatives to the project. These alternatives are: (1) No Project Alternative; (2) Alternative Use (Office Campus); (3) Reduced Height/Reduced Signage; (4) Reduced Density; and (5)

Existing Zoning (Industrial). In accordance with CEQA requirements, the alternatives to the project include a "No Project" alternative and alternatives capable of eliminating the significant adverse impacts of the project. These alternatives and their impacts, which are summarized below, are more fully described in section VI of the Draft EIR.

A. Summary of Findings

Based upon the following analysis, the City finds, pursuant to CEQA Guidelines section 15096(g)(2), that none of the alternatives or feasible mitigation measures within its powers would substantially lessen or avoid any significant effect the project would have on the environment.

B. Project Objectives

An important consideration in the analysis of alternatives to the project is the degree to which such alternatives would achieve the objectives of the project. As more thoroughly described in the Draft EIR Section II, Project Description, both the City and applicant have established specific objectives concerning the project, which are incorporated by reference herein and discussed further below.

C. Project Alternatives Analyzed

1. Alternative 1 - No Project Alternative

Under the No Project Alternative, the project would not be constructed, and the project site would remain in its current condition with the existing 861,162 square foot, 12-story plus basement Reef building, surface parking lots with approximately 1,100 parking spaces, and an approximately 11,150 square foot warehouse building. The analysis of the No Project Alternative assumes the continuation of existing conditions, as well as development of the Related Projects described in Draft EIR Section III. Environmental Setting.

Impact Summary: The project results in significant and unavoidable impacts related to visual quality, light and glare, shade/shadow, air quality, traffic noise, and transportation, which would be avoided under the No Project Alternative. The No Project Alternative would avoid most of the project's less-than-significant impacts as well. The No Project Alternative does not have potentially beneficial impacts resulting from the project with respect to water quality, and would not implement any regional or local planning policies.

Findings: The No Project Alternative reduces adverse environmental impacts compared to the project. Therefore, the No Project Alternative is environmentally superior to the project. However, the No Project Alternative does not satisfy any of the Project Objectives, discussed below. It is found, pursuant to Public Resources Code section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the No Project Alternative described in the Draft EIR.

Rationale for Findings: The No Project Alternative maintains the project site in its current condition with the existing 861,162 square foot, 12-story plus basement Reef building, surface parking lots with approximately 1,100 parking spaces, and an approximately 11,150 square foot warehouse building. However, there would be no renovation, construction, use and maintenance of a mixed-use project. As a result, the No Project Alternative does not create 1,444 housing units, nor generate approximately 3,808 employees. In addition, the No Project Alternative does not create community

serving amenities such as: (i) 67,702 square feet of retail/restaurant uses; (ii) a 29,355 square-foot grocery store; (iii) a 17,507 square-foot gallery; (N) a 7,879 square foot fitness/yoga studio. There also would not be approximately 1,906 bicycle parking spaces providing connectivity to the nearby bus and light rail lines. Therefore, the No Project Alternative would not meet any of the Project Objectives.

Reference: For a complete discussion of impacts associated with Alternative 1, please see Section VI of the Draft EIR.

2. Alternative 2 - Alternate Use (Office Campus)

Under the Alternate Use Alternative, the project site is developed with a mix of office and retail commercial uses at the same density as the project. The Reef building would remain in its current location and would be modified, similar to the project, to reconfigure up to 180,000 square feet of the space currently used for wholesale/showroom operations into creative office space to support design, collaboration and development of new products. In addition, up to 30,000 square feet of existing floor area on the ground floor may be converted to 20,000 square feet of retail space and 10,000 square feet of restaurant space. The addition of the 8,000 square foot rooftop restaurant in the Reef building would not be included under this alternative. Under the Alternate Use Alternative. 1,625,538 square feet of new office uses would be provided within five new buildings, including two six-story buildings, a 12-story building, and two high-rise buildings, 19 and 31 stories, respectively. Up to 54,364 square feet of new retail uses would be provided on the ground floors of the office buildings, located throughout the campus. Coupled with the square footage within the Reef building, the Alternate Land Use Alternative includes 2,017,932 square feet of office, 369,063 square feet of wholesale/showroom use, 69,705 square feet of event space, and 84,364 square feet of retail and restaurant uses. The development density of this alternative would be 6.0:1. Parking would be in a seven-story above-ground garage on the West Block, and in subterranean parking garages on the East Block, similar to the project. The Alternate Use Alternative includes the same Reef Project SUD signage program as would be provided under the project, with the same signs as identified in the Reef project SUD to be located on corresponding buildings under this Alternative (e.g., the two high rise office towers would be analogous to the North Tower and South Tower under the project, and the 12-story office building would be analogous to the project hotel building).

Impact Summary: The Alternate Use Alternative has higher significant and unavoidable impacts than the project with respect to air quality, freeway health risk, cumulative traffic noise and transportation. The Alternate Use Alternative has similar significant and unavoidable impacts as the project with respect to visual quality, light and glare, and shade/shadow. The Alternate Use Alternative has higher less-than-significant impacts than the project with respect to utilities (solid waste, electricity), and lower less-than-significant impacts than the project with respect to biological resources (trees), public services (recreation and parks, libraries), and utilities (wastewater, water, natural gas).

Findings: The Alternate Use Alternative has higher significant and unavoidable impacts than the project with respect to air quality, freeway health risk, cumulative traffic noise and transportation. The Alternate Use Alternative has similar significant and unavoidable impacts as the project with respect to visual quality, light and glare, and shade/shadow. Also, the Alternate Use Alternative has higher less-than-significant impacts than the project with respect to utilities (solid waste, electricity), and lower less-than-significant impacts than the project with respect to biological resources (trees), public services (recreation and parks, libraries), and utilities (wastewater, water, natural gas). The Alternative Use Alternative implements some of the Project Objectives, but not to the

same degree as the project. It is found, pursuant to Public Resources Code section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the Alternate Use Alternative described in the Draft EIR.

Rationale for Findings: The Alternate Use Alternative would mean the absence of the development of, among other elements of the project, (i) 549 residential apartment units, including 21 live/work units, in eleven low- and mid-rise buildings; (ii) 895 residential condominium units in two high-rise buildings; and (iii) a 208-key hotel. In its place would be the development of a mix of office and retail commercial uses, at the same density as the project. In addition, daily trips associated with this alternative, upon which the calculations of greenhouse gas emissions are based, would be 17,649, compared with 12,737 under the project, an increase of approximately 39%. Project-related GHG emissions per service population would be only slightly below the SCAQMD significance threshold. Since traffic-related emissions are a large proportion of total GHG emissions. and traffic would increase approximately 39% under the Alternate Use Alternative, GHG emissions associated with the Alternate Use Alternative exceed the significance threshold. Accordingly, impacts of this Alternative with respect to GHG emissions are higher than the project, and are therefore significant and unavoidable. Also, under the Alternative Use Alternative, new project-related vehicle trips are generated that exceed the traffic generation associated with the project, as shown in Draft EIR Table VI-4 (Trip Generation by Land Use - Alternate Use Alternative). Accordingly, impacts of this alternative would be higher than the project's significant and unavoidable impacts related to traffic.

The Alternate Use Alternative implements the following Project Objectives to a lesser degree than the project; (i) To provide the amenities necessary for the Magic Box to attract top-notch events to the City of Los Angeles (i.e., Hotel not included); (ii) To create an urban center that is compatible with and complementary to currently ongoing growth in the resident population of Downtown Los Angeles (i.e., reduced mix of uses); (iii) To generate additional annual tax revenues to the City of Los Angeles, including property taxes, sales taxes, transient occupancy taxes, and gross receipts taxes; and, (iv) To provide an integrated mixed-use project that is economically viable and serves the needs of the community and the region.

The Alternate Use Alternative does not implement the following Project Objectives because this alternative does not include housing nor create a dynamic 24-hour activity center and not have a hotel nor the restaurants, entertainment, or resident- and community-serving retail components of the project: (i) To provide for the development of an underutilized site near public transportation through the replacement of surface parking lots with new housing, retail uses, restaurants, and a hotel to meet anticipated market demands; and, (ii) To construct a complementary, integrated set of land uses and signage that promotes the creation of a vibrant and dynamic 24-hour activity center that provides the opportunity for people to live, work, and entertain.

Reference: For a complete discussion of impacts associated with Alternative 2, please see Section VI of the Draft EIR.

3. Alternative 3 – Reduced Height/Reduced Signage

Under the Reduced Height/Reduced Signage Alternative, the same uses as the project are included (residential, hotel, retail, grocery), at a slightly lower density than the project. The Reduced Height/Reduced Signage Alternative limits building heights to 12

stories/143 feet, which is generally equivalent to the prevailing heights of the tallest buildings located in the vicinity, specifically the commercial building located immediately across Washington Boulevard to the north, and the Superior Court building located immediately across Hill Street to the west. Under the Reduced Height/Reduced Signage Alternative, the Reef building remains and is modified, similar to the project, to reconfigure up to 180,000 square feet of the space currently used for wholesale/showroom operations into creative office space. In addition, up to 30,000 square feet of existing floor area on the ground floor may be converted to 20,000 square feet of retail space and 10,000 square feet of restaurant space. The addition of the 8,000 square-foot rooftop restaurant in the Reef building is included under this alternative. Under the Reduced Height/Reduced Signage Alternative, the same number of residential units (1,444) is provided as under the project. However, because of the different configurations of the residential buildings that occur under this alternative. the mix of apartments and condominiums is different. Under the Reduced Height/Reduced Signage Alternative, a total of 1,010 apartments and live /work units, and 434 condominiums are provided... Up to 101,941 square feet of new retail uses, including a 34,705 square-foot grocery store, and a 127-room hotel are included in this alternative. Coupled with the square footage within the Reef building, the development density of this alternative is approximately 5,15:1. The development under this alternative is accommodated in nine new buildings up to 12 stories in height. Parking is provided in a seven-story above-ground garage on the West Block, and in subterranean parking garages on the East Block.

Under the Reduced Height/Reduced Signage Alternative, signage follows the same framework as the project. However, because of the reduced height of buildings included in this alternative, signage within Vertical Sign Zone 3 is substantially reduced in visibility. Under the Reduced Height/Reduced Signage Alternative, signage on the Reef building is reduced in size by 50% compared to the project, and highly animated signage is not be permitted in Vertical Sign Zone 3 on the Reef building.

Impact Summary: The Reduced Height/Reduced Signage Alternative avoids the significant and unavoidable impacts of the project with respect to visual quality, light and glare, and cumulative traffic noise. The Reduced Height/Reduced Signage Alternative has the same significant and unavoidable temporary construction visual quality impacts as the project. The Reduced Height/Reduced Signage Alternative has lower, but still significant and unavoidable impacts compared to the project with respect to shade/shadow, air quality, freeway health risk, and transportation. The Reduced Height/Reduced Signage Alternative has lower less-than-significant impacts than the project with respect to public services and utilities.

Findings: The Reduced Height/Reduced Signage Alternative avoids the significant and unavoidable impacts of the project with respect to visual quality, light and glare, and cumulative traffic noise. The Reduced Height/Reduced Signage Alternative has the same significant and unavoidable temporary construction visual quality impacts as the project. The Reduced Height/Reduced Signage Alternative has lower, but still significant and unavoidable impacts compared to the project with respect to shade/shadow, air quality, freeway health risk, and transportation. The Reduced Height/Reduced Signage Alternative has lower less-than-significant impacts than the project with respect to public services and utilities. The Reduced Height/Reduced Signage Alternative implements some of the Project Objectives, but not to the same degree as the project. It is found, pursuant to Public Resources Code section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations).

make infeasible the Reduced Height/Reduced Signage Alternative described in the Draft EIR.

Rationale for Findings: The Reduced Height/Reduced Signage Alternative reduces building heights to 12 stories/143 feet. Under the Reduced Height/Reduced Signage Alternative, a total of 1,010 apartments and live /work units, and 434 condominiums are provided. Up to 101,941 square feet of new retail uses, including a 34,705 square-foot grocery store, and a 127-room hotel, rather than a 208-room hotel, are included in Reduced Height/Reduced Signage Alternative. Coupled with the square footage within the Reef building, the development density of this alternative is approximately 5.15:1. The development under this Alternative is accommodated in nine new buildings up to 12 stories in height. Parking is provided in a seven-story above-ground garage on the West Block, and in subterranean parking garages on the East Block. Under the Reduced Height/Reduced Signage Alternative, signage on the Reef building is reduced in size by 50% compared to the project, and highly animated signage is not be permitted in Vertical Sign Zone 3 on the Reef building.

As shown in Draft EIR Table VI-11 (Reduced Height/Reduced Signage Alternative Net Employee Generation), the Reduced Height/Reduced Signage Alternative generates approximately 3,689 employees, which results in a net increase of approximately 1,042 employees on the project site from existing conditions. The project results in a net increase of approximately 1,161 employees; therefore, this alternative results in a lower level of employment generation than the project. The Reduced Height/Reduced Signage Alternative implements the following Project Objectives to a lesser degree than the project because this alternative does not include a dynamic 208-room hotel: (i) To provide the amenities necessary for the Magic Box to attract top-notch events to the City of Los Angeles (i.e., smaller Hotel); and, (ii) To generate additional annual tax revenues to the City of Los Angeles, including property taxes, sales taxes, transient occupancy taxes, and gross receipts taxes (i.e., smaller project).

Reference: For a complete discussion of impacts associated with Alternative 3, please see Section VI of the Draft EIR.

4. Alternative 4 – Reduced Density

Under the Reduced Density Alternative, the same uses are included as in the project (residential, hotel, retail, grocery), at a lower density than the project. Under this Alternative, the Reef building remains and is modified, similar to the project, to reconfigure up to 180,000 square feet of the space currently used for wholesale/showroom operations into creative office space. In addition, up to 30,000 square feet of existing floor area on the ground floor may be converted to 20,000 square feet of retail space and 10,000 square feet of restaurant space. The addition of the 8,000 square-foot rooftop restaurant in the Reef building is included under this alternative. Under the Reduced Density Alternative, the uses are reduced by approximately 25% compared to the project. For instance, restaurant uses are reduced from 45,657 square feet under the project to 17,959 square feet under this alternative and retail uses are reduced from 60,045 square feet under the project to 45,701 under this alternative. This alternative does not have the 17,507 square-foot Gallery or fitness/gym/yoga studio. A total of 1,069 residential units, 93 hotel rooms, and 80,406 square feet of retail uses, including a 34,705 square-foot grocery store, are included under this alternative. Because of the different configurations of the residential buildings that occur under this alternative, the mix of apartments and condominiums is different. Under the Reduced Density Alternative, a total of 535 apartments and live /work units, and 534 condominiums (rather than 895 under the project) are provided. Coupled with the square

footage within the Reef building, the development density of this alternative is approximately 4.37:1. The development under this alternative is accommodated in eight new buildings up to 10 stories/121 feet in height, and a single residential tower up to 420 feet in height. Parking is provided in a seven-story above-ground garage on the West Block, and in subterranean parking garages on the East Block.

Under the Reduced Density Alternative, signage follow the same framework as the project. However, because of the reduced height of buildings included in this alternative, signage within Vertical Sign Zone 3 is substantially reduced in visibility, except for the high-rise residential tower, which includes the same signage as permitted for the South Tower under the project.

Impact Summary: The Reduced Density Alternative avoids the significant and unavoidable impacts of the project with respect to shade/shadow, and cumulative traffic noise. The Reduced Density Alternative has lower, but still significant and unavoidable impacts compared to the project with respect to air quality, freeway health risk, and transportation. The Reduced Density Alternative has similar significant and unavoidable impacts as the project with respect to visual quality, and light and glare. The Reduced Density Alternative would have lower less-than-significant impacts than the project with respect to public services and utilities, and construction impacts.

Findings: The Reduced Density Alternative avoids the significant and unavoidable impacts of the project with respect to shade/shadow, and cumulative traffic noise. The Reduced Density Alternative has lower, but still significant and unavoidable impacts compared to the project with respect to air quality, freeway health risk, and transportation. The Reduced Density Alternative has similar significant and unavoidable impacts as the project with respect to visual quality, and light and glare. The Reduced Density Alternative has lower less-than-significant impacts than the project with respect to public services and utilities, and construction impacts.

In addition, the Reduced Density Alternative implements some of the Project Objectives, but not to the same degree as the project. It is found pursuant to Public Resources Code section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the Reduced Density Alternative described in the Draft EIR.

Rationale for Findings: The Reduced Density Alternative provides the same uses as the project (residential, hotel, retail, grocery), at a lower density than the project. The Reef building remains in its current location and is modified, similar to the project. Also under the Reduced Density Alternative, the uses are reduced by approximately 25% compared to the project. For instance, restaurant uses are reduced from 45,657 square feet under the project to 17,959 square feet under this alternative and retail uses are reduced from 60.045 square feet under the project to 45,701 under this alternative. Similarly, there is no 17,507 square-foot Gallery nor a fitness/gym/yoga studio. A total of 1,069 residential units. 93 hotel rooms (rather than 208 rooms under the project), and 80,406 square feet of retail uses, including a 34,705 square-foot grocery store, are included under this alternative. Under the Reduced Density Alternative, a total of 535 apartments and live /work units, and 534 condominiums are provided. Coupled with the square footage within the Reef building, the development density of this alternative is approximately 4.37:1. The development under this Alternative is accommodated in eight new buildings up to 10 stories/121 feet in height, and a single residential tower up to 420 feet in height. Parking is provided in a seven-story above-ground garage on the West Block, and in subterranean parking garages on the East Block. Also, project signage follows the same

conceptual framework as the project. However, because of the reduced height of buildings included in this alternative, signage within Vertical Sign Zone 3 is substantially reduced in visibility, except for the high-rise residential tower, which includes the same signage as permitted for the South Tower under the project.

This alternative implements the following Project Objectives to a lesser degree than the project because there is a smaller hotel, fewer housing units, fewer community- and resident-serving entertainment uses, and less commercial square footage, which generates less annual tax revenue for the City as compared to the project: (I) To provide the amenities necessary for the Magic Box to attract top-notch events to the City of Los Angeles (i.e., smaller Hotel): (ii) To create an urban center that is compatible with and complementary to currently ongoing growth in the resident population of Downtown Los Angeles; (iii) To provide for the development of an underutilized site near public transportation through the replacement of surface parking lots with new housing, retail uses, restaurants, and a hotel to meet anticipated market demands; (iv) To provide an integrated mixed-use project that is economically viable and serves the needs of the community and the region; (v) To support regional mobility goals and local and regional growth policies by encouraging development in and around activity centers, reducing vehicle trips and public infrastructure costs; and, (vi) To generate additional annual tax revenues to the City of Los Angeles, including property taxes, sales taxes, transient occupancy taxes, and gross receipts taxes (i.e., smaller project).

Reference: For a complete discussion of impacts associated with Alternative 4, please see Section VI of the Draft EIR.

5. Alternative 5 – Existing Zoning (Industrial)

Under the Existing Zoning Alternative, the project site is developed with an industrial building at the density permitted by the existing M1-2 zoning. Under this alternative, the Reef building remains in its current location, and is modified similar to the Project. In addition, up to 30,000 square feet of existing floor area on the ground floor may be converted to 20,000 square feet of retail space and 10,000 square feet of restaurant space. Under the Existing Zoning Alternative, 1,679,357 square feet of industrial development is provided in a single building located on the East Block. Parking for all uses contained within this Alternative is provided in a single above-ground parking structure located on the West Block. This alternative does not provide, as compared to the project: (i) a 29,355 square-foot grocery store; (ii) a 17,507 square-foot gallery; (iii) a 7,849 fitness/gym/yoga studio; (iv) a 208-room hotel; (v) 895 condominiums; (vi) 528 apartments; and (vii) 21 live/work units.

Impact Summary: The Existing Zoning Alternative avoids the significant and unavoidable impacts of the project with respect to visual quality, light and glare, freeway health risk, cumulative traffic noise, and the project driveway. The Existing Zoning Alternative has the same temporary significant and unavoidable impact as the project with respect to visual quality during construction. The Existing Zoning Alternative has lower significant and unavoidable impacts compared to the project with respect to shade/shadow, air quality and transportation. The Existing Zoning Alternative has lower less-than-significant impacts than the project with respect to public services and utilities (water, wastewater, natural gas), and construction impacts, and higher less-than-significant impacts with respect to utilities (solid waste, electricity).

Findings: The Existing Zoning Alternative avoids the significant and unavoidable impacts of the project with respect to visual quality, light and glare, freeway health risk, cumulative traffic noise, and the project driveway. The Existing Zoning Alternative has

the same temporary significant and unavoidable impact as the project with respect to visual quality during construction. The Existing Zoning Alternative has lower significant and unavoidable impacts compared to the project with respect to shade/shadow, air quality and transportation. The Existing Zoning Alternative has lower less-than-significant impacts than the project with respect to public services and utilities (water, wastewater, natural gas), and construction impacts, and higher less-than-significant impacts with respect to utilities (solid waste, electricity).

In addition, the Existing Zoning Alternative does not implement some of the Project Objectives to the same degree as the project. It is found, pursuant to Public Resources Code, section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the Existing Zoning Alternative described in the Draft EIR.

Rationale for Findings: The Existing Zoning Alternative develop the project site with 1,679,357 square feet of industrial development in a single building located on the East Block. The Industrial building is developed at the density permitted by the existing M1-2 zoning. The Reef building remains in its current location, and is modified similar to the project. In addition, up to 30,000 square feet of existing floor area on the ground floor may be converted to 20,000 square feet of retail space and 10,000 square feet of restaurant space. Parking for all uses contained within this alternative is provided in a single above-ground parking structure located on the West Block. This alternative would not provide, as compared to the project: (i) a 29,355 square-foot grocery store; (ii) a 17,507 square-foot gallery; (iii) a 7,849 square-foot fitness/gym/yoga studio; (iv) a 208-room hotel; (v) 895 condominiums; (vi) 528 apartments; and (vii) 21 live/work units.

Operation of the Existing Zoning Alternative also results in ongoing generation of solid waste. Over the long-term, the Existing Zoning Alternative generates approximately 8,743 net ppd of solid waste over existing conditions (see Draft EIR Table VI-34 [Estimated Solid Waste Generation for Existing Zoning Alternative]). As such, this alternative generates approximately 623 ppd more solid waste than the project, resulting in a net generation of 8,120 ppd over existing conditions.

This alternative implements the following Project Objectives to a lesser degree than the project due to the absence of the grocery store, gallery, fitness studio, hotel and housing units: (i) To preserve and promote the Reef as a creative environment that supports the design, rapid prototyping, production, sales, innovation, and exhibition of new products: (ii) To provide a design that emphasizes pedestrian and public transit opportunities, and that integrates linkages between pedestrians, public transit facilities, and the public roadways; (iii) To support regional mobility goals and local and regional growth policies by encouraging development in and around activity centers, reducing vehicle trips and public infrastructure costs; and, (iv) To generate additional annual tax revenues to the City of Los Angeles, including property taxes, sales taxes, transient occupancy taxes. and gross receipts taxes (i.e., smaller project). This Alternative would not implement the following Project Objectives due to the absence of the grocery store, gallery, fitness studio, hotel and housing units: (i) To construct a complementary, integrated set of land uses and signage that promotes the creation of a vibrant and dynamic 24-hour activity center that would provide the opportunity for people to live, work, and entertain: (ii) To provide the amenities necessary for the Magic Box to attract top-notch events to the City of Los Angeles; (iii) To create an urban center that is compatible with and complementary to currently ongoing growth in the resident population of Downtown Los Angeles: (iv) To provide for the development of an underutilized site near public transportation through the replacement of surface parking lots with new housing, retail

uses, restaurants, and a hotel to meet anticipated market demands; and, (v) To provide an integrated mixed-use project that is economically viable and serves the needs of the community and the region.

Reference: For a complete discussion of impacts associated with Alternative 5, please see Section VI of the Draft EIR.

D. Alternatives Rejected as Being Infeasible

in addition to the five alternatives listed above, another alternative was considered and rejected. Specifically, this alternative would consider an alternate site. This alternative was rejected as being infeasible because no other site could accommodate the project (e.g. with an existing commercial building suitable for adaptive reuse, adjoining surface parking lots, and in the vicinity of a transit station) that is owned or under control of the applicant in the City. Accordingly, this alternative was considered but rejected as infeasible.

E. Environmentally Superior Alternative

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives to a proposed project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR. In addition, Section 15126.6(e)(2) of the CEQA Guidelines states that: "If the environmentally superior alternative is the 'no project' alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives."

The selection of an environmentally superior alternative is based on an evaluation of the extent to which the alternatives reduce or eliminate the significant impacts associated with the project, and on a comparison of the remaining environmental impacts of each alternative.

Of the alternatives evaluated, the No Project Alternative is considered the overall environmentally superior alternative as it would avoid nearly all of the impacts that would occur under the project. However, although most impacts are avoided under the No Project Alternative, the beneficial aspects of the project, such as the new 1,444 housing units, the new jobs created by the project, the improvement of the project site with distinctive design, architecture and landscaping, and the fulfillment of numerous regional and City plan and policy goals for the area would not occur. Without development of the project at the project site, the No Project Alternative would not meet any of the Project Objectives.

Among the other alternatives, the Reduced Height/Reduced Signage Alternative is environmentally superior to the project. The Reduced Height/Reduced Signage Alternative reduces building heights to 12 stories/143 feet. Under the Reduced Height/Reduced Signage Alternative, a total of 1,010 apartments and live /work units, and 434 condominiums are provided instead of the 1,444 units in the project. Up to 101,941 square feet of new retail uses, including a 34,705 square-foot grocery store, and a 127-room hotel, rather than a 208-room hotel, are included in Reduced Height/Reduced Signage Alternative. Coupled with the square footage within the Reef building, the development density of this alternative is approximately 5.15:1. The development under this alternative is accommodated in nine new buildings up to 12 stories in height. Parking is provided in a seven-story above-ground garage on the West Block, and in subterranean parking garages on the East Block. Under the Reduced Height/Reduced Signage Alternative, signage on the Reef building is reduced in size by

50% compared to the project, and highly animated signage is not permitted in Vertical Sign Zone 3 on the Reef building.

Because the Reduced Height/Reduced Signage reduces the building heights, signage program and development density, as compared to the project, the Reduced Height/Reduced Signage Alternative avoids the significant and unavoidable impacts of the project with respect to visual quality, light and glare, and cumulative traffic noise. The Reduced Height/Reduced Signage Alternative has the same significant and unavoidable temporary construction visual quality impacts as the project. The Reduced Height/Reduced Signage Alternative has lower, but still significant and unavoidable impacts compared to the project with respect to shade/shadow, air quality, freeway health risk, and transportation. The Reduced Height/Reduced Signage Alternative has lower less-than-significant impacts than the project with respect to public services and utilities.

The Reduced Height/Reduced Signage Alternative implements all but the two following Project Objectives: (i) To provide the amenities necessary for the Magic Box to attract top-notch events to the City of Los Angeles (i.e., smaller Hotel); and (ii) To generate additional annual tax revenues to the City of Los Angeles, including property taxes, sales taxes, transient occupancy taxes, and gross receipts taxes (i.e., smaller project).

XI. OTHER CEGA CONSIDERATIONS

A. Growth Inducing Impacts

Section 15126.2(d) of the CEQA Guidelines requires a discussion of the ways in which a proposed project could induce growth. This includes ways in which a project would foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

The project generates approximately 3,808 employees, which results in a net increase of approximately 1,161 employees on the project site over existing conditions. This increased employee population could patronize local businesses and services in the area, and foster economic growth. The potential concentration of employment in this area of the City under the project is consistent with the regional growth management policies discussed in detail in Section IV.J (Land Use & Planning) of the Draft EIR. These policies promote development activity in existing developed areas, especially ones near existing transit and transportation infrastructure, such as the project site. The project fosters economic growth and revitalizes an underutilized area by adding businesses to the project site. The employees associated with the project could, in turn, patronize existing local businesses and services in the area. Additionally, short-term and long-term employment opportunities are expected to be provided during construction and operation of the project.

The City's Southeast Community Plan policies also encourage new growth and development in areas with diverse economic and physical needs that do not require extension of other major infrastructure systems. Specifically, the Community Plan encourages the development of projects with mixed-use commercial and residential development. The goal is to provide housing close to jobs, to reduce vehicular trips, to reduce congestion and air pollution, to assure adequate sites for housing, and to stimulate Pedestrian Oriented Districts to enhance the quality of life in the Plan area. Therefore, this projected employment growth is not expected to cause growth (i.e., new housing or employment generators) or accelerate development in an undeveloped area that exceeds projected/planned levels, and that results in an adverse physical change in

the environment; or introduces unplanned infrastructure that was not previously evaluated in the adopted Community Plan. Therefore, projected employment growth associated with the project is less than significant.

The project results in a net increase of 1,161 employees over existing conditions, which could result in induced housing growth on and in the vicinity. The project could include some high-skilled jobs, and those employees may choose to relocate or the project site or nearby in Downtown Los Angeles to be closer to their jobs. The types of jobs, which include office, commercial, and hotel, at the project site could enable employees to have wide range of housing options. However, some of the new employees are likely to be drawn from the local labor force readily available in the Southeast Community Plan Area and surrounding communities. In addition, it is likely that many of the employees associated with uses to be located or relocating to the project site are long-term residents of other nearby communities and are unlikely to relocate. According to the Draft/Proposed Southeast Los Angeles Community Plan, the population in the Southeast Los Angeles Community Plan area is expected to increase by 28,422 persons between 2008 and 2035. The construction of 1,444 additional residential dwelling units on the project site is expected to accommodate between 2,224 and 6,309 new permanent residents in the City. The addition of these new residents is within the Community Plan growth projection, representing between approximately 8 percent and approximately 22 percent of the Community Plan total growth for the period of 2008 to 2035. Since the population growth associated with the project is within the projected growth for the Southeast Los Angeles Community Plan area, impacts related to population growth are projected to be less than significant.

B. Significant Irreversible Environmental Changes

Section 15126.2(c) of the CEQA Guidelines provide an EIR is required to address any significant irreversible environmental changes that would occur should the proposed project be implemented. The types and level of development associated with the project would consume limited, slowly renewable, and non-renewable resources. This consumption would occur during construction of the project and would continue throughout its operational lifetime. The development of the project would require a commitment of resources that would include (1) building materials, (2) fuel and operational materials/resources and (3) the transportation of goods and people to and from the project site.

Construction of the project requires consumption of resources that are not replenishable or that may renew slowly as to be considered non-renewable. These resources include certain types of lumber and other forest products, aggregate materials used in concrete and asphalt (e.g., sand, gravel and stone), metals (e.g., steel, copper and lead), petrochemical construction materials (e.g., plastics), and water. Fossil fuels, such as gasoline and oil, are be consumed in the use of construction vehicles and equipment. The consumption of these resources are out through the construction period. The commitment of resources required for the type and level of development would limit the availability of these resources for future generations for other uses during the operation of the project. However, this resource consumption would be consistent with growth and anticipated growth in the Los Angeles area.

Concurrently, the project contributes to a land use pattern that reduces reliance on private vehicles and the consumption of non-renewable resources in a larger context. The project is within walking distance of the Blue Line and includes 1,906 blcycle parking spaces, thereby fostering the use of alternate modes of transit. Further, the project includes design features and be subject to building regulations that reduce demands for

energy resources needed to support project operations. For instance, Project Design Features PDF-UT-1, PDF-UT-2, PDF-UT-3, PDF-UT-7 provide measures by which the project conserves water and energy and be built in accordance with LEED standards. In addition, with compliance with existing regulatory measures, the project is required to confirm that the capacity of the local and trunk lines are sufficient to accommodate the project and implement any upgrades to the sewer system serving the project. The project is also expected to comply with the 2013 Title 24 part 6 building code and the City's Green Building Code, and existing measures related to recycling construction and operational waste and the conservation of natural gas.

Continued use of non-renewable resources is expected to be on a relatively small scale and consistent with regional and local growth forecasts in the area, as well as state and local goals for reductions in the consumption of such resources. The project would not affect access to existing resources, nor interfere with the production or delivery of such resources. The project site contains no energy resources that would be precluded from future use through project implementation. In addition, consumption of resources are justified because the project provides much needed housing, job opportunities to area residents, and open space, retail and restaurant amenities to the community. The project's irreversible changes to the environment related to the consumption of nonrenewable resources would not be significant.

C. CEQA Considerations

- 1. The City, acting through the Department of City Planning is the "Lead Agency" for the project evaluated the EIR. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the EIR for the project, that the Draft EIR which was circulated for public review reflected its independent judgment and that the Final EIR reflects the independent judgment of the City.
- 2. The EIR evaluated the following potential project and cumulative environmental impacts: Aesthetics; Air Quality; Biological Resources; Cultural Resources; Geology and Soils; Greenhouse Gas Emissions; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; Noise; Population, Housing, and Employment; Public Services; Transportation; and Utilities. Additionally, the EIR considered Growth Inducing Impacts and Significant Irreversible Environmental Changes. The significant environmental impacts of the project and the alternatives were identified in the EIR.
- 3. The City finds that the EIR provides objective information to assist the decisions makers and the public at large in their consideration of the environmental consequences of the project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review period and responds to comments made during the public review period.
- 4. Textual refinements and errata were compiled and presented to the decision makers for review and consideration. The City staff has made every effort to notify the decision makers and the interested public/agencies of each textual change in the various documents associated with project review. These textual refinements arose for a variety of reasons. First, it is inevitable that draft documents would contain errors and would require clarifications and corrections. Second, textual clarifications were necessitated in order to describe refinements suggested as part of the public participation process.

- 5. The Department of City Planning evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the Department of City Planning prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned response to the comments. The Department of City Planning reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR. The Lead Agency has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental impacts identified and analyzed in the EIR.
- 6. The Final EIR documents changes to the Draft EIR. The Final EIR provides additional information that was not included in the Draft EIR. Having reviewed the information contained in the Draft EIR and the Final EIR and in the administrative record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the City finds that there is no new significant impacts, substantial increase in the severity of a previously disclosed impact, significant information in the record of proceedings or other criteria under CEQA that would require recirculation of the Draft EIR, or preparation of a supplemental or subsequent EIR.

Specifically, the City finds that:

- a. The Responses To Comments contained in the Final EIR fully considered and responded to comments claiming that the project would have significant impacts or more severe impacts not disclosed in the Draft EIR and include substantial evidence that none of these comments provided substantial evidence that the project would result in changed circumstances, significant new information, considerably different mitigation measures, or new or more severe significant impacts than were discussed in the Draft EIR.
- b. The City has thoroughly reviewed the public comments received regarding the project and the Final EIR as it relates to the project to determine whether under the requirements of CEQA, any of the public comments provide substantial evidence that would require recirculation of the EIR prior to its adoption and has determined that recirculation of the EIR is not required.
- c. None of the information submitted after publication of the Final EIR, including testimony at the public hearings on the project, constitutes significant new information or otherwise requires preparation of a supplemental or subsequent EIR. The City does not find this information and testimony to be credible evidence of a significant impact, a substantial increase in the severity of an impact disclosed in the Final EIR, or a feasible mitigation measure or alternative not included in the Final EIR.
- 7. The mitigation measures identified for the project were included in the Draft and Final EIRs. As revised, the final mitigation measures for the project are described in the Mitigation Monitoring Program (MMP). Each of the mitigation measures identified in the MMP is incorporated into the project. The City finds that the impacts of the project have been mitigated to the extent feasible by the mitigation measures identified in the MMP.
- 8. CEQA requires the Lead Agency approving a project to adopt a MMP or the changes to the project which it has adopted or made a condition of project approval in order to ensure compliance with the mitigation measures during project implementation. The mitigation measures included in the EIR as certified by the City as adopted by the City

serves that function. The MMP includes all of the mitigation measures and project design features adopted by the City in connection with the approval of the project and has been designed to ensure compliance with such measures during implementation of the project. In accordance with CEQA, the MMP provides the means to ensure that the mitigation measures are fully enforceable. In accordance with the requirements of Public Resources Code Section 21081.6, the City hereby adopts the MMP.

- 9. In accordance with the requirements of Public Resources Section 21081.6, the City hereby adopts each of the mitigation measures expressly set forth herein as conditions of approval for the project.
- 10. The custodian of the documents or other material which constitute the record of proceedings upon which the City's decision is based is the City Department of City Planning.
- 11. The City finds and declares that substantial evidence for each and every finding made herein is contained in the EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.
- 12. The City is certifying an EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the EIR as comprising the project.
- 13. The EIR is a Project EIR for purposes of environmental analysis of the project. A Project EIR examines the environmental effects of a specific project. The EIR serves as the primary environmental compliance document for entitlement decisions regarding the project by the City and other regulatory jurisdictions.
- 14. The City finds that the Design Guldelines and Equivalency Program which is part of the project were fully disclosed and analyzed in the EIR and that this program for potential future changes to the project will occur, if requested, only after subsequent environmental review pursuant to CEQA through the Site Plan Review process.
- 15. The City finds that none of the public comments to the Draft EIR or subsequent public comments or other evidence in the record, including the changes in the project in response to input from the community and the Council Office, include or constitute substantial evidence that would require recirculation of the Final EIR prior to its certification and that there is no substantial evidence elsewhere in the record of proceedings that would require substantial revision of the Final EIR prior to its certification, and that the Final EIR need not be recirculated prior to its certification.

XII. STATEMENT OF OVERRIDING CONSIDERATIONS

The Final EIR identified the following unavoidable significant impacts: 1) Aesthetics – Sign Vertical Zone 3 animated signage; lighting associated with the total level of signage on the Reef building; visual impacts during construction; shade/shadow impacts on the Rutland Apartments; 2) Air Quality – construction VOC emissions; construction and operations VOC emissions; operation NO_x emissions, and freeway adjacent health risks; 3) Noise —cumulative traffic noise on 17th Street west of Hill Street; and 4) Transportation/Circulation – cumulative construction traffic and operational traffic at two intersections in the AM peak hour, nine intersections at PM peak hour, 10 intersections at the Friday PM peak hour, and one intersection at the Saturday Midday peak hour. Section 21081 of the California Public Resources Code and Section 15093(b) of the CEQA Guidelines provide that when the decisions of the public agency allows the

occurrence of significant impacts identified in the Final EIR that are not substantially lessened or avoided, the lead agency must state in writing the reasons to support its action based on the Final EIR and/or other information in the record. Article I of the City's CEQA Guidelines incorporates all of the State CEQA Guidelines contained in Title 15, California Code of Regulations, Sections 15000 et seq. and thereby requires, pursuant to Section 15093 (b) of the CEQA Guidelines, that the decision maker adopt a Statement of Overriding Considerations at the time of approval of a Project if it finds that significant adverse environmental effects identified in the Final EIR cannot be substantially lessened or avoided. These findings and the Statement of Overriding Considerations are based on substantial evidence in the record, including but not limited to the Final EIR, the source references in the Final EIR, and other documents and material that constitute the record of proceedings.

Accordingly, the City adopts the following Statement of Overriding Considerations. The City recognizes that significant and unavoidable impacts will result from implementation of the project. Having (i) adopted all feasible mitigation measures, (ii) rejected as infeasible alternatives to the project, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the project against the project's significant and unavoidable impacts, the City hereby finds that the each of the project's benefits, as listed below, outweighs and overrides the significant unavoidable impacts of the project.

Summarized below are the benefits, goals and objectives of the project. These provide the rationale for approval of the proposed project. Any one of the overriding considerations of economic, social, aesthetic and environmental benefits individually would be sufficient to outwelgh the significant unavoidable impacts of the project and justify the approval, adoption or issuance of all of the required permits, approvals and other entitlements for the project and the certification of the completed Final EIR. Despite the unavoidable aesthetics, air quality, noise, and transportation/circulation impacts caused by the construction and operation of the project, the City approves the project based on the following contributions of the project to the community:

- Construct a mixed-use center with an integrated set of land uses, the first of its kind in the Southeast Los Angeles Community Plan area, with a 208-key hotel to serve the project and area attractions.
- Provide publicly accessible mid-block paseos on the project's West Block (the Exchange) and East Block (the Strand), with a terrace, café, outdoor seating, a performance space and landscaping.
- Add a new cultural amenity to the area in the form of a 17,507 square-foot public gallery designed to host local, national, and international exhibitions and expositions.
- Provide benefits to underserved neighborhoods in Los Angeles through school and cultural programs.
- Contribute to the expansion of the City's economic base through the development of currently underutilized property, generating a one-time sum of \$2.07 million in construction revenues to the City and approximately \$5.58 million in recurring City General Fund revenues.
- Provide significant job creation by generating a net increase of 1,161 employees on the project site, including, but not limited to, 174 hotel employees, 80 grocery store employees and 163 employees for the retail uses.
- Add opportunities for local entrepreneurs to set up shop at the project site by proving micro-retail shop spaces at the outer edge of the West Lot parking structure.
- Create employment-generating land uses close to existing and proposed residential uses that provide opportunities for residents of the surrounding area to shorten regular commutes and, thus, reduce vehicle miles traveled and air emissions.

- Reinforce the City's commitment to facilitate a reduction in traffic impacts by locating
 the project in an area well served by public transportation, including, but no limited
 to, the Metro Blue Line and Expo Line, LADOT DASH bus and Metro Local buses.
- Promote multimodal transit by providing 1,906 bicycle parking spaces that will be serviced by a bicycle hub with bicycle lockers, bicycle repair shop and showers.
- Incorporate various Green Building/Sustainability Measures and features to enhance air quality and support Los Angeles' sustainability goals and polices. The project is designed to meet the Leadership in Energy and Environmental Design (LEED) Green Building Rating System Silver standard to reduce energy consumption.
- Provide 1,444 new housing units to help meet the market demand for housing in Los Angeles.
- Promote affordable housing by contributing a significant financial contribution to develop new affordable housing and maintain existing affordable units.
- Activate the streets along the project by creating a pedestrian-friendly environment through sidewalk widening and infrastructural improvements. The project creates pedestrian access from Washington Boulevard Into and through the new development.
- Provide needed retail shopping and dining opportunities in the form of 67,702 square feet of retail/restaurant uses and a 29,355 square-foot grocery store for the local community.
- Preserve and promote the Reef as a creative environment that supports the design, rapid prototyping, production, sales, innovation, and exhibition of new products by potentially converting 180,000 square feet into creative office space, thereby fostering existing economic endeavors in the community.
- Partner with local non-profits to promote local hiring and/or manage a local hiring program; including facilitating hiring and the dissemination of employment information.
- Provide the City with needed improvements and upgrades to transportation infrastructure where feasible, including, but not limited to, funding the upgrade of the signal controllers at intersections (MM-TR-9), making street improvements (MM-TR-1 through MM-TR-8), and funding the installation of CCTV cameras at intersections (MM-TR-10).

Finding: For all the foregoing reasons, the City finds that the benefits of the project, as approved, outweigh and override the significant and unavoidable impacts identified above.

RESOLUTION

WHEREAS, the subject property is located within the area covered by the Southeast Los Community Plan ("Community Plan"), which was adopted by the City Council on March 22, 2000 (CF 99-0496); and

WHEREAS, the applicant is proposing to develop a mixed-use project consisting of 1,444 dwelling units, a 208-key hotel, 67,702 square feet of retail/restaurant space, a 29,355 square-foot grocery store, a 17,507 square-foot gallery and retention of the existing Reef building in the Southeast Los Angeles community; and

WHEREAS, to carry out the above-referenced project, the applicant has requested a General Plan Amendment to (a) change the land use designation for the subject property from Limited Manufacturing to Community Commercial within the Southeast Los Angeles Community Plan; (b) amend the General Plan Generalized Land Use Map for the Community Plan area to reflect the Community Commercial land use designation; and, (c) modify Footnote No. 1 of the General Plan Generalized Land Use Map for the Community Plan area to reflect that the subject property is not subject to the height restriction of Height District 1, and

WHEREAS, the General Plan Amendment is consistent with Charter Sections 555, 556, and 558, representing an Amendment in Part of the Southeast Los Angeles Community Plan; and

WHEREAS, the City Planning Commission at its meeting of August 11, 2016, approved the foregoing General Plan Amendment; and

WHEREAS, the General Plan Amendment is necessary to achieve and maintain consistency between zoning and the adopted Community Plan as required by California State law; and

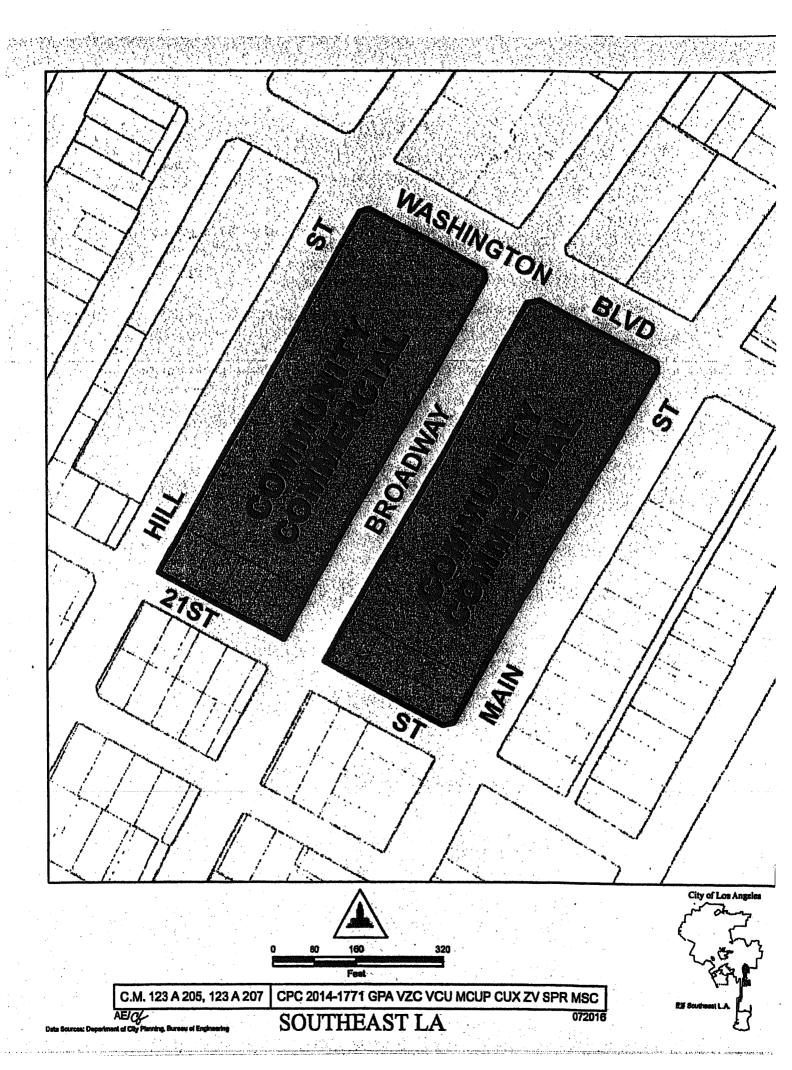
WHEREAS, pursuant to the provisions of the Los Angeles City Charter, the Mayor and the City Planning Commission have transmitted their recommendations; and

WHEREAS, the requested General Plan Amendment is consistent with the intent and purpose of the Southeast Los Angeles Community Plan to designate land uses in an orderly and unified manner; and

WHEREAS, the subject request would provide for a more logical and uniform pattern of planned land use development that is compatible with surrounding land use designations of the General Plan; and

WHEREAS, the project has been analyzed in an Environmental Impact Report, SCH No. 2014071054, in accordance with the City's Guidelines for implementation of the California Environmental Quality Act ("CEQA") by the Department of City Planning.

NOW, THEREFORE, BE IT RESOLVED that the Community Plan shall be amended as shown on the attached General Plan Amendment Map.



ORDINANCE NO. [] THE REEF TRANSIT-ORIENTED SIGN DISTRICT

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An ordinance establishing The Reef Transit-Oriented Sign District pursuant to the provisions of Section 13.11 of the Los Angeles Municipal Code (LAMC), except as may differ herein.

WHEREAS, The applicant, PHR LA MART LLC, proposes to renovate, construct, use, and maintain a mixed-use project at 1900 South Broadway, in the City of Los Angeles. The property includes the following Assessor Parcel Numbers: 5126-030-005, 5126-030-006, 5126-030-009, 5126-030-011, 5126-031-009, and 5126-031-010. The approximately 9.7-acre property consists of two City blocks, bounded by Washington Boulevard to the north, 21st Street to the south, Hill Street to the west, and Main Street to the east, and is separated by Broadway;

WHEREAS, the approximately 4.9-acre western block is currently developed with the approximately 861,162 square-foot, 12-story Reef building (formerly, the L.A. Mart) and 400 surface parking spaces (West Block). The approximately 4.7-acre eastern block is currently developed with an approximately 11,150 square-foot warehouse/distribution building and 700 surface parking spaces (East Block). The West Block and the East Block are separated by Broadway;

WHEREAS, the property will be developed with a mixed-use project. New construction totals approximately 1,680,306 square feet of floor area and includes: (i) 549 residential apartment units, including 21 live/work units; (ii) 895 residential condominium units; (iii) 69,400 square feet of retail uses, including a 29,355 square-foot grocery store; (iv) 35,657 square feet of restaurant/bar square footage; (v) a 208-key hotel; (vi) a 17,507 square-foot gallery; (vii) a 1,622 square-foot community room, and (ix) two fitness/yoga studios totaling 7,879 square feet. The project also includes 2,512 parking spaces and 1,906 bicycle parking spaces. The project, including the Reef building, will contain 2,541,468 square feet of floor area upon full build out;

WHEREAS, the project will retain the existing uses within the Reef building and includes renovation of the ground floor into 20,000 square feet of retail space and 10,000 square feet of restaurant space. In addition, the project will add approximately 8,000 square feet to incorporate a new restaurant and additional outdoor space to accommodate events on the rooftop of the existing Reef building:

WHEREAS, the project includes a comprehensive signage program unique to the project, consistent with the transit-oriented mixed-use nature of the project, necessary to attract visitors, facilitate activity at the pedestrian scale and support current and future investment in the area along the Blue Line;

WHEREAS, this Sign District Ordinance (Ordinance) incorporates the existing and approved signage for The Reef, as well as new signage for the project to activate this part of Southeast Los Angeles as a major transit-oriented residential, commercial, and entertainment destination in the City;

WHEREAS, development of the project will enhance the social, cultural and economic goals of the City; will expand the economic base of the City by providing additional employment opportunities and additional revenues to the region; and will specifically enhance the Southeast Los Angeles community by providing new residential

units, business opportunities, public gathering open space and a pedestrian friendly environment in a transit-oriented area; and

WHEREAS, the project, including this Sign District Ordinance, presents a major economic opportunity to create good jobs and investment in the City and in the Southeast Los Angeles community, and to serve as a catalyst for renewed investment in Southeast Los Angeles as a key business, entertainment and cultural destination.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. ESTABLISHMENT OF THE REEF SIGN DISTRICT.

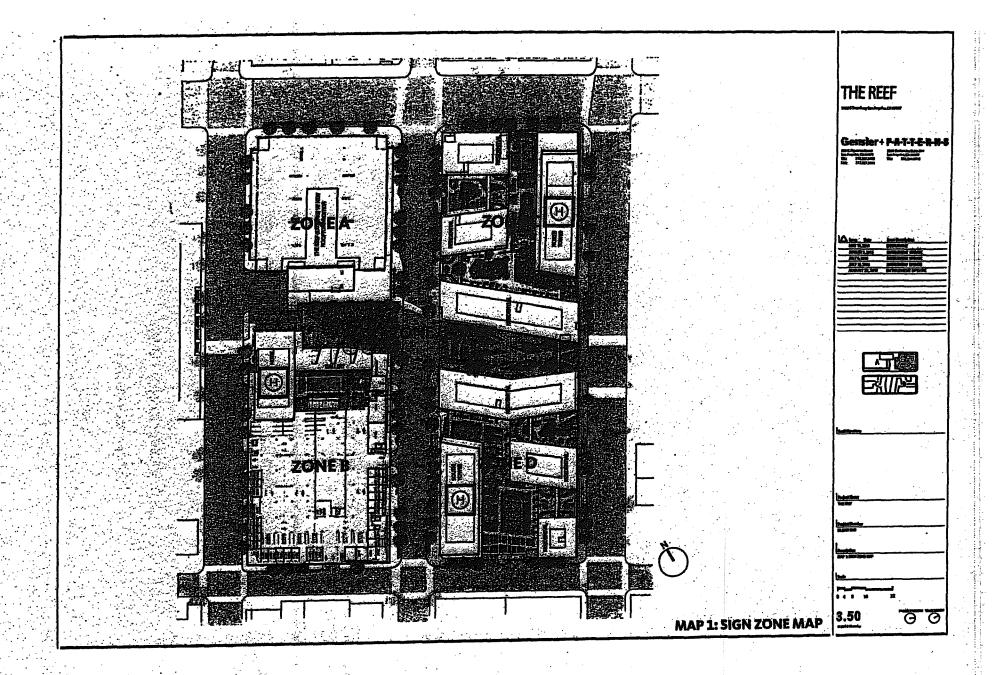
A. Authority and Scope. As of the Effective Date of this Ordinance, the City Council hereby establishes The Reef Transit-Oriented Sign District (District), which shall be applicable to that area of the City shown on Map 1 for the area bounded by Washington Boulevard to the north, 21st Street to the south, Hill Street to the west, and Main Street to the east, and is separated by Broadway. Notwithstanding LAMC Section 13.11 B, the District is hereby established in the C2 zone encompassing the project area.

B. Sign Zones. This District is subdivided into five Sign Zones as shown on Map 1. The purpose of the Sign Zones is to address the relationship between sign intensity and the uses surrounding each Sign Zone. The five Sign Zones are divided into three Vertical Sign Zone Levels as described in Table 1-1 below. The purpose of the Vertical Sign Zone Levels is to address different sign viewing distances, including pedestrian views from street level, pedestrian views from a distance, and from vehicles.

Table 1-1 — Vertical Sign Zones

Sign Zone	Height Above Grade				
Sign Zone A					
Vertical Sign Zone Level 1	0 — 25 feet				
Vertical Sign Zone Level 2	25 — 75 feet				
Vertical Sign Zone Level 3	153 feet*				
Sign Zone B					
Vertical Sign Zone Level 1	0 — 25 feet				
Vertical Sign Zone Level 2	25 — 75 feet				
Vertical Sign Zone Level 3	242 feet*				
Sign Zone C					
Vertical Sign Zone Level 1	0 — 25 feet				
Vertical Sign Zone Level 2	Signage prohibited				
Vertical Sign Zone Level 3	150 feet*				
Sign Zone D					
Vertical Sign Zone Level 1	0 — 25 feet				
Vertical Sign Zone Level 2	Signage prohibited				
Vertical Sign Zone Level 3	Signage prohibited				
Sign Zone E					
Vertical Sign Zone Level 1	0 25 feet				
Vertical Sign Zone Level 2	Signage prohibited				
Vertical Sign Zone Level 3	Signage prohibited				
* To top of sign					

Map 1 Sign Zones Map [Map 1 follows this page.]



Section 2. PURPOSES AND OBJECTIVES.

A. Generally. This District provides the regulatory framework for the Signs proposed for The Reef and surrounding areas in connection with the development and uses allowed by the project.

B. Purposes and Objectives.

- 1. Enable the regulation of Signs within the project area;
- 2. Support and enhance the land uses and urban design objectives in the Southeast Los Angeles Community Plan;
- Encourage vibrant, clear, attractive signage that enhances the District while complementing and protecting the character of the surrounding areas by limiting visual clutter;
- 4. Ensure that new Signs are responsive to and integrated with the aesthetic character of the areas on which they are located, and are positioned in a manner that is compatible both architecturally and relative to other Signs within the District;
- 5. Encourage creative, well-designed Signs that are part of an integrated transitoriented development that contribute positively to the District's visual environment, in a manner that accentuates the architectural characteristics of the project and reinforces the District's sense of place as a major urban destination, cultural and visitor destination, and a pedestrian-friendly experience to help maintain an image of quality and excellence for the Southeast Los Angeles Community Plan; and
- 6. Coordinate the location and display of Signs so as to minimize potential traffic hazards and protect public safety.

Section 3. APPLICATION.

A. Relationship to the Los Angeles Municipal Code. This Ordinance regulates Signs within the District. The regulations of this Ordinance are in addition to those set forth in the planning and zoning provisions of the LAMC. Wherever this Ordinance contains provisions that are different from, more restrictive than or more permissive than permitted by the LAMC, this Ordinance shall prevail and supersede the other applicable provisions, including, but not limited to, the requirements of Section 13.11, et seq., Section 14.4.1, et seq., and Section 91.6201, et seq., of the LAMC. Unless otherwise specified in this Ordinance to the contrary, all Signs shall comply with the following provisions of the LAMC: Section 14.4.4; Chapter II, Article 8, Section 28.00 et seq. (Advertising); Chapter VI, Article 7, Section 67.00, et seq. (Outdoor Advertising Structures, Accessory Signs, Post Signs and Advertising Statuary); and Chapter IX, Article 1, Division 62 (Signs).

B. On-Site and Off-Site Signs. All Signs listed in this Ordinance, and all Signs listed in Section 14.4.2 of the LAMC, which are not otherwise prohibited by this Ordinance, shall be allowed. Notwithstanding any other provision of the LAMC or this Ordinance, any Sign within the District may be either an On-Site Sign or Off-Site Sign as such terms are defined in this Ordinance. This Ordinance governs all aspects of Signs that are Off-Site Signs within the District.

Section 4. DEFINITIONS.

Whenever the following terms are used in this Ordinance, they shall be construed as defined in this Section. Notwithstanding Section 13.11 of the LAMC, words and phrases not defined herein shall be construed as defined in Sections 12.03 and Article 4.4 of the LAMC. The definitions set forth in this Section are intended to encompass future technologies and materials which may be utilized in the construction and implementation of the permitted Signs.

Applicant. Any entity or person, as defined in Section 11.01 of the LAMC, submitting an application for a Sign or Sign Support Structure including for Project Permit Compliance or modification thereto, for Project Permit Adjustment, or for an exception, or amendment to, or interpretation of this Ordinance.

Approved Signs. The Signs listed in Approved Signs attached as Appendix A to this Ordinance and Sign Support Structures associated with such Signs, which shall be in the approximate locations shown on the Conceptual Sign Locations and Conceptual Sign Drawings attached as Appendices B and C to this Ordinance approved by the City Council pursuant to this Ordinance as the same may be modified or amended from time to time in accordance with Section 6.D of this Ordinance.

Awning Signs. A Sign displayed on a canopy that projects over a deck, door or window of a building.

Building Frontage. The projection of the building walls upon the street used for street frontage.

Conceptual Sign Drawings. The conceptual Sign locations, plans, elevations, and renderings depicting the approved locations and types of permanent primary Signs within the District attached to this Ordinance as Appendices B and C, as the same may be modified or amended from time to time in accordance with Section 6.D of this Ordinance.

Director. The Director of City Planning or his or her designee.

District. The Reef Transit-Oriented Sign District regulated by this Ordinance.

Effective Date. The date upon which this Ordinance is adopted.

Existing Signs. The existing Signs on The Reef as identified in Appendices A, B, and C of this Ordinance.

Face of Building. The general outer surface, not including comices, bay windows or architectural projections, of any exterior wall of a building.

identification Sign. A Wall Sign that generally includes a company logo, generic type of business, or the name of a business or building.

Illuminated Architectural Canopy Sign. An enclosed illuminated structure that is attached to the wall of a building with the face of the Sign approximately parallel to the wall and with the message integrated into its surface.

Information Sign. A Sign that generally includes a message giving directions, instructions, menus, selections, or address numerals.

LABC. The Los Angeles Building Code.

LADBS. The City of Los Angeles Department of Building and Safety.

LAFD. The Los Angeles Fire Department.

LAMC. The Los Angeles Municipal Code.

Maximum Individual Sign Area. The maximum Sign Area of each individual Sign, which shall be set forth in Table 8-1.

Monument Sign. A freestanding Sign that is erected directly upon the existing or artificially created grade, or that is raised no more than 12 inches from the existing or artificially created grade to the bottom of the sign, and that has a horizontal dimension equal to or greater than its vertical dimension.

Non-Digital Display. Any Sign that is not a Digital Display.

Off-Site Sign. A Sign that displays any message directing attention to a business, product, service, profession, commodity, activity, event, person, institution or any other commercial message, which is conducted, sold, manufactured, produced, offered or occurs elsewhere than within the boundaries of the District.

On-Site Sign. A Sign that is other than an Off-Site Sign.

Owner. The owner of the fee interest in the land within any Sign Zone within the District, provided that during the term of any ground lease of land within the Sign Zone pursuant to a lease with an initial term greater than 25 years, the ground lessee under such ground lease shall also be considered to be an owner for purposes of this definition.

Pole Sign. A freestanding Sign that is erected or affixed to one or more poles or posts and that does not meet the requirements of a Monument Sign.

Projecting Sign. A Sign, other than a Wall Sign, that is attached to a building and projects outward from the building with one or more Sign Faces approximately perpendicular to the Face of Building.

Projection. The distance by which a Sign extends beyond the building line.

Project Permit Adjustment. A decision by the Director granting a minor adjustment from certain regulations of this Ordinance, subject to the limitations specified by Section 11.5.7 of the LAMC and this Ordinance.

Project Permit Compliance. A determination by the Director pursuant to Section 6.C of this Ordinance of a Sign or Sign Support Structure's compliance with this Ordinance either as submitted or with conditions imposed to achieve compliance.

Sign. Any whole or part of a display board, wall, screen or object, used to announce, declare, demonstrate, display or otherwise present a message and attract the attention of the public.

Sign Area. An area circumscribed by the smallest geometric shape created with a maximum of eight straight lines, which will enclose all words, letters, figures, symbols, designs and pictures, together with all framing, background material, colored or illuminated areas and attention-attracting devices, forming an integral part of an individual message except that:

- 1. Wall Signs having no discernible boundary shall have the areas between letters; words intended to be read together and any device intended to draw attention to the sign message included in any computation of surface area.
- 2. For spherical, cylindrical or other three-dimensional Signs, the area of the Sign shall be computed from the smallest two-dimensional geometrical shape or shapes, which will best approximate the greatest actual surface area visible from any one direction.

Sign Face. The surface upon which the Sign message is placed.

Sign Support Structure. A structure of any kind or character, erected, used or maintained for a Sign upon which any poster, bill, printing, painting, or other message may be placed.

Sign Zone Area. The right granted by this Ordinance to construct up to a specified square footage of Sign Area within each Sign Zone in accordance with the requirements of this Ordinance, excluding the Sign Area of certain Signs as set forth in this Ordinance.

Sign Zones. The five zones established by this Ordinance to regulate Signs as shown on Map 1 of this Ordinance.

Static. Restriction for any type of Sign to flash, change, move, blink, or otherwise refresh in whole or in part. All such signage shall remain static.

Street Frontage. The length of a line separating a lot from one street.

Temporary Construction Wall. A wooden fence or wooden barrier that provides protection for pedestrians and is erected and maintained on the perimeter of a construction or demolition site pursuant to Section 3303 and 3306 of the California Building Code.

Temporary Sign. Any Sign that is to be maintained for a limited duration, including paper Signs and other Signs that are not permanently affixed to the ground or building.

Total Sign Area. The right granted by this Ordinance to construct up to 51,655 square feet of Signs in accordance with the requirements of this Ordinance, excluding the Sign Area of certain Signs as set forth in this Ordinance.

Vertical Sign Zone Levels. The vertical levels established by this Ordinance to regulate Signs by vertical height as measured from adjacent grade as established in Table 1-1 of this Ordinance.

Wall Sign. A Sign on the wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the plane of the wall, that has been attached to, painted on, or erected against the wall; projected onto the wall; or printed on any material approved in Chapter 62 of the Los Angeles Municipal Code, which is supported and attached to the wall by an adhesive or other materials or methods.

Wayfinding Sign. Any pedestrian or auto oriented Sign that indicates the route to, direction of or location of a given goal, or that provides regulatory or service information of a non-advertising character.

Window Sign. A Sign that is attached to, affixed to, leaning against, or otherwise placed within six feet of a window or door in a manner so that the Sign is visible from outside the building. The term window sign shall not include the display of merchandise in a store window.

Section 5. PRIOR SIGNS; RIGHTS OF OWNER TO SIGNS.

The Existing Signs are hereby declared a legal and conforming use and may continue to exist and be constructed, operated, maintained, repaired, replaced or structurally altered by the Owner in accordance with the requirements of Section 91.6216 of the LAMC. The Owner shall have the right to continue to use the Existing Signs.

Section 6. PROCEDURAL REQUIREMENTS.

- A. Requirements. LADBS shall not issue a permit for a Sign, a Sign Support Structure, Sign illumination, or alteration of an Existing Sign within the District beyond that authorized by Section 5 of this Ordinance unless the Sign complies with:
 - 1. The requirements of this Ordinance as determined by the Director, and
 - 2. Applicable requirements of the LAMC that are not otherwise superseded by this Ordinance.
- B. Application. An Applicant requesting review of one or multiple Signs for conformity with this Ordinance or, if required or permitted hereby, a Project Permit Compliance or modification thereto, a Project Permit Adjustment, or an exception to, or interpretation of this Ordinance, shall submit the following to the Director in addition to those items specified in Section 11.5.7-B.2(a) of the LAMC:
 - Three copies of the Sign plan drawn to scale, indicating the type, height,
 placement, lettering styles, materials, colors and lighting methods and
 specifying the Sign Zone and Vertical Sign Zone Level for the proposed
 Sign(s) and indicating conformity with the requirements specified for that Sign
 and location as set forth in Section 8 and, if applicable, Section 9 of this
 Ordinance;
 - 2. A graphic depiction of the location of the Sign(s) on the Conceptual Sign Drawings;
 - 3. Architectural renderings of the proposed Sign(s); and
 - 4. A scaled plot plan showing the location and size of all existing and proposed Signs.

C. Project Permit Compliance

- Required. LADBS shall not issue a permit for any Signs, including the following sign types, unless the Director has issued a Project Permit Compliance approval pursuant to the procedures set forth in Section 11.5.7 of the LAMC:
 - a. Projecting Signs:
 - b. Wall Signs; and
 - c. Any other type of allowable sign listed in this Ordinance, excluding Existing Signs.
- 2. Exception. No Project Permit Compliance or modification thereto or any Project Permit Adjustment or any exception, amendment or interpretation of this Ordinance shall be required for:

- a. Construction, operation, maintenance, repair, replacement or structural alteration of any Approved Sign, Identification Sign or Temporary Sign and each Sign Support Structure associated with such Signs;
- b. A change in Sign advertising or Sign text, images or copy;
- c. Any construction for which a permit is required in order to comply with an order issued by LADBS to repair or replace an unsafe or substandard condition:
- d. A modification to any Sign, Approved Sign, any Sign Support Structure or to the Conceptual Sign Drawings that results in:
 - (i) A change of a Sign from a Digital Display to a Non-Digital Display, or
 - (ii) Relocation of any such Sign if it is consistent with the location requirements in Section 8.C.1 or Section 9.W of this Ordinance and complies with the Sign Zone Area limitations in Section 8.E and Total Sign Area limitations in Section 8.F of this Ordinance.
- 3. **Definitions.** For purposes of any review required by this Ordinance pursuant to Section 11.5.7 of the LAMC, the term "specific plan," wherever used in Section 11.5.7 of the LAMC, shall be deemed to refer to this Ordinance and the term "Project" shall be deemed to refer, as the case may be, to a "Sign" or "Sign Support Structure" or to the "Conceptual Sign Plan."
- 4. Process; Decision-Making Authority. Requests for Project Permit Compliance, or modification thereto, for Project Permit Adjustment or for an exception, amendment or interpretation of this Ordinance shall be made in accordance with the procedures set forth in Section 11.5.7 of the LAMC; provided, however, that notwithstanding the provisions of Sections 11.5.7.6 through F and H of the LAMC, in each case where the Area Planning Commission has the authority for initial review, hearing and/or approval of a request for Project Permit Compliance, Project Permit Adjustment, modification to a Project Permit Compliance, or an exception, or interpretation of this Ordinance, the Director shall have initial decision-making authority for granting each of the foregoing.

5. Findings.

a. Project Permit Compliance. In granting a Project Permit Compliance approval for one or more Signs and/or Sign Support Structures, the Director shall make the following findings, provided that with respect to clauses (iii) and (iv) below, which relate to the architectural design or layout of the Signs and Sign Support Structures and not to content, such findings shall be used solely to condition an approval and shall not be used to deny a request for a Project Permit Compliance approval otherwise meeting the requirements of this Ordinance:

- The proposed Sign(s) and/or Sign Support Structure(s) comply with the applicable regulations of this Ordinance and any previously or concurrently granted exception, amendment or interpretation applicable thereto;
- (ii) The proposed Sign(s) and/or Sign Support Structure(s) incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate any potentially significant environmental effect of the Sign(s) and/or Sign Support Structure(s), to the extent physically feasible;
- (iii) The proposed Sign(s) and/or Sign Support Structure(s) are appropriately scaled to the architectural character of all buildings and the existing Signs, and structures within the applicable Sign Zone(s) and Vertical Sign Zone Level(s); and
- (iv) All existing and proposed Sign(s) and Sign Support Structure(s) result in a complementary enhancement to the architecture and open spaces of the applicable Sign Zone(s) and Vertical Sign Zone Level(s).

Issuance of a Project Permit Compliance may be conditioned consistent with the applicable regulations of this Ordinance. In addition, in connection with any request for Director approval of a Project Permit Compliance pursuant to Section 6.C of this Ordinance, the Director may permit the use of any technology or material which did not exist as of the Effective Date, if the Director finds that such technology or material has been subject to review under the California Environmental Quality Act, if applicable, or that no such California Environmental Quality Act review is required.

- b. Adjustments and Exceptions. An application to exceed the development regulations in this Ordinance with respect to any Sign or Sign Support Structure shall be processed in accordance with the procedures for Project Permit Adjustments or for exceptions of this Ordinance, as set forth in this Ordinance and LAMC Sections 11.5.7-E and F. In granting an adjustment or exception to this Ordinance, the Director shall make all of the following findings:
 - Strict compliance would result in practical difficulty or unnecessary hardship inconsistent with the purposes of the zoning restrictions, due to unique physical or topographic circumstances or conditions of design;
 - (ii) Strict compliance would deprive the Applicant of privileges enjoyed by owners of similarly zoned property; and
 - (iii) An adjustment or exception, as applicable, would not constitute a grant of special privilege.

- 6. Appeals. The appeal rights set forth in Section 11.5.7 of the LAMC shall apply to applications made under this Ordinance, except as otherwise modified by this Ordinance.
- D. Conceptual Sign Drawings. The Director shall refer to the Conceptual Sign Drawings in Appendices B and C and the regulations set forth in Sections 8 and 9 of this Ordinance to provide guidance in approving Signs and/or Sign Support Structures within the District. The Conceptual Sign Drawings may be modified or updated in accordance with this Ordinance by a Director's determination upon a finding by the Director that the Total Sign Area and applicable Zone Sign Area(s) are not exceeded and the Signs depicted by such modifications comply with the regulations set forth in Sections 8 and 9 of this Ordinance, as applicable and are determined by the Director to be within the envelope of the project and environmental impacts analyzed by the Final Environmental Impact Report (SCH No. 2014071054), or any subsequent environmental document prepared or reviewed and approved by the City.
- E. Conditions: All Signs pursuant to this Ordinance shall comply with the following conditions:
 - 1. The proposed lighting displays (at all levels) shall have a wattage draw not to exceed 12 watts/sq. ft to meet Title 24 2013 requirements.
 - 2. The proposed lighting displays (at all levels) shall be fully dimmable and controlled by a programmable timer so that luminance levels may be adjusted according to the time of day.
 - 3. The proposed lighting displays (at all levels) shall have a maximum lumen output that does not exceed the maximum levels as shown in Table IV.B-2.

Table IV.B-2 Summary Calculations of Allowable Sign Luminance to Achieve Standard of 2.0 Foot-Candles at Sensitive Receptors

lable 6 Su	mmary Calc	ulations of Allowable Sig	n Luminance to Act		d of 2.0 Foot Candles	a Sensitive Recepto
oject	Zone	Signage Identification	Height Above Ground (ft)	Area (SF)	Distance to Sensitive Receptor (ft)	Allowable Sign
	17,540		Global (t)	Allowable	a constant of the	(candelas/sq. m)
113	47.374		E. L. B. Hotel?			
	17,000		110	24202	431.7	139
4			168次	13272	217,4	135
6	Enis		245	14490	706.9	135
44			220	3630	695.7	135
1			50	2550	146.2	15
			50	4800	420.5	U nicy
体理学		Horn Green	1. 150 A 1 150 A 150 A	1275	138.8	10
r akt vij		E SEANING HERE	15	1200	417.3	10
	功能能		175	26180	218.0 635.7	Alexandra Bayanda
AN HELE		EST DELL'ARTER AND	210	29260	TO THE PERSON AND THE	B. Street, and the street, and
					1	200
			125	23050	1534.1	265 265
			168	30996	1473.9 1626.1	265
			150	3630 1505 8	1465.2	100
			50	8880#	1529.8	100
		terminal transfer of the second	15	1960	1464.4	25
		North Towns	15	1960	1264.4	25
			15	1420	1364.4	25
		THE LOCAL CONTRACT OF	15	1925	1364.4	25
	Marie Carrie		190	82000	1235.7	8
14 12	i i i i i i i i i i i i i i i i i i i		210	93000	1281.3	8
			120	13360	1226.9	8
			Service South	277020		
	NAME OF STREET	2-15-72-0-147 - No-1	220	3630	1008.9	295
	74731		15	1320	747.2	25
		South Tower	15	1260	613.0	25
		HE WITH A STATE OF THE STATE OF	190	26180	1214.9	8
		1-85 Hills (1-30.155)	210	29260	635.7	8.
		Parameter ses	120	5600	991.3	8
			EL CYCHES		Printed 2.14	
			125	23050	1109.4	235
	100		220	3630	1006.1	235
	TO SHEET STATE		50	14858	958.9	75
			50	15480	1153.7	75
			50	9700	1103.4	75
	201	Horth Tower	19 T	1935	957.7	25
	医 甲烷	South Tower	15	1935	1264.2	25
		The Hotel	15	1760	981.1	25
		The REEF		1212	1102.4	25
, v , t	200	STATE OF SHEET		82000	1604.9	8
Francis (S. S.) Santon	Window	ESTATE TO FIGURE	125	93000	1266.2	8
		TAX HOURS IN		13360	988.9	8

- 4. Light emitting diodes on signs shall be oriented down towards the street, rather than up towards the sky, or signs should be provided with a method of shielding diodes so that lighting is not wasted shining into the night sky.
- 5. The proposed displays shall transition smoothly at a consistent rate of speed from the daytime brightness to the permitted nighttime brightness levels, beginning at 45 minutes prior to sunset and concluding the transition to nighttime brightness 45 minutes after sunset. Where applicable, they shall also transition smoothly at a consistent rate of speed from the permitted nighttime brightness to the permitted daytime brightness levels, beginning 45 minutes prior to sunrise and concluding the transition to daytime brightness 45 minutes after sunrise.
- 6. Operating hours for lighted Limited Animation I and Controlled Refresh I signage within Vertical Sign Zone 3 shall be limited to 7:00 a.m. to 10:00 p.m.

Section 7. APPROVED SIGNS.

This Ordinance approves and authorizes the construction, operation, and use of Approved Signs without further discretionary action, except subject to Section 6 of this Ordinance.

Section 8. GENERAL REQUIREMENTS.

A. General Requirements of the LAMC. The intent of this Ordinance is to create a Transit-Oriented Sign District with dynamic and creative signage, including Signs that are not otherwise permitted by the LAMC. Except as otherwise provided herein, LAMC Sections 28.10, 28.11, 28.15, 67.02(a) and 67.29 shall be superseded by this Ordinance. Unless otherwise specified in this Ordinance to the contrary, the general Sign requirements set forth in the LAMC shall apply to this Ordinance for permits, plans, design and construction, materials, and maintenance. For Signs in this District, the provisions of this Ordinance shall preempt the regulations in LAMC Sections 14.4.1, et seq., and 91.6201, et seq., relating to height, sign area or location. A building permit shall be obtained from LADBS in accordance with the applicable provisions of LAMC, for any signs, sign structures, and/or sign alterations, other than changes to or replacement of copy.

B. Permitted and Prohibited Signs.

- 1. **Permitted Signs.** Unless specifically prohibited by this Ordinance and notwithstanding the applicable regulations of the LAMC, Signs defined in Section 4 of this Ordinance, all Existing Signs, and Signs otherwise permitted by the LAMC shall be permitted within the District.
- 2. **Prohibited Signs.** Except as otherwise provided, Signs shall be prohibited if they:
 - a. Are digital and/or animated;

- b. Are supergraphic;
- c. Contain obscene matters, as defined in Section 311 of the Penal Code of the State of California:
- d. Contain or consist of posters, pennants, banners, ribbons, streamers or spinners, except as permitted by the LAMC;
- e. Contain flashing, mechanical and strobe lights in conflict with the provisions of LAMC Sections 80.08.4 and 93.0107;
- f. Are revolving and where all or any portion rotate at greater than six revolutions per minute;
- g. Are tacked, pasted or otherwise temporarily affixed on the walls of buildings, barns, sheds, trees, poles, posts or fences, except as permitted by the LAMC;
- h. Are affixed to any vehicle or trailer on private property if the vehicle or trailer is not intended to be otherwise used in the business and the sole purpose of attaching the sign to the vehicle or trailer is to attract people to a place of business:
- I. Emit audible sounds, odor or visible matter;
- Use human beings, live animals, animated figures, motion pictures or continuous motion in connection with any Sign;
- k. Are inflatable devices: and
- Obstruct the free operation of exterior doors, vents, rescue windows or other openings that serve occupants of buildings.
- C. General Sign Location Requirements. The following general Sign location provisions shall be in addition to the provisions set forth in Section 9 of this Ordinance.
 - 1. Location. A Sign affixed to a structure shall be deemed to be in compliance with the requirements of this Ordinance with respect to location if the Sign's location is as depicted on the Conceptual Sign Drawings in Appendices B and C, or within 10 percent of the height or width of the façade (in feet) of that location. A freestanding Sign shall be deemed to be in compliance with the requirements of this Ordinance with respect to location if that Sign's location is as depicted on the Conceptual Sign Drawings in Appendices B and C, or within 15 feet horizontally from that location.
 - Hazard Review. Signs that adhere to the regulations outlined in this Ordinance shall be exempted from the Hazard Determination review procedures in the LAMC.

3. Freeway Exposure. Signs that adhere to the regulations outlined in this Ordinance shall be exempted from the Freeway Exposure regulations in the LAMC.

D. Sign Zones.

1. Sign Zone A.

- a. Vertical Sign Zone Level 1
 - (i) Allowed Signs. All Signs which are allowed by this Ordinance limited to:
 - I. Awning Signs;
 - ii. Identification Signs;
 - iii. Illuminated Architectural Canopy Signs;
 - iv. Information Signs;
 - v. Monument Signs;
 - vi. Pole Signs;
 - vii. Projecting Signs;
 - viii. Temporary Signs;
 - ix. Temporary Signs on Temporary Construction Walls:
 - x. Wall Signs;
 - xi. Wayfinding Signs;
 - xii. Window Signs; and
 - xiii. Any other Sign and/or Sign Support Structure exceptions described in Section 6.C.2 of this Ordinance.
 - (ii) Allowed Sign Area. The Sign Zone A, Vertical Sign Zone Level 1 shall not exceed 756 square feet.
- b. Vertical Sign Zone Level 2
 - (i) Allowed Signs. All Signs which are allowed by this Ordinance not limited to:
 - i. Digital Displays;
 - ii. Identification Signs;

- iii. Information Signs;
- iv. Integral Digital Displays;
- v. Wall Signs;
- vi. Wayfinding Signs;
- vii. Window Signs; and
- viii. Any other Sign and/or Sign Support Structure exceptions described in Section 6.C.2 of this Ordinance.
- (ii) Allowed Sign Area. The Sign Zone A, Vertical Sign Zone Level 2 shall not exceed 3,747 square feet.
- c. Vertical Sign Zone Level 3
 - (i) Allowed Signs. All Signs which are allowed by this Ordinance: limited to:
 - i. Wall Signs.
 - (ii) Allowed Sign Area. The Sign Zone A, Vertical Sign Zone Level 3 shall not exceed 17,940 square feet for one sign on the north façade and 8,190 square feet for one sign on the east façade for a total of 26,130 square feet for two allowable signs.
- 2. Sign Zone B.
 - a. Vertical Sign Zone Level 1
 - (i) Allowed Signs. All Signs which are allowed by this Ordinance limited to:
 - Awning Signs;
 - ii. Identification Signs;
 - iii. Illuminated Architectural Canopy Signs;
 - iv. Information Signs;
 - v. Monument Signs;
 - vi. Pole Signs;
 - vii. Projecting Signs;
 - viii. Temporary Signs;

- ix. Temporary Signs on Temporary Construction Walls;
- x. Wall Signs;
- xi. Wayfinding Signs;
- xii. Window Signs; and
- xiii. Any other Sign and/or Sign Support Structure exceptions described in Section 6.C.2 of this Ordinance.
- (ii) The Sign Zone B, Vertical Sign Zone Level 1 shall not exceed 1,371 square feet.
- b. Vertical Sign Zone Level 2
 - (i) Allowed Signs. All Signs which are allowed by this Ordinance limited to:
 - I. Identification Signs;
 - ii. Information Signs;
 - iii. Wall Signs;
 - iv. Wayfinding Signs;
 - v. Window Signs; and
 - vi. Any other Sign and/or Sign Support Structure exceptions described in Section 6.C.2 of this Ordinance.
 - (ii) The Sign Zone B, Vertical Sign Zone Level 2 shall not exceed 4,222 square feet.
- c. Vertical Sign Zone Level 3
 - (i) Allowed Signs. All Signs which are allowed by this Ordinance limited to:
 - i. Wall Signs.
 - (ii) The Sign Zone B, Vertical Sign Zone Level 3 shall not exceed 2,926 square feet each for two signs and 1,364 square feet each for two signs for a total of 8,580 square feet for four allowable signs.
- 3. Sign Zone C.
 - a. Vertical Sign Zone Level 1

- (i) Allowed Signs. All Signs which are allowed by this Ordinance limited to:
 - i. Awning Signs;
 - ii. Identification Signs;
 - iii. Illuminated Architectural Canopy Signs;
 - iv. Information Signs;
 - v. Monument Signs;
 - vl. Pole Signs;
 - vii, Projecting Signs;
 - viii. Temporary Signs:
 - ix. Temporary Signs on Temporary Construction Walls
 - x. Wall Signs;
 - xi. Window Signs; and
 - xii. Any other Sign and/or Sign Support Structure exceptions described in Section 6.C.2 of this Ordinance.
- (ii) Allowed Sign Area. The Sign Zone C, Vertical Sign Zone Level 1 shall not exceed 749 square feet.
- b. Vertical Sign Zone Level 2 Signs Prohibited
- c. Vertical Sign Zone Level 3
 - (i) Allowed Signs. All Signs which are allowed by this Ordinance limited to:
 - i. Wall Signs.
 - (ii) Allowed Sign Area. The Sign Zone C, Vertical Sign Zone Level 3 shall not exceed 5,325 square feet for one allowable sign.
- 4. Sign Zone D.
 - a. Vertical Sign Zone Level 1
 - (i) Allowed Signs. All Signs which are allowed by this Ordinance limited to:
 - i. Awning Signs;

- ii. Identification Signs;
- iii. Illuminated Architectural Canopy Signs;
- lv. Information Signs;
- v. Monument Signs;
- vi. Pole Signs;
- vii. Projecting Signs;
- viii. Temporary Signs;
- ix. Temporary Signs on Temporary Construction Walls
- x. Wall Signs;
- xi. Window Signs; and
- xii. Any other Sign and/or Sign Support Structure exceptions described in Section 6.C.2 of this Ordinance,
- (ii) Allowed Sign Area. The Sign Zone D, Vertical Sign Zone Level 1 shall not exceed 694 square feet.
- b. Vertical Sign Zone Level 2 Signage Prohibited
- c. Vertical Sign Zone Level 3 Signage Prohibited
- 5. Sign Zone E.
 - a. Vertical Sign Zone Level 1
 - (i) Allowed Signs. All Signs which are allowed by this Ordinance limited to:
 - i. Awning Signs;
 - ii. Identification Signs;
 - iii. Illuminated Architectural Canopy Signs;
 - iv. Information Signs;
 - v. Monument Signs;
 - vi. Pole Signs;
 - vii. Projecting Signs;

- viii. Temporary Signs;
- ix. Temporary Signs on Temporary Construction Walls
- x. Wall Signs:
- xi. Window Signs: and
- xii. Any other Sign and/or Sign Support Structure exceptions described in Section 6.C.2 of this Ordinance.
- (II) Allowed Sign Area. The Sign Zone E, Vertical Sign Zone Level 1 shall not exceed 81 square feet.
- b. Vertical Sign Zone Level 2 Signage Prohibited
- c. Vertical Sign Zone Level 3 Signage Prohibited

E. Sign Area.

- 1. Total Sign Area and Temporary Sign Rights.
 - a. Total Sign Area. The Total Sign Area available for Signs in the District shall be 51,655 square feet; provided, however, that the Sign Area of the following types of Signs shall be excluded in the calculation of Total Sign Area:
 - (i) Existing Signs; and
 - (ii) Temporary Signs.
 - b. Temporary Sign Area. The combined maximum Sign Area of Temporary Signs authorized by this Ordinance shall not exceed two square feet for each foot of street frontage and the combined Sign Area of Temporary Signs, when placed upon a window, and any other Window Signs shall not exceed a maximum of ten percent of the window area.
- 2. Maximum Individual Sign Area. The Maximum Individual Sign Area shall be as set forth in Table 8-1.

Table 8-1
MAXIMUM INDIVIDUAL SIGN AREA*

Maximum individual Sign Sign Zone Sign Zone A Vertical Sign Zone Level 1 54 square feet Vertical Sign Zone Level 2 200 square feet Vertical Sign Zone Level 3 One sign at 17,940 square feet and one sign at 8,190 square feet Sign Zone B Vertical Sign Zone Level 1 198 square feet Vertical Sign Zone Level 2 54 square feet Vertical Sign Zone Level 3 Two signs at 2,926 square feet each and two signs at 1,364 square feet each Sign Zone C Vertical Sign Zone Level 1 1.60 square feet Vertical Sign Zone Level 2 Signage Prohibited One sign at 5,325 Vertical Sign Zone Level 3 square feet Sign Zone D Vertical Sign Zone Level 1 100 square feet Vertical Sign Zone Level 2 Signage Prohibited Vertical Sign Zone Level 3 Signage Prohibited Sign Zone E Vertical Sign Zone Level 1 · 54 square feet Vertical Sign Zone Level 2 Signage Prohibited Vertical Sign Zone Level 3 Signage Prohibited

^{*} Does not apply to Existing Signs or Temporary Signs.

F. Signs Within More Than One Sign Zone or Vertical Sign Level. Signs may be located in more than one Sign Zone and more than one Vertical Sign Zone Level, provided that each portion of the Sign contained in each of the Sign Zone or Vertical Sign Zone Level meets the applicable requirements of this Ordinance for that Sign Zone or Vertical Sign Zone Level. In no event shall the Sign Area of an individual Sign exceed the Maximum Individual Sign Area for the Sign Zone or Vertical Sign Zone Level in which the majority of the Sign is located. Adjustments for Identification Signs primarily located within one Vertical Sign Zone Level, and protruding by less than 10

linear feet into a second, more restrictive Vertical Sign Zone Level, may be processed to comply with the less restrictive Vertical Sign Zone Level requirements pursuant to a Project Permit Adjustment under Sections 6.D.4 and 6.D.5 of this Ordinance. Where portions of a Sign are subject to differing hours of operation or other regulations, each portion of the Sign shall be subject to the applicable regulations for the Vertical Sign Zone Level in which that portion of the Sign is located.

G. Illumination.

- 1. Generally. Signs within the District may be illuminated by either internal or external means. Methods of Sign Illumination may include electric lamps, such as neon tubes; fiber optics; incandescent lamps; LED; LCD; cathode ray tubes exposed directly to view; shielded spot lights; and wall wash fixtures.
- Regulations. Signs shall meet the following criteria with respect to illumination:
 - a. The intensity of each Sign display shall be controlled with a photocell with an adjustable set-point that measures available daylight. This set-point shall be used to control the intensity of the Sign output to either the daytime or nighttime brightness standards set forth below.
 - b. The brightness of any Sign that includes neon, neon-like, or LED elements shall be fully dimmable and controlled by a timer, which shall be maintained in good working order:
 - All illuminated Signs shall be designed, located, and/or screened so as to minimize light travel onto the exterior walls of residential units and the public right-of-way.
 - d. All light emitting diodes used within any illuminated Sign shall have a maximum horizontal beam spread of 165 degrees. The maximum or peak light output of any Sign shall be at or below horizontal.
- H. Materials. The materials, construction, application, location and installation of any Sign shall be in conformity with the Los Angeles Building Code and the Los Angeles Fire Code and shall be subject to the following requirements:
 - 1. Signs shall not use highly reflective materials such as mirrored glass.
 - 2. A Sign that is comprised of vinyl or other material may be attached to a wall with an adhesive approved by the Los Angeles Fire Department (LAFD) or by mechanical means approved by LADBS.
 - 3. Signs comprised of mylar or other film-like transparent material, such as perforated vinyl, may be applied directly to Windows using materials approved by LAFD.

- 4. All new Signs and Sign Support Structures shall be made of noncombustible materials or plastics approved by both the LAFD and LADBS. In the case of new or untested materials, the Applicant shall submit a sample of a Sign's material to both the LAFD and LADBS for approval.
- I. Visual Maintenance. All Signs shall be maintained to meet the following criteria at all times:
 - 1. The building and ground area around all Signs shall be properly maintained. All unused mounting structures, hardware, and wall perforation from any abandoned Sign shall be removed and building surfaces shall be restored to their original condition.
 - 2. All Sign copy shall be properly maintained and kept free from damage and other unsightly conditions, including graffiti.
 - 3. All Sign Support Structures shall be kept in good repair and maintained in a safe and sound condition and in conformity with all applicable codes.
 - 4. Razor wire, barbed wire, concertina wire, or other barriers preventing unauthorized access to any Sign, if any, shall be hidden from public view.
 - 5. The Sign copy must be repaired or replaced immediately upon tearing, ripping, or peeling, or when marred or damaged by graffiti,
 - No access platform, ladder, or other service appurtenance, visible from the sidewalk, street, or public right-of-way, shall be installed or attached to any Sign Support Structure.
 - 7. Signs that are no longer serving the current tenants, including Sign Support Structures, shall be removed and the building facades originally covered by the Signs shall be repaired and/or resurfaced with materials and colors that are compatible with the facades.
 - Any Sign that includes individual or corporate names as part of the building identification shall be designed so as to present internally consistent and internally proportionate Sign copy.
 - 9. Signs that include individual or corporate names shall utilize lettering size and styles which are generally uniform, in order that all words or names within the Sign are not of a significantly different scale than the rest of the Sign copy.

Section 9. STANDARDS FOR SPECIFIC TYPES OF SIGNS.

A. Awning Signs.

1. General.

a. No Sign shall be placed on any portion of an awning except the valance.

- b. The Sign lettering is limited to a maximum of 12 inches in height on the portion of the valance that is parallel to the Face of Building, only when the awning complies with all applicable provisions of LAMC Sections 91.3202 and 91.3202.3.1.
- c. Signs are not permitted on awnings with a valance above a height of 14 feet as measured from the nearest sidewalk or edge of roadway grade to the top of the valance.
- d. Have uniformly proportioned lettering that fits within 80% of the dimensions of the valance.
- e. Have no internal illumination.
- f. Be constructed of high-quality fabric, canvas, metal, or other similar materials.

B. Existing Signs.

1. General.

- a. The Existing Signs, as shown on Appendices B and C of this Ordinance, shall not be limited by this Ordinance, unless the Existing Signs are substantially remodeled or replaced.
- b. The Existing Signs may incorporate other types of Sign elements allowed by this Ordinance and shall be subject to Section 6 of this Ordinance.

C. Identification Signs.

- 1. General. An Identification Sign may take the form of any type of Sign permitted by this Ordinance.
- 2. Sign Area. The Sign Area of individual Signs may vary in size from the Sign Areas listed in Appendix A of this Ordinance.

3. Location.

- a. Identification Signs may be located in all Sign Zones unless restricted by regulations in this Ordinance applicable to the particular type of Sign.
- b. Identification Signs are permitted to break the plane of a roof. Any portion of an Identification Sign that reaches above the plane of a roof shall consist of freestanding letters or characters that are not applied or attached to any background structure, building, or material, except as necessary for support.

D. Illuminated Architectural Canopy Signs

- 1. General. An Illuminated Architectural Canopy Sign may take the form of any type of Sign permitted by this Ordinance, except that Illuminated Architectural Canopy Signs shall:
 - Be constructed of omate ironwork, other metals, or decorative, solid and durable materials that comply with the City of Los Angeles's Building Code.
 - b. Have three sign faces, one parallel and two perpendicular to the associated street frontage
 - c. Have sign faces designed in a complementary manner with the same design.
 - d. Not be constructed of plastic, vinyl, fabric, or other nonstructural materials.
 - e. Not have changeable letters and symbols, such as those found on a marquee.
 - f. Be placed on a fully enclosed architectural canopy, with a decorative treatment on the bottom surface so as to shield from view any support mechanisms, wiring, and structures.
 - g. Be placed on a structure that is above a primary building entrance, and shall be scaled to the horizontal width of that entrance.

2. Area.

- a. The area of Illuminated Architectural Canopy Signs shall not exceed two square feet for each foot of street frontage, plus one square foot for each foot of Building Frontage along the same street.
- b. In applying Sign Area limits, only the area occupied by the message of the Illuminated Architectural Canopy Signs will be used.
- c. The combined Sign Area of Illuminated Architectural Canopy Signs and Wall Signs facing the same direction shall not exceed two square feet for each foot of street frontage, plus one square foot for each foot of Building Frontage along the same street.
- d. The combined Sign Area of Illuminated Architectural Canopy Signs, Projecting Signs, Monument Signs, Wall Signs, Pole Signs and Window Signs shall not exceed four square feet for each foot of street frontage on which the signs are located.
- 3. **Height.** An Illuminated Architectural Canopy Sign shall not extend above the top of the wall of a building.

- 4. Clearance. Illuminated Architectural Canopy Signs shall have a minimum clearance of eight feet above the sidewalk grade or edge of roadway grade nearest the Sign and shall not be located closer than two feet from the curb of any roadway, as measured horizontally.
- 5. Emergency Personnel Access. Illuminated Architectural Canopy Signs shall not occupy a four-foot distance along the exterior wall at one corner of the building's street frontage and an additional four-foot distance along every 50 feet of the Building Frontage.
- 6. Illumination. The Sign shall be internally illuminated so as to illuminate the canopy and the exterior wall below. The Sign shall bear the electric sign label of an approved testing agency with a re-inspection service.
- Projections. Illuminated Architectural Canopy Signs may project over a building line. However, in no event may an Illuminated Architectural Canopy Sign project more than three feet from the Face of the Building.

E. Information Signs

- 1. General. An Information Sign may take the form of any type of Sign permitted by this Ordinance.
- 2. Area. Information Signs shall not exceed 25 square feet in area.
- 3. Location. Identification Signs may be located in all Sign Zones unless restricted by regulations in this Ordinance applicable to the particular type of Sign.
- 4. **Height.** Information Signs shall be limited to a maximum overall height of 6 feet 6 inches above the sidewalk grade or edge of roadway grade nearest the Sign.

F. Monument Signs.

1. **General.** A Monument Sign may take the form of any type of Sign permitted by this Ordinance.

2. Area.

- a. The sign area of Monument Signs shall not exceed 1.5 square feet per foot of street frontage nor a maximum of 75 square feet for the Sign Face visible to the same direction of traffic.
- b. The combined sign area of Monument Signs, Projecting Signs, Wall Signs, Illuminated Architectural Canopy Signs, Pole Signs and Window Signs shall not exceed four square feet for each foot of street frontage on which the signs are located.

- 3. Height. Monument signs shall be limited to a maximum overall height of 8 feet above sidewalk grade or edge of roadway grade nearest the sign.
- 4. Location. Monument Signs shall be located at least 7.5 feet from interior lot lines and at least 15 feet from any other Monument Sign, Projecting Sign or Pole Sign. The location of Monument Signs shall not interfere or present a hazard to pedestrian or vehicular traffic.
- 5. Shape. Monument Signs shall have a horizontal dimension equal to or greater than their vertical dimension.
- 6. Projection. Monument Signs shall not project over the roof of a building or over the building line.

G. Pole Signs

1. General.

- a. A Pole Sign may take the form of any type of Sign permitted by this Ordinance.
- b. Pole Signs shall not be permitted on that portion of a lot having less than 50 feet of street frontage. Lots having a street frontage of at least 50 feet may have a Pole Sign for each 200 feet or fraction of that area of street frontage, if the street frontage does not contain an existing Pole Sign or Projecting Sign.

2. Area.

- a. Sign Area visible to the same direction of traffic shall not exceed two square feet for each foot of street frontage, plus one square foot for each foot of Building Frontage along the same street.
- b. The maximum area of any one Pole Sign shall not exceed 400 square feet.
- c. Any Pole Sign that is located at the street corner of a corner lot may use. the greater street frontage for area limitations.
- d. The combined Sign Area of Pole Signs, Projecting Signs, Monument Signs, Illuminated Architectural Canopy Signs, Wall Signs and Window Signs shall not exceed four square feet for each foot of street frontage.

3. Height.

- a. Height shall be measured from the nearest sidewalk or edge of roadway grade to the top of the Sign. The overall height limitation shall be determined by street frontage as follows:
 - (i) 25 feet for lots having 50 feet of street frontage;

- (ii) 35 feet for lots having more than 50 feet and less than 100 feet of street frontage; and
- (iii) 42 feet for lots having at least 100 feet of street frontage.
- b. Any Pole Sign that is located at the street corner of a corner lot may use the greater street frontage for determining height limitation. In no event shall a Sign exceed the height specified for the height district in which the sign is located.

4. Location.

- a. Pole Signs shall be located at least ten feet from Interior lot lines; however, on corner lots and flag lots, Pole Signs may be located five feet from Interior lot lines.
- A Pole Sign shall be located at least 15 feet from any other Pole Sign, Projecting Sign or Monument Sign.
- c. Pole Signs shall be located so as not to interfere or present a hazard to pedestrian or vehicular traffic.
- d. Where the lower part of a Pole Sign is less than eight feet above sidewalk grade or the edge of roadway grade nearest the Sign, the Sign shall extend to grade or shall be installed in a planter that extends beyond the edges of the Sign and Sign Support Structure and that is a minimum of 18 inches in height.
- 5. Projections. A Pole Sign may project over a building line, but shall not extend beyond the limits shown in Appendix D. Sign projections shall fall within an area that is perpendicular to the building line and has a width of three feet as measured parallel to the building line.
- 6. Other Requirements. A maximum of two poles shall be permitted for any Pole Sign. The maximum cross-sectional dimension of a pole shall not exceed ten percent of the overall height of the Sign.

H. Projecting Signs.

1. General.

- a. A Projecting Sign may take the form of any type of Sign permitted by this Ordinance.
- b. Projecting Signs shall not be permitted on that portion of a lot having less than 50 feet of street frontage. Lots having a street frontage of at least 50 feet may have a Projecting Sign for each 200 feet or fraction of that area of street frontage, if the street frontage does not contain an existing Projecting Sign or a Pole Sign.

2. Area.

- a. The sign area of Projecting Signs visible to the same direction of traffic shall not exceed 25 square feet plus 1.5 square feet for each foot of street frontage up to a maximum sign area of 300 square feet. Any Projecting Sign located at the street corner of a corner lot may use the greater street frontage in computing area limitations.
- b. The combined sign area of Projecting Signs, Wall Signs, Monument Signs, Illuminated Architectural Canopy Signs, Pole Signs and Window Signs shall not exceed four square feet for each foot of street frontage.

3. Height.

a. A Projecting Sign shall not be located lower than eight feet above sidewalk grade or edge of roadway grade nearest the sign and shall not extend above the top of the wall.

4. Location.

- a. A Projecting Sign shall be located at least 7.5 feet from any interior lot line.
- b. A Projecting Sign shall be located at least 15 feet from any other Projecting Sign, Monument Sign or Pole Sign.
- c. The plane of the Sign Face of a Projecting Sign shall be within 15 degrees of being perpendicular to the face of the building, except at the corner of the building.

5. Projections.

- a. A Projecting Sign may project over the building line, but shall not extend beyond the limits shown in Appendix D of this Ordinance. Sign projections shall fall within an area that is perpendicular to the building line and has a width of three feet as measured parallel with the building line. In no event, may a Projecting Sign project more than eight feet from the Face of Building.
- b. For Projecting Signs located above a 16-foot height and on a lot having a street frontage greater than 50 feet, projections over the building line may vary linearly from five feet at 50 feet to eight feet at 100 feet of street frontage.

I. Temporary Signs.

- 1. **General.** No Temporary Sign shall also be an off-site sign, except for temporary signs on temporary construction walls.
- 2. **Permit Required.** Notwithstanding any other provision of this Ordinance, a building permit shall be required for a temporary sign, pennant, banner.

ribbon, streamer or spinner. The permit application shall specify the dates being requested for authorized installation and the proposed location.

EXCEPTION: No building permit shall be required for a temporary sign, pennant, banner, ribbon streamer or spinner of less than 20 square feet of sign area that contains a political, ideological or other noncommercial message.

3. Area.

- Temporary Signs shall not be included in the calculation of Sign Zone Area or Total Sign Area.
- b. The combined sign area of Temporary Signs shall not exceed two square feet for each foot of street frontage:
- c. The combined sign area of Temporary Signs, when placed upon a window and any other Window Signs shall not exceed a maximum of ten percent of the window area.
- 4. Time Limit. Temporary Signs shall be removed within 30 days of installation and shall not be reinstalled for a period of 30 days from the date of removal of the previous sign. The installation of temporary signs shall not exceed a total of 90 days in any calendar year.

EXCEPTION: Temporary signs that do not require a building permit may be installed for a period of greater than 30 days, provided that such signs shall not exceed a total of 90 days in any calendar year.

5. Location.

- a. Temporary Signs may be located in all Sign Zones.
- b. Temporary Signs may be tacked, pasted or otherwise temporarily affixed to windows, on the walls of buildings or fences.

6. Construction.

a. Temporary Signs may contain or consist of posters, pennants, ribbons, streamers or spinners. Temporary Signs may be made of paper or any other material. If the Temporary Sign is made of cloth, it shall be flame retardant when the aggregate area exceeds 100 square feet. Every Temporary Sign shall be supported and attached with stranded cable of 1/16-inch minimum diameter or by other methods as approved by LADBS.

J. Temporary Signs On Temporary Construction Walls

1. Permit Required. A building permit shall be required for a Temporary Sign on a Temporary Construction Wall. Temporary Signs on Temporary Construction Walls shall comply with the construction requirements of the LAMC. For

purposes of this section, the term "applicant" shall mean the owner of the sign company or, if there is no sign company, the owner of the property.

- 2. Area. Signs placed on Temporary Construction Walls or solid wood fences surrounding vacant lots pursuant to the terms of this Ordinance shall not extend above the top of the wall or fence and shall comply with the following:
 - a. The combined Sign Area of Temporary Signs shall not exceed eight square feet for each foot of street frontage.
 - b. Individual signs shall not exceed a sign area of 250 square feet.
 - c. Signs may be grouped to form a maximum sign area of 250 square feet.
 - d. Signs or groups of signs having an area of 250 square feet shall be separated from any other sign on the temporary construction walls or solid wood fences surrounding vacant lots by at least ten feet measured horizontally.
- 3. Time Limit. Signs placed on Temporary Construction Walls or solid wood fences surrounding vacant lots pursuant to the terms of this Ordinance shall be allowed to remain for as long as the building permits associated with the construction site remain in effect or for a period of two years, whichever is less. Signs on solid wood fences surrounding vacant lots, which are not construction sites, shall remain for a time period not to exceed one year.

4. Height.

a. Signs may only be placed to a maximum height of eight feet.

5. Location.

a. Temporary Signs placed on the exterior surfaces of any Temporary Construction Walls or solid wood fences surrounding vacant lots are limited to lots located in the C, M or RAS zones.

K. Wall Signs.

1. **General.** Wall Signs may take the form of any type of Sign permitted by this Ordinance.

2. Area.

a. The total Sign Area of Wall Signs facing a street shall not exceed two square feet for each foot of street frontage, plus one square foot for each foot of Building Frontage for a single-story building, except that any Approved Sign that is deemed a Wall Sign may be limited to the Sign Area identified in Appendix A.

- b. The combined Sign Area of Illuminated Architectural Canopy Signs and Wall Signs facing the same direction shall not exceed two square feet for each foot of street frontage, plus one square foot for each foot of building frontage along the same street.
- c. The combined Sign Area of Wall Signs, Projecting Signs, Monument Signs, Illuminated Architectural Canopy Signs, Pole Signs and Window Signs shall not exceed four square feet for each foot of street frontage on which the signs are located;
- 3. Height. A Wall Sign may extend above the top of the wall of the building.

4. Location.

- a. No wall sign shall be located on a wall that faces and is within five feet of an interior lot line.
- No wall sign shall be placed over the exterior surface of any opening of a building, including its windows, doors, and vents.

5. Projection.

- a. No Wall Sign shall have a projection over any public street, other public property or building line greater than that permitted in Appendix D of this Ordinance.
- b. No Wall Sign shall project more than 24 inches from the Face of Building. If any message is placed on the edge of a Wall Sign, then that portion of the Wall Sign shall be regulated as a Projecting Sign.

L. Window Signs.

- 1. General. Window Signs may take the form of any type of Sign permitted by this Ordinance, except that Window Signs shall:
 - a. Utilize a transparent background when comprised of individual letters.
 - b. Not be internally illuminated.

2. Area.

- a. The total area of all Window Signs shall not exceed ten percent of the area of the window.
- b. The combined Sign Area of Wall Signs, Projecting Signs, Monument Signs, Illuminated Architectural Canopy Signs, Pole Signs and Window Signs shall not exceed four square feet for each foot of street frontage on which the signs are located.

Section 10. INTERPRETATION.

Whenever any ambiguity or uncertainty exists related to this Ordinance or the application of this Ordinance so that it is difficult to determine the precise application of these provisions, the Director shall, upon application by an Owner, operator or lessee, issue written interpretations on the requirements of this Ordinance consistent with the purpose and intent of this Ordinance. A request for an interpretation shall be filed pursuant to Section 11.5.7.H (Interpretations of Specific Plans).

Section 11. SEVERABILITY.

If any provision of this Ordinance or its application to any person or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the invalidity shall not affect other provisions, clauses or applications of said Ordinance, which can be implemented without the invalid provision, clause or application, and to this end, the provisions and clauses of this Ordinance are declared to be severable.

Section 12.

The City Clerk shall certify to the passage of this Ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

DECLARATION OF POSTING ORDINANCE

I, [], state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. [] — Establishing The Reef Transif-Orlented Sign District pursuant to the provisions of Section 13.11 of the Los Angeles Municipal Code — a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on []; 2016, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on [], 2016 I posted a true copy of said ordinance at each of the three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Copies of said ordinance were posted conspicuously beginning on [], 2016 and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this []th day of [] 2016 at Los Angeles, California.

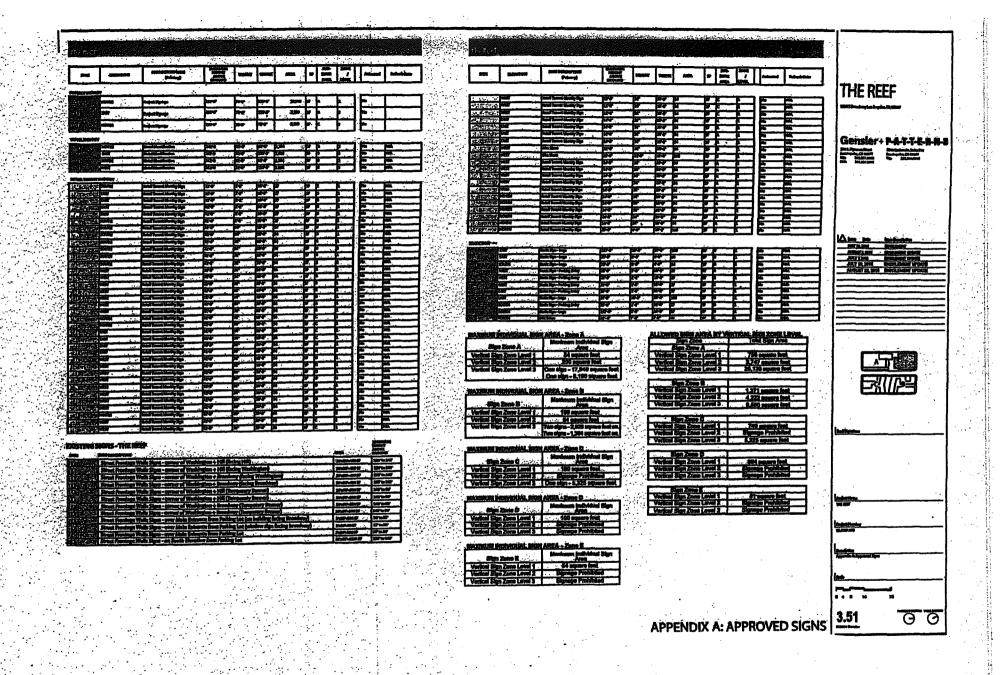
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], Deputy	City Clerk		
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Ordinance Effective Date: [], 2016

Council File No. []

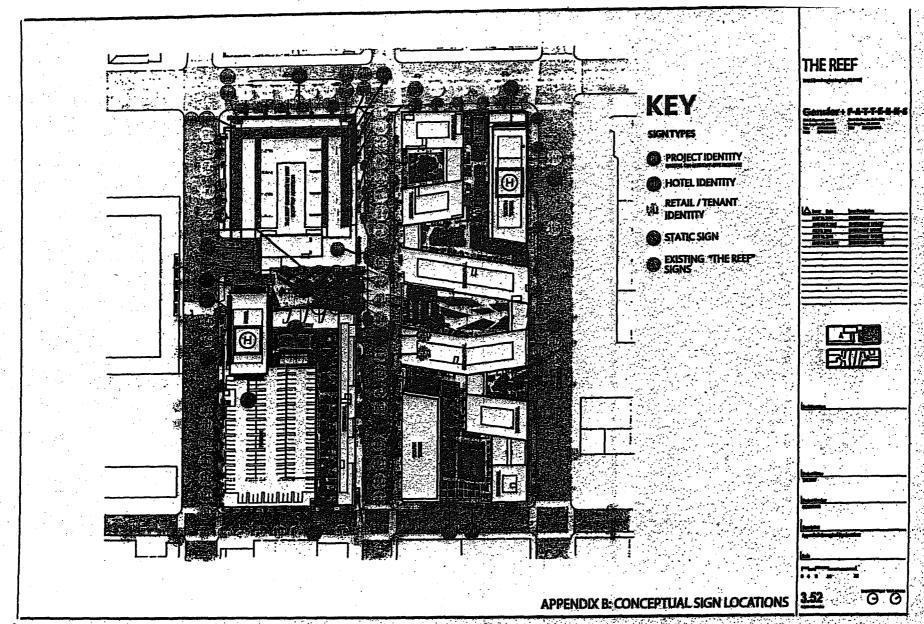
APPENDIX A APPROVED SIGNS

[Appendix A follows this page.]



APPENDIX B CONCEPTUAL SIGN LOCATIONS

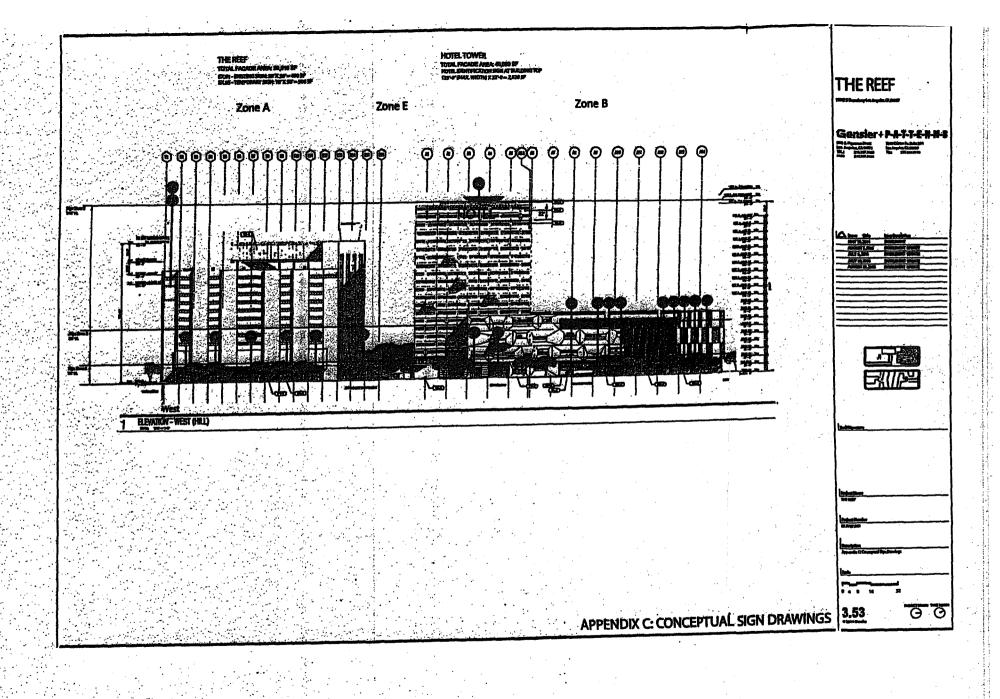
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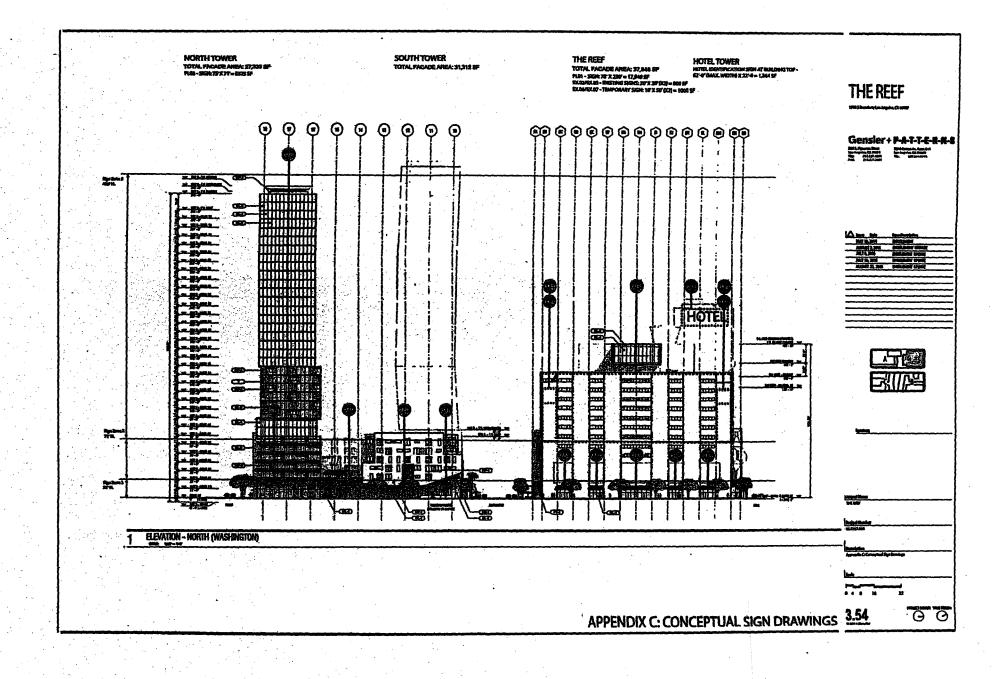


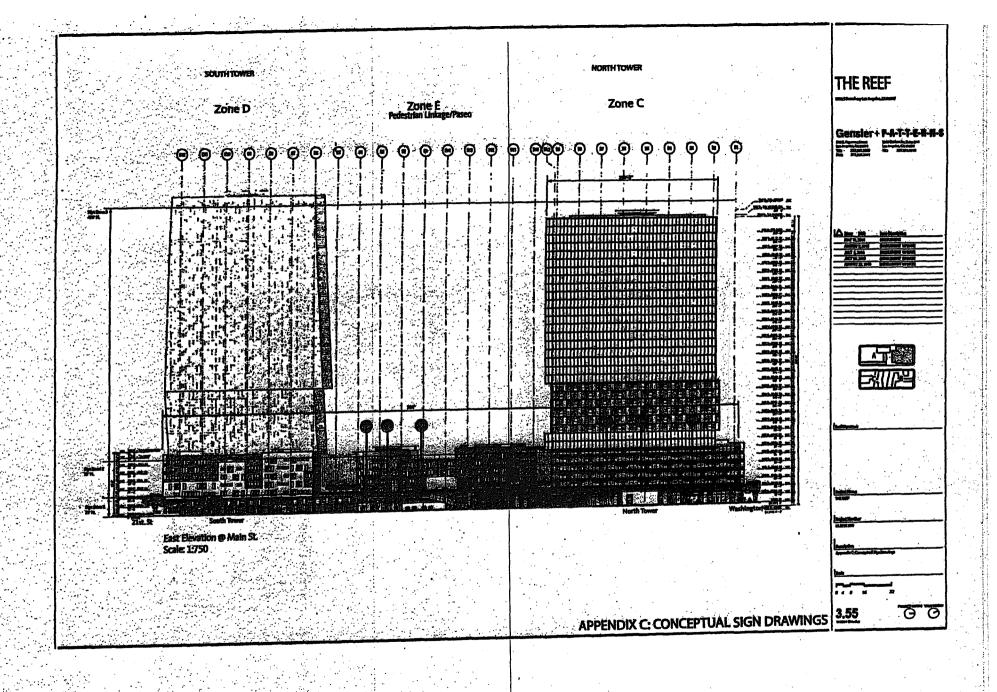
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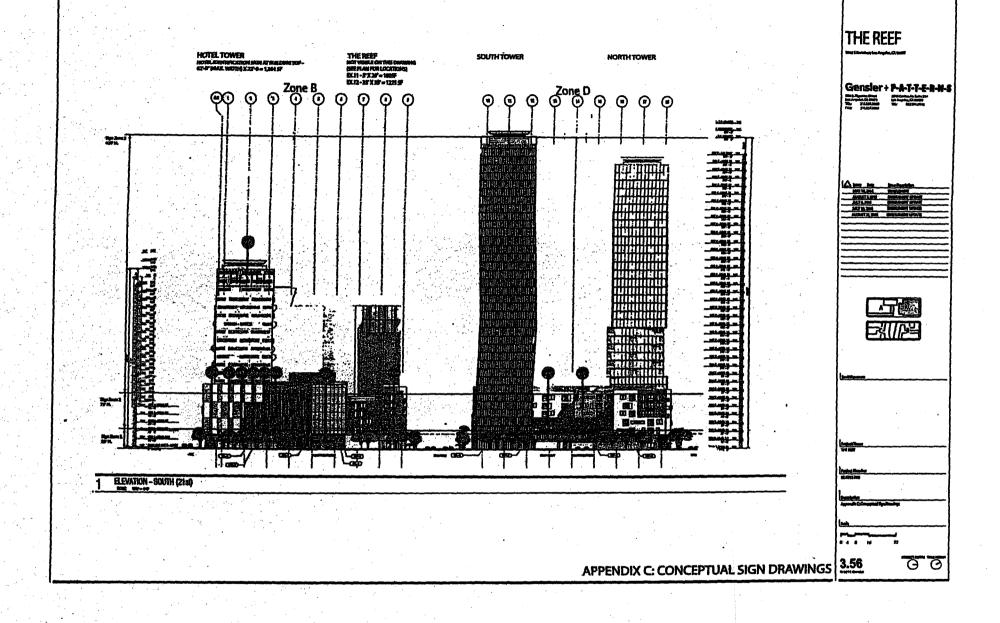
APPENDIX C CONCEPTUAL SIGN DRAWINGS

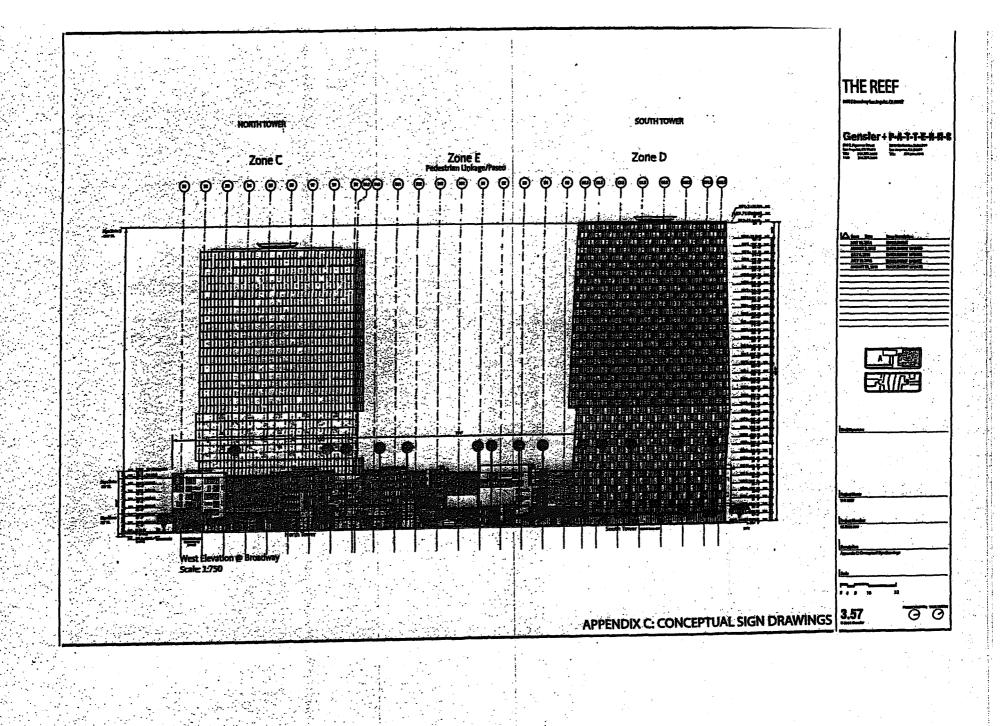
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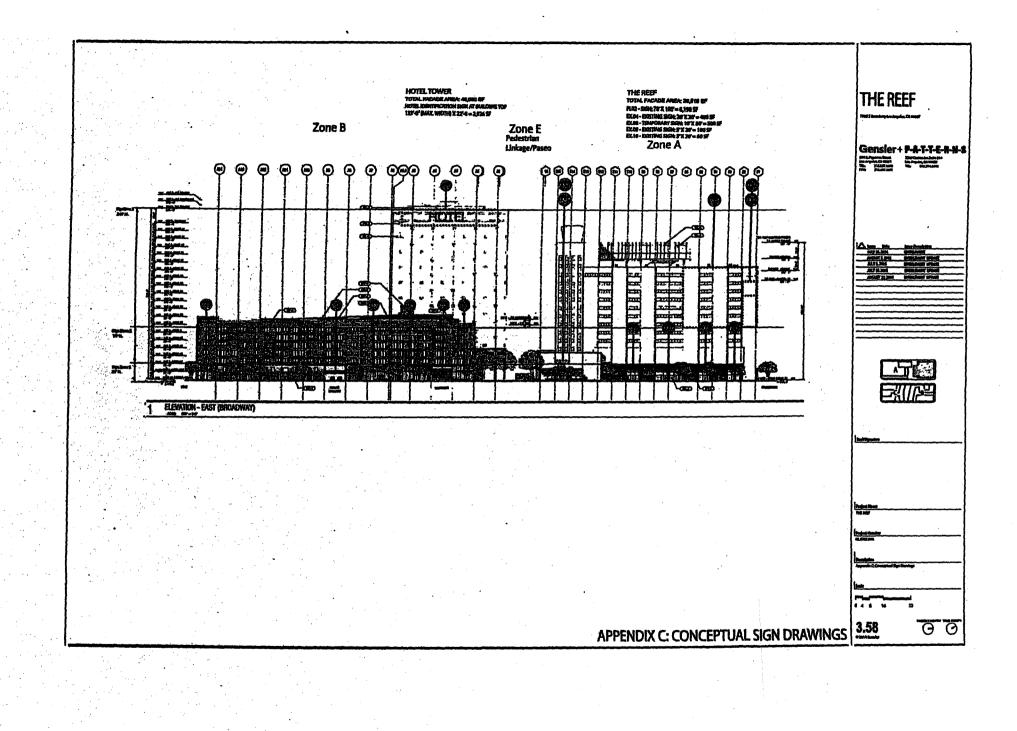












APPENDIX D PROJECTIONS DIAGRAM

[Appendix D follows this page.]

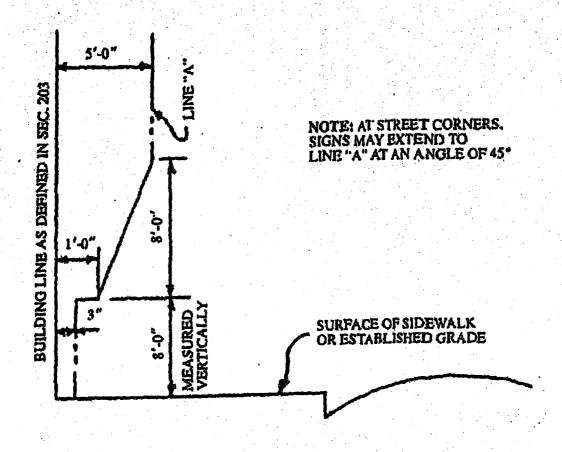


Exhibit C

EXHIBIT A

APPEAL OF VESTING TENTATIVE TRACT MAP NO. VTT-72914

I. INTRODUCTION

On July 6, 2016, the Advisory Agency of the Department of City Planning approved Vesting Tentative Tract Map No. VTT-72914; certified Final Environmental Impact Report No. ENV-2014-1773-EIR ("FEIR"); and adopted the Mitigation Monitoring Program, the required Findings for the adoption of the EIR, and a statement of Overriding Considerations. United Neighbors In Defense Against Displacement ("UNIDAD") filed a timely appeal of that decision to the Los Angeles City Planning Commission (the "Planning Commission"). On August 11, 2016, the Planning Commission confirmed the Advisory Agency's certification of the FEIR and adoption of Mitigation Monitoring Program and Statement of Overriding Considerations; denied in part and granted in part the appeals of the Vesting Tentative Tract Map No. VTT-72914; and adopted Findings and Conditions ("Planning Commission action"). UNIDAD herein appeals the Planning Commission action to the Los Angeles City Council, as set forth below.

The project site is located at 1900-1933 Broadway; 104-122, 132-150 Washington Blvd.; 1900-1912 Hill Street; and 1905-2009 Main Street. Vesting Tentative Tract Map No. VTT-72914 (the "VTTM") would permit the merger and subdivision of the 9.7 acre site into four ground lots and 76 airspace lots, allowing for 1,444 residential apartments and condominiums, 96,670 square feet of retail/commercial use, and a 208 key hotel (the "Project"). Currently, the project site is zoned M1-2-O, and has a General Plan land use designation of "Limited Manufacturing." The M1 zone does not permit the uses proposed for the Project. As a result, the Applicant seeks to change the zone to (T)(Q)C2-2-O-SN. The "Limited Manufacturing" land use designation does not permit the uses proposed for the Project either. As a result, the Applicant also seeks a General Plan amendment to change the General Plan use designation to "Community Commercial." However, the "Community Commercial" use designation does not permit the density proposed for the Project. As a result, the Applicant seeks another General Plan amendment to allow the Project to be built at Height District 2. The Applicant is seeking many additional discretionary land use entitlements.

As set forth below, UNIDAD appeals the Planning Commission action because the Findings and conclusions contained therein are not supported by substantial evidence. UNIDAD is a coalition of tenants, homeowners, workers, business owners, students, teachers, healthcare providers and advocates, faith congregations, and community-based organizations who work together to create a healthy and strong South Los Angeles community by ensuring that the interests of low-income communities, especially low-income communities of color, are represented in the decisions and processes that drive development in South Los Angeles. UNIDAD appeals the Planning Commission action because its members will be adversely affected by the Project, as proposed.

¹ Determination Letter attached as Exhibit B.

II. CITY PLANNING COMMISSION AFFORDABLE HOUSING RECOMMENDATIONS

The Applicant has consistently proposed to construct 549 market rate rental units, 895 market rate condominium units, and *zero* affordable units on a site that is less than a quarter mile from a major transit stop. At its August 11, 2016 hearing, the Planning Commission recommended a new Development Agreement term that would provide for "five (5) percent of the approved number of rental dwelling units to be reserved for Low Income Households." This is a welcomed improvement from the Applicant's proposal of zero affordable units and a step in the right direction. But with 549 proposed rental units, the Planning Commission recommendation amounts to just 28 units of affordable housing – or 1.9% of the total units in the project. Moreover, because the Planning Commission's recommendation is tethered to the number of rental units, and not a percentage of the total, the number of affordable units could actually decrease even further if the rental-to-condo ratio changes.

III. GROUNDS FOR APPEAL

The Advisory Agency erred and abused its discretion in approving the VTTM. The Planning Commission erred and abused its discretion in denying UNIDAD's appeal of the Advisory Agency's approval and approving the VTTM, as set forth below.

(a) SUBDIVISION MAP ACT FINDINGS ARE NOT SUPPORTED BY SUBSTANTIAL EVIDENCE

i. Consistency with Applicable General and Specific Plans

The California Subdivision Map Act prohibits a city from approving a tentative tract map unless it is consistent with the city's general plan.³ As described below, the Findings regarding consistency with the General Plan are unsupported and inaccurate.

The Planning Commission finds that the Project is consistent with Southeast Los Angeles Community Plan ("SELA CP") Objective No.1-2, which calls for the reduction of vehicular trips. However, the Project cannot be found to comply with this Objective because it will actually generate hundreds of additional daily vehicle trips. To truly reduce vehicle trips consistent with Objective No. 1-2, the Project should include adequate on-site affordable housing. In California, higher income households own twice as many vehicles and drive twice as many miles as extremely low-income households living near transit. Siting affordable housing near transit is a "powerful and durable GHG reduction strategy." Without sufficient affordable

² Los Angeles City Planning Commission, Letter of Determination for Case No. CPC-2014-1772-DA, 8.

³ Government Code § 66474(a)-(b).

⁴ Los Angeles City Planning Commission, Letter of Determination for Case No. VTT-72914-1A (hereafter, "VTT Determination"), 106.

⁵ See Reef Project DEIR, section IV.N Transportation at IV.N-22, (September 2015).

⁶ See California Housing Partnership Strategy & Transform, Why Creating and Preserving Affordable Homes Near Transit Is a Highly Effective Climate Protection Strategy, 3, 2014.

housing, the Project misses a valuable opportunity to reduce vehicle trips and is inconsistent with SELA CP Objective No. 1-2.

The Planning Commission finds the Project is consistent with the General Plan by selectively discussing just six objectives contained in the SELA CP, ⁷ but fails to acknowledge or evaluate the Project's inconsistency with numerous other relevant and applicable policies and programs in the current SELA CP. The Project is in fact inconsistent with Policy 11-2.3 of the SELA CP ("maximize opportunities for affordable housing and pedestrian access adjacent to rail stations."), Policy 1-5.2 of the SELA CP ("ensure that new housing opportunities minimize displacement of the residents"), and Policy 2-1.4 of the SELA CP ("Ensure the viability of existing neighborhood stores (i.e., mom-and-pop) which support the needs of local residents and are compatible with the neighborhood."). The Findings fail entirely to analyze the Project's consistency with these and many other relevant, specific SELA policies. Without any such analysis, a finding of consistency with the General Plan cannot be made.

Specific policies such as SELA CP Policy 11-2.3 are fundamental, mandatory, and clear. Even if the Project is partially consistent with broad General Plan objectives, consistency with broad objectives cannot overcome a project's inconsistency with a general plan's more specific, mandatory and fundamental policies.

Further, the Subdivision Map Act requires consistency with applicable objectives, policies and programs in the *entire* General Plan – not just the land use element. The Planning Commission Findings fail entirely to analyze consistency with, and improperly omit, any findings of consistency with regard to other General Plan policies. In fact, the Project is inconsistent with a number of other important General Plan policies and objectives, including those inconsistencies described below, and those inconsistencies described in the July 15, 2016 UNIDAD Appeal of VTT-72914 to the Planning Commission (Exhibit C); the August 8, 2016 Comment Letter to the Planning Commission; (Exhibit D); the June 20, 2016 UNIDAD Comment Letter (Exhibit E); the November 2, 2015 Public Counsel DEIR Comment Letter (Exhibit F); the November 2, 2015 UNIDAD DEIR Comment Letter (Exhibit G), and the August 10, 2016 UNIDAD FEIR Comment Letter (Exhibit H), each incorporated herein by reference.

Whether the Project includes zero affordable housing as proposed by the Applicant, or 1.9% affordable housing as recommended by the Planning Commission, it is clearly inconsistent with a number of General Plan policies relating to the integrity of existing land use incentives. Well-established state and local General Plan policies dictate that increases in the building footprint should correspond with the provision of certain minimum percentages of on-site affordable housing. The State Density Bonus law, the City's Density Bonus ordinance, the

⁷ VTT Determination, 106-108.

⁸ See Government Code §66473.5 ("A proposed subdivision shall be consistent with a general plan or a specific plan only if the local agency has officially adopted such a plan and the proposed subdivision or land use is compatible with the objectives, policies, general land uses, and programs specified in such a plan."). See also Friends of "Bs" St. v. City of Hayward, 106 Cal. App. 3d 988, 998 (1980) ("City approval of a proposed subdivision, construction of public improvements, and private sale of subdivided lots may be enjoined for lack of consistency of the subdivision map with the general plan. Such consistency is expressly required by Government Code § 66473.5. [City] was required to adopt all mandatory elements specified in Government Code § 65302, and was required to conform [projects] to its general plan.")

Downtown Housing Incentive floor area bonus, the Draft Southeast LA Community Plan and numerous other local programs are all predicated on aligning density increases with on-site affordable housing. The General Plan plainly calls on the City to strengthen affordable housing incentive programs and avoid undermining the density bonus. State law requires the same. 10

Because current zoning does not allow residential use on the site, the Applicant is seeking a zone change and a General Plan amendment to change the use designation from "Limited Manufacturing" to "Community Commercial." But the General Plan limits the "Community Commercial" zone to a floor-area-ratio (FAR) of 1.5:1 for this site. So the Applicant seeks another amendment to exempt the Project from the density limits of Community Plan Footnote 1 and instead allow Height District 2 and 6:1 FAR on the site. The first part of the General Plan amendment would allow residential use where none was previously allowed. The second part would create a 400% increase in allowable residential density (from 1.5 FAR to 6 FAR). In other words, the Applicant seeks a General Plan amendment to effectuate a site-specific density increase. Under state and local density bonus law, to achieve a density increase of 35% or greater, the Project would need to provide at least 11% Very Low Income units or 20% Low Income units. It

Here, the Applicant proposes to bypass these requirements under the guise of a zone change and General Plan amendment. The Applicant proposes zero on-site affordable housing, while the Planning Commission recommends just 1.9% affordable housing. In either case, the Project would enjoy the maximum benefits of the density bonus law without meeting even the minimum requirements to qualify. This is the very definition of undermining the density bonus. It is entirely inconsistent with the General Plan, and further, represents a failure to implement these mandatory Programs of the Housing Element.

Providing zero or 1.9% affordable housing in a project that is located less than ¼ mile from a major transit stop is inconsistent with a number of other General Plan policies and

⁹ See, General Plan Housing Element Program 73 ("When building envelopes are increased, take care not to undermine the density bonus program. Aim to attach community benefits, including affordable housing, to significant bonuses in floor area and density."); General Plan Housing Element Program 99 ("Explore ways to improve affordable housing production under the [Downtown Affordable Housing Bonus] program..."); General Plan Housing Element Program 101 ("Take care to not undermine the density bonus program by providing significant land-use incentives without an affordable housing provision..."); General Plan Framework Element Policy 4.1.6 ("Create incentives and give priorities in permit processing for low- and very-low income housing developments throughout the City."); General Plan Framework Element Policy 4.2.1 ("Offer incentives to include housing for very low- and low-income households in mixed-use developments.").

¹⁰ California Government Code § 65917-("a locality shall not offer a density bonus or any other incentive that would undermine the intent of [state density bonus law].").

¹¹ See Cal. Gov. Code § 55915 (f) ("the amount of density bonus to which the applicant is entitled shall vary according to the amount by which the percentage of affordable housing units exceeds the percentages established in subdivision (b)." (emphasis added)); Los Angeles Municipal Code §12.22A25 (c)(1). Under the Downtown Housing Incentive Area floor area bonus, the Reef would need to provide 5% of units for Very Low Income Households, and either 10% for Low Income Households or 15% for Moderate Income Households. LAMC 12.22 A29.

¹² The Planning Department claims that the "project does not propose to use the density bonus." (Department of City Planning, Appeal Recommendation Report for Case No. VTT-72914-1A, B-4). State law defines a "density bonus" as any "density increase over the otherwise maximum allowable residential density as of the date of the application." (Cal. Gov. Code § 65915(f)).

programs that highlight the importance of creating meaningful new affordable housing, especially in developments located near transit. 13 In conflict with Housing Element Policy 2.5.1 (and a number of other policies in the Housing Element), ¹⁴ the Project would be provided with enormous residential density increases without providing even the minimal percentages of affordable housing required by state density bonus law.

As proposed, the Project threatens to add to the daunting displacement pressures experienced by lower income, rent burdened households. According to the Reef Project Health Impact Study, over 40,000 people have a moderate to very high risk for financial strain and/or displacement as a result of the Project's impacts on housing prices in the surrounding area.¹⁵ Within the South Central community that would be impacted by the Project, thousands of households are already rent burdened, and a large number of subsidized affordable housing units are at risk of converting to market rate in the near future. 16 The Health Impact Study also highlights the potential for this Project to contribute to disruption and destabilization for small local businesses. ¹⁷ Unmitigated, these displacement and community destabilization risks cause the Project to conflict with numerous General Plan policies, ¹⁸ and clearly implicate the public health considerations outlined in the City's new Plan for a Healthy LA.

Obscuring the fact that the Project needs over a dozen discretionary land use entitlements. the Findings merely state that "[t]he proposed General Plan designation will be consistent with the proposed zone upon approval of Case No. CPC-2014-1771-GPA-VZC-SN-VCU-MCUP-CUX-ZV-SPR-MSC."²⁰ This circular logic presumes a laundry list of discretionary approvals and it fails to present evidence that such approvals are permitted by the City Charter or otherwise allowed by law.

In sum, because the Findings fail to adequately evaluate consistency with the Community Plan, fail entirely to evaluate consistency with other General Plan policies and programs, and

¹³ See. General Plan Housing Element Policy 1.1.2 ("Expand affordable rental housing for all income groups that need assistance."); General Plan Housing Element Policy 2.5.1 ("Target housing resources, policies and incentives to include affordable housing in residential development, particularly in mixed use development. Transit Oriented Districts and designated Centers."); General Plan Housing Element Policy 2.5.2 ("Foster the development of new affordable housing units citywide and within each Community Plan Area."); General Plan Housing Element Program 8 ("Explore the feasibility and appropriateness of creating affordable housing requirements for projects that receive benefits from the City, including projects that receive City subsidies or City land, projects receiving zone changes that result in significantly more units than otherwise permitted, as well as projects that obtain a Development Agreement.").

¹⁴ See, e.g., supra note 13.

¹⁵ Human Impact Partners, Assessing Health and Equity Impacts of the Proposed Reef Development Project in South Central Los Angeles, 19-20 (October, 2015) (hereafter, "Reef Project Health Impact Study"). Available at http://www.humanimpact.org/news/reefdevelopmentproject/

¹⁶ *Id*. ¹⁷ *Id*.

¹⁸ See, e.g., Southeast LA Community Plan Policy 1-5.2; Southeast LA Community Plan Policy 2-1.4; General Plan Housing Element Objective 1.2; General Plan Housing Element Policy 1.2.2; General Plan Housing Element Policy

¹⁹ See, General Plan Health Element Policy 1.7 Displacement and Health ("major revitalization efforts that have the potential to cause displacement should be evaluated and mitigated."); General Plan Health Element Program 86 Displacement.

²⁰ VTT Determination, 105.

because the Project is in fact inconsistent with many other General Plan policies and programs, the Findings are unsupported, and the decision to approve the VTTM constitutes an abuse of discretion.

ii. Physical Suitability of the Site for the Proposed Type and Density of Development

The Subdivision Map Act requires a city to deny approval of a tentative map where the site is not physically suitable for the type or density of development.²¹ As described below, the Findings and conclusions regarding the Project site's suitability for the proposed type and density of development are entirely unsupported.

The Planning Commission finds that the site is physically suitable for the proposed type of development based on a short description of the site's current and proposed uses. ²² This unsupported conclusion is entirely insufficient to justify approval of the VTTM. The Findings neglect to acknowledge or adequately evaluate the site's history of being zoned for industrial uses, the proposal to erect large signage next to major freeways, the impacts of luxury housing on neighboring rental housing stock, and other important considerations regarding such a substantial change of use on the site.

The Findings state that "the project site's density is suitable because it is compatible with the high density campuses of the Los Angeles Trade Technical College and the Santee Education Complex." Such a comparison might be laughable, were it not such an egregious affront to informed decision-making. It goes without saying, but high schools and commuter colleges with no residential uses are clearly inappropriate and non-instructive examples when considering impacts of adding 1,444 housing units on an industrially zoned site. Incredibly, the Findings then state that the Project is compatible with the Rutland apartment building directly north of the Project site. The Rutland building contains 127 residential units. In contrast, the Project would create 1,444 residential units among 10 low and mid-rise buildings, a 35-story residential tower, a 32-story residential tower, and another 19-story hotel tower. Based on a comparison to a building that contains *less than one-tenth* the number of units as the Project, the Planning Commission's finding that the Project site is suitable for the proposed density is unsupported.

iii. Likelihood of the Design of the Subdivision and Improvements to Cause Substantial Environmental Damage

The Planning Commission's finding regarding the environmental impact of the Project also is unsupported by substantial evidence. The Project will have significant and unavoidable impacts relative to Aesthetics, Air Quality, and Transportation, as acknowledged in the FEIR, indicating that the subdivision design and improvements may cause substantial environmental damage. UNIDAD hereby adopts and incorporates by reference the comments regarding the Project's environmental impacts contained in the July 15, 2016 UNIDAD Appeal of VTT-72914

²¹ Government Code § 66474(c)-(d).

²² VTT Determination, 110-111

²³ VTT Determination, 112.

²⁴ Id.

to the Planning Commission (Exhibit C); the August 8, 2016 UNIDAD Comment Letter (Exhibit D); the June 20, 2016 UNIDAD Comment Letter (Exhibit E); the November 2, 2015 Public Counsel DEIR Comment Letter (Exhibit F); the November 2, 2015 UNIDAD DEIR Comment Letter (Exhibit G); and the August 10, 2016 UNIDAD FEIR Comment Letter (Exhibit H).

iv. Likelihood of the Design of the Subdivision and Proposed Improvements to Cause Public Health Problems

The Subdivision Map Act requires a city to deny approval of a tentative tract map where the design of the subdivision or type of improvements is likely to cause serious public health problems. As proposed, the Project threatens to add to the daunting displacement pressures experienced by lower income, rent burdened households. According to the Reef Project Health Impact Study (included in Exhibit G), over 40,000 people have a moderate to very high risk for financial strain and/or displacement as a result of the Project's impacts on housing prices in the surrounding area. Within the South Central community that would be impacted by the Project, thousands of households are already rent burdened, and a large number of subsidized affordable housing units are at risk of converting to market rate in the near future. As a tentative tract map where the design of the subsidized affordable housing units are at risk of converting to market rate in the near future.

There are severe negative public health consequences associated with the Project's displacement threat. For example, the Reef Project Health Impact Study found:

"Housing instability, living in substandard housing, overcrowding, and homelessness are all determinants of poor health that can be caused by the financial strain of gentrification. These health determinants can have negative impacts on mental and physical health for adults, and can also specifically impact children...There are significant associations between high housing costs and hunger, inadequate childhood nutrition, and poor childhood growth."²⁸

The Reef Project Health Impact Study also notes:

"Disruption of social networks through forced serial displacement and root shock can lead to additional health challenges including exposure to fragmented social environments that have higher rates of violence and sexually transmitted diseases. Multi-generational traumas of this nature can potentially influence the genetic makeup of future generations, leaving them more physiologically susceptible to the impacts of stress."²⁹

In a letter to the City Council ("DPH Letter"), the Los Angeles County Department of Public Health further advises that "[m]oving frequently leads to housing instability and has negative impacts on children including increased absenteeism and poor performance in school,

²⁵ Government Code § 66474(f).

²⁶ Reef Project Health Impact Report, 19-20.

²⁷ *Id.* at 20.

²⁸ Id. at 25.

²⁹ *Id.* at 4.

which is linked with negative health and social outcomes."³⁰ And the City of Los Angeles' own General Plan Health Element explicitly acknowledges the many negative public health consequences of displacement.³¹

Given the demonstrated displacement threats posed by the Project and the corresponding public health risks, the Planning Commission's finding that "there appear to be no potential public health problems caused by the design or improvement of the proposed subdivision" is tone deaf, without merit, and not supported by the evidence.

(b) THE FEIR'S CONCLUSIONS AND THE PLANNING COMMISSION'S CEQA FINDINGS ARE NOT SUPPORTED BY SUBSTANTIAL EVIDENCE.

UNIDAD hereby adopts and incorporates by reference the comments regarding the Project's environmental impacts contained in the July 15, 2016 UNIDAD Appeal of VTT-72914 to the City Planning Commission (Exhibit C); the August 8, 2016 Comment Letter to the City Planning Commission; (Exhibit D); the June 20, 2016 UNIDAD Comment Letter (Exhibit E); the November 2, 2015 Public Counsel DEIR Comment Letter (Exhibit F); the November 2, 2015 UNIDAD DEIR Comment Letter (Exhibit G); and the August 10, 2016 UNIDAD FEIR Comment letter (Exhibit H).

i. The Project Aesthetics are Entirely Different from the Current Aesthetic of the Neighborhood in which the Project would be Located, and Changes Should be Made to the Project Including Fewer Signs, Smaller and Fewer Billboards, and Less Lighting

The proposed Project's height, size and the number and types of buildings it will contain will be significantly greater than other projects in South Los Angeles. The neighborhood in which the Project is proposed to be built is comprised of small businesses, older residential and commercial buildings, and longtime residents who have established a close-knit and unique community. The Reef Project, as proposed, would stand in stark contrast to the current aesthetic of the area in all aspects of the development, including its size, design, height, and character. The sheer size, and buildings to be included in the Project (a hotel, high-end stores and a supermarket) will effectively transform the aesthetics and character of the neighborhood by virtue of their appearance and the clientele they will attract.

In addition, the Applicant proposes a Sign District that would total 234,067 square feet, some of which would be animated and in operation from dawn until 2 a.m. South Los Angeles does not currently contain many high rise buildings, and those that are located in the area are not outfitted with large, animated signs and billboards. As we pointed out in our comments on the DEIR, this quantity and type of signage is more characteristic of Downtown Los Angeles, where the demographics and aesthetics are significantly different than those of South Los Angeles. As

³² VTT Determination, 113.

³⁰ The County of Los Angeles, Department of Public Health May 23, 2016 Project letter to PLUM (hereafter "DPH Letter").

³¹ See Plan for a Healthy Los Angeles, A Health and Wellness Element of the General Plan, at 32 (March 2015). Available at http://planning.lacity.org/cwd/gnlpln/PlanforHealthyLA.pdf

stated in the DEIR, the Project, as proposed, "would establish a new visual identity for the otherwise non-descript Project Site and surrounding area, and would serve as a visual focal point in the area." The current neighborhood surrounding the Project site has a distinct, unique and historically robust identity and character, made up of dedicated and connected residents. The City clearly admits that the Reef Project, as proposed, would completely alter this identity. The FEIR should not be approved until measures are implemented to mitigate these impacts and preserve the neighborhood's important character and culture.

ii. The Project Will Likely Result in Indirect Displacement, and the Findings of the Health Impact Report Should have Been Taken Into Account and the Corresponding Impacts Mitigated.

The Reef Project Health Impact Study was prepared by Human Impact Partners, an independent, well respected, science and research-based organization, which reached its conclusions based on data, facts, direct resident engagement, and peer reviewed articles. Based on this research and studies conducted in other cities in similar communities and areas, the Reef Project Health Impact Study predicted that the effects of the Project could reach up to 43,000 residents in South Los Angeles, and result in their displacement. In the response to comments, the City repeatedly tries to discredit the study through a variety of assertions including that the Study lacks evidence or its conclusions are speculative. In fact, the Study provides ample sources, studies and appendices on which the Study's results were based, and supplements the City's failure to examine indirect displacement impacts of the Project. In addition, because the Project has not yet been built, all predictions, assumptions and assertions made in the FEIR are. in effect, speculative. Therefore, the results of the Reef Project Health Impact Study should be seriously considered, and the anticipated impacts mitigated. It is troubling that the City has elected to dedicate significant staff time and resources to discrediting a robust, communitydriven study, as opposed to utilizing those resources to consider its findings and incorporate measures to mitigate the impacts

Residents of the community surrounding the Project site and in the nearby neighborhood are low-income people of color, who are already overburdened with health issues and rising rents. These individuals and families are already struggling to remain in South Los Angeles, where rent is lower than most other parts of Los Angeles, including Downtown. The charts presented in the response to comments clearly demonstrate that in Downtown Los Angeles, there are substantially more large, multi-unit buildings with significantly fewer persons residing in each unit. The Project, which will contain units similar to those in Downtown Los Angeles, both in cost and in design, will not be affordable for current South Los Angeles residents. Further, the City claims that the area surrounding the Project Site is not conducive to development similar to the Project because of current zoning designations. It is precisely for this reason that the Project, and its potential for displacement of existing residents and businesses, should be carefully considered; construction of the Project hinges on numerous zone changes requested by the developers. There is a real possibility that the Project will lead to additional developments and changes in the local economy to cater to the higher-income

³³ DEIR at IV.B.1-22.

³⁴ FEIR at III-239.

³⁵ FEIR at III-240.

population, which the Project hopes to attract. Such changes are not merely speculative, but have been experienced and documented in other areas, and could drive up the costs of goods, services, and housing, which would displace current residents. The potential for this is well-documented in the Reef Project Health Impact Study.

In the response to comments, the City states that "the Project will operate as an extension of downtown, and that potential future residents will exhibit the characteristics in common with current residents of downtown Los Angeles." Because of the distinct socioeconomic characteristics of current South Los Angeles residents as compared to residents of Downtown Los Angeles, this confirms that the project intends to serve a higher-income population than the population that currently resides in the Project area, at the possible expense of these residents. It is critical to the health, survival and integrity of the South Los Angeles community that the Project's potential for displacement is addressed, analyzed and taken into account.

iii. The Project's True Growth-Inducing Impacts and Cumulative Impacts Should Have Been Analyzed and Mitigated in the FEIR

The Reef Project has been described as a "catalytic" and "transformative" project, yet the effects of this transformation on the current South Los Angeles population are ignored through the EIR's failure to examine the Project's true growth-inducing and cumulative impacts. There is a concrete potential for the Project to attract a different population than that which currently resides in the Project area by virtue of the luxury housing it intends to provide; this may lead to a shift in the types of services provided in the area, the construction of new retail and other commercial developments to serve new area residents, and economic challenges for existing area businesses serving current residents. Similarly, the FEIR's response to comments repeatedly states that the trend of development in Downtown Los Angeles is moving southward into the Project area, but fails to truly account for the cumulative indirect displacement which may result from this Project, taken in concert with this new development trend.

iv. The City Should Address the Project's Potential to Exacerbate Los Angeles' Current Affordable Housing Crisis By Requiring the Inclusion of Affordable Housing

As mentioned above and in our DEIR comments, the community surrounding the Project site is comprised mainly of low- and very low-income people of color who already live in overcrowded housing, and experience housing insecurity despite an average rent that is significantly lower than average in Los Angeles. Because the Project's impacts will disproportionately affect this community, affordable housing units should be included to ensure that community members are given the opportunity to be included in the development. The DEIR claims that current residents will benefit from the supermarket and other amenities that will be built on site. They should not be excluded from also living on site, and accommodating the local community in the Project will help mitigate a number of impacts identified in the FEIR including displacement impacts, and Air Quality and Climate Change impacts by, for example, increasing transit ridership. The speculation in the response to comments that affordable units

³⁶ FEIR at III-246.

may be required in the Project's Development Agreement (and the eventual Planning Commission recommendation for 28 units, or 1.9%) does not remedy the failure to include them as mitigation in the EIR.

v. The FEIR Should Have Included an Environmental Justice Section to Account for the Impacts that will be Felt by the Low-Income Community of Color Surrounding the Project

Lead agencies are encouraged to include Environmental Justice analyses in EIRs for Projects that are likely to have a significant and disproportionate effect on surrounding communities or communities of color.³⁷ Although CEQA does not explicitly define the term "environment," it is commonly accepted that people make up an important part of the environment. As Attorney General Kamala Harris noted, because "human beings are an integral part of the environment[, in a CEQA analysis,] 'an agency is required to find that a 'project may have a significant effect on the environment' if, among other things, '[t]he environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly." An Environmental Justice analysis is not limited to, as the response to comments states, identification of "situations where a project would result in disproportionate impacts on a low income community, as compared to similar impacts that are experienced from projects located in higher income communities."38 Rather, the analysis extends to identifying whether the affected community will be disproportionally impacted by the Project because it is a low-income community of color, or disadvantaged in another way. Whether or not the impacts are typical for a development is not at issue. The analysis aims to determine whether these "typical" impacts will have a greater significance or exaggerated effect on a protected class, and in this case on a community that is already struggling with health, financial and other concerns, as compared with communities that are not burdened in these ways.

As expressed in our DEIR comments, and emphasized in the attached Reef Project Health Impact Study, the community surrounding the Project site is an environmental justice community. Its members are overburdened with mental and physical health issues, financial struggles, and overcrowded and unaffordable housing. As a result, the impacts of the Project, particularly those that have been found to be significant and unavoidable will likely disproportionately affect the community. In order to properly analyze and mitigate these impacts and to ensure a fair, just and equitable Los Angeles, an Environmental Justice analysis should have been included in the FEIR. Without this analysis, the Project should not be approved.

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³⁷ It is important to note that the response to comments only mentions low-income communities as those necessitating an Environmental Justice analysis. Environmental Justice communities include those that are comprised of members of any protected class including race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color or disability. The FEIR should have taken each of these classes into account in determining whether to include an Environmental Justice analysis, as opposed to focusing exclusively on income. This is especially true considering that our DEIR comments referred repeatedly to the demographics and racial makeup of this community and the disadvantages that they encounter daily.

³⁸ FEIR, pg. III-249.

vi. The DEIR Contained Numerous Inaccuracies and Improper Deferral of Impact Analyses and Mitigation, Which Were Not Resolved in the FEIR

The DEIR contained an inaccurate project description, inaccurate characterization of impacts, and improper deferral of mitigation measures, none of which were resolved in the FEIR. These deficiencies were laid out in detail in comments on the DEIR. For example, at numerous times throughout the EIR, the City concludes that based on the specific features of the project, impacts will be less than significant or fully mitigated. Elsewhere, the City provides flexibility to the project under the Design Guidelines and Land Use Equivalency Program. These programs allow the specific locations of buildings, uses, and other project features to be modified after the FEIR is certified. This inconsistency was identified in comments on the DEIR. However, the FEIR does not resolve it, but merely states that if the project is changed through the Design Guidelines or Land Use Equivalency Program, new impacts will be analyzed through additional environmental review. This, arguably, represents improper deferral under CEQA, and implies that the DEIR provides no more than an approximation as to the specific impacts of the proposed Project. Similarly, reliance on the negotiation of a development agreement between the City and Project developers to defer inclusion of feasible mitigation measures such as incorporating affordable housing into the Project is improper under CEQA. The FEIR should have included a full and accurate description of all features and requirements of Project development, including incorporation of all feasible mitigation measures, a clear and accurate description of the location and layout of Project design features, and the conditions under which the Project will be constructed.

vii. The Sign District Approved By the City Planning Commission on August 11, 2016 Is Not Analyzed in the June, 2016 FEIR.

On August 11, 2016, the City Planning Commission approved the creation of a Supplemental Use Sign District that, while not including all of the Applicant's outlandish requests, still allows over 50,000 square feet of signage and includes digital signs and off-site advertising. The FEIR for the Reef project was completed months earlier, in June 2016. The FEIR does not evaluate the new Sign District recommended by the City Planning Commission.

viii. Per the November 2, 2015 DEIR Comment Letter and July 15, 2016 UNIDAD Appeal of VTT-72914, the FEIR's Conclusions Regarding the Impacts of the Original Sign District Proposed By the Applicant Are Inadequate and Unsupported by Substantial Evidence.

The Applicant has requested, and the FEIR evaluated, the creation of a Supplemental Use District - Sign District allowing the Project to erect nearly a *quarter million* square feet of signage, including animated digital signs and off-site advertising. ⁴⁰ The FEIR's analysis of this proposed Sign District is inadequate.

³⁹ See, The Reef Transit-Oriented Sign District Ordinance, Section 3(B) (allowing off-site advertising) and Section 8(D)(b)(allowing digital displays in Vertical Level 2 of Sign Zone A).

⁴⁰ DEIR at II-30.

On November 2, 2015, Public Counsel submitted comments to the DEIR, incorporated by reference herein. In this letter, Public Counsel registered numerous serious concerns about the DEIR's perfunctory, inaccurate and conclusory assessment of the Project's proposed Sign District. Unfortunately, the FEIR fails to adequately address these concerns in its responses to the comments. On the contrary, the responses double down on the DEIR's original inadequacies by advancing conclusions unsupported by their own analyses. Although UNIDAD disputes as inaccurate all of the responses to these comments, several starkly highlight the inadequacy of the environmental review and the unsupported, false conclusions reached in the FEIR with respect to the proposed signage.

No response captures the dangers contained in the FEIR with respect to inadequate signage analysis more accurately than the response to comment 9-19. Comment 9-19 addressed the DEIR's failure to consider the significance of allowing the Project to erect signs which would otherwise violate the City's ban in both the current sign ordinance and draft sign ordinance prohibiting signage within 2000 feet of a freeway that would be viewed primarily from a main traveled roadway of a freeway or an on-ramp/off-ramp. The DEIR failed to acknowledge the impact of exempting the Project from this central rule of the City's sign policy and the attendant effects on aesthetics and public safety.

Furthermore, the DEIR failed to account for how allowing the Project's signage threatens to invalidate the City's hard fought ban on freeway facing signs and the significant environmental impacts that would follow. The Staples Center and the Fifteenth Street SUD exemptions to the freeway ban survived a legal challenge in *World Wide Rush LLC et al v. City of Los Angeles* only because those districts furthered the City's objectives in "traffic and aesthetics." Here, those arguments are absent. Thus, the Project threatens the City's continued ability to ban freeway facing signs, and opens up the entire length of every freeway to signage the City has fought so hard to ban.

The FEIR response to comment 9-19 does not address any of the concerns raised and simply cross references to responses to other comments. Tellingly, the cross referenced responses acknowledge that the signage will be "viewed primarily from" the nearby freeways. Despite the Project's obvious violation of the signage ordinance entitled "Hazard to Traffic," the FEIR erroneously and dangerously concludes that the signage would not impair road safety. Equally troubling is the fact that the response entirely fails to address the fact that the proposed signage stands to eviscerate the City's ban on freeway facing billboards.

The FEIR's response to Public Counsel's comment 9-6 is similarly inadequate. Public Counsel's DEIR Comment Letter cited to studies showing the negative impact on human health from exposure to excessive artificial nighttime lighting. Here, the FEIR acknowledges that this nighttime signage would have a significant impact on the residents of the Rutland Apartment

⁴¹ Article 4.4, Section 14.4.6 and Section 14.4.5 of draft Signage Ordinance under CPC consideration.

⁴² Word Wide Rush LLC et al., vs. City of Los Angeles, 606 F.3d 676 (9th Cir. 2010).

⁴³ The phrase "viewed primarily from" shall mean that the message may be seen with reasonable clarity for the greater distance by a person traveling on the main traveled roadway of a freeway or on-ramp/off ramp than by a person traveling on the street adjacent to the sign. Sign Ordinance, Los Angeles Building Code, Chapter 62 § 91.6205.5

(Response to Comment 9-13). And it acknowledges that scientific studies show that human health is placed at risk when exposed to excessive artificial nighttime lighting. Despite these acknowledgements, the FEIR seeks to minimize these acknowledged impacts by attempting to distinguish the cited literature as "primarily focusing" on indoor lighting. The falsity of this distinction is self-evident given that the signage from the proposed Project will illuminate the insides of the Rutland Apartment residents' bedrooms during sleeping hours. Rather than seriously confront this impact, the FEIR cavalierly asserts these residents can simply draw their blinds to shield themselves from the Project's electronic signage. This suggestion not only requires affected individuals to alter their environment to protect themselves from the Project's impacts, it requires every occupant to have and use window coverings sufficient to block out the proposed electronic signage. Clearly, the FEIR fails to account for the impacts the Project's nighttime lightshow would have on Rutland Apartment residents.

In sum, whether the Project goes forward with the new Sign District approved by the City Planning Commission (but not analyzed in the FEIR), or the original proposed Sign District, the FEIR's conclusions regarding a Sign District are unsupported.

IV. CONCLUSION

For the reasons stated above and those presented during the public hearing for this appeal, the City Council should grant this appeal and overturn the Planning Commission's approval.

Exhibit D

EXHIBIT A

APPEAL OF VESTING TENTATIVE TRACT MAP NO. VTT-72914

I. INTRODUCTION

On July 6, 2016, the Advisory Agency of the Department of City Planning approved Vesting Tentative Tract Map no. VTT-72914, certified Final Environmental Impact Report No. ENV-2014-1773-EIR ("FEIR") and adopted the Mitigation Monitoring Program, the required Findings for the adoption of the EIR, and a statement of Overriding Considerations (the "Determination"). United Neighbors In Defense Against Displacement ("UNIDAD") herein appeals the Determination to the Los Angeles City Planning Commission.

The project site is located at 1900-1933 Broadway; 104-122, 132-150 Washington Blvd.; 1900-1912 Hill Street; and 1905-2009 Main Street. Vesting Tentative Tract Map No. VTT-72914 (the "VTTM") would permit the merger and subdivision of the 9.7 acre site into four ground lots and 76 airspace lots, allowing for 1,444 market rate residential apartments and condos, 96,670 square feet of retail/commercial use, and a 208 key hotel (the "Project"). Currently, the project site is zoned M1-2-O, and has a General Plan land use designation of "Limited Manufacturing." The M1 zone does not permit the uses proposed for the Project. As a result, the Applicant seeks to change the zone to (T)(Q)C2-2-O-SN. The "Limited Manufacturing" land use designation does not permit the uses proposed for the Project either. As a result, the Applicant also seeks a General Plan Amendment to change the General Plan use designation to "Community Commercial." The "Community Commercial" use designation does not permit the density proposed for the Project. As a result, the Applicant seeks another General Plan amendment to allow the Project to be built at height district 2. The Applicant is seeking many additional discretionary land use entitlements.

As described below, UNIDAD appeals the Determination because the findings and conclusions contained therein are not supported by substantial evidence. UNIDAD is a coalition of tenants, homeowners, workers, business owners, students, teachers, healthcare providers and advocates, faith congregations, and community-based organizations who work together to create a healthy and strong South Los Angeles community by ensuring that the interests of low-income communities, especially low-income communities of color are represented in the decisions and processes that drive development in South Los Angeles. UNIDAD appeals the Determination because its members will be adversely affected by the Project, as proposed.

II. GROUNDS FOR APPEAL

The Advisory Agency erred and abused its discretion in approving the VTTM as set forth below.

(a) SUBDIVISION MAP ACT FINDINGS ARE NOT SUPPORTED BY SUBSTANTIAL EVIDENCE

i. Consistency with Applicable General and Specific Plans

The California Subdivision Map Act prohibits a city from approving a tentative tract map unless it is consistent with the city's general plan. As described below, the Determination's findings and conclusions regarding consistency with certain General Plan objectives are plainly wrong.

The Determination claims the Project is consistent with Southeast Los Angeles Community Plan ("SELA CP") Objective No.1-2, which calls for the reduction of vehicular trips.² However, the Project cannot be found to comply with this Objective because it will actually generate hundreds of additional daily vehicle trips.³

The Determination finds the Project is consistent with the General Plan by selectively discussing just six objectives contained in the SELA CP. The Determination fails to acknowledge or evaluate the Project's inconsistency with numerous other relevant and applicable policies and programs in the current SELA CP. The Project is in fact inconsistent with Policy 11-2.3 of the SELA CP ("maximize opportunities for affordable housing and pedestrian access adjacent to rail stations."), Policy 1-5.2 of the SELA CP ("ensure that new housing opportunities minimize displacement of the residents"), and Policy 2-1.4 of the SELA CP ("Ensure the viability of existing neighborhood stores (i.e., mom-and-pop) which support the needs of local residents and are compatible with the neighborhood.").

Further, the Subdivision Map Act requires consistency with applicable objectives, policies and programs in the entire General Plan – not just the land use element.⁴ In fact, the Project is inconsistent with a number of other important General Plan policies and objectives. The Project proposes to construct 549 market rate rental units and 895 market rate condominium units and zero affordable units on a site that is less than a quarter mile from a major transit stop. This is clearly inconsistent with a number of General Plan policies and objectives that highlight the importance of creating new affordable housing,

¹ Government Code 66474(a)-(b).

² Determination, 108.

³ See DEIR of The Reef Project, section IV.N Transportation at IV.N-22, (September 2015). Available at http://planning.lacity.org/eir/theReef/deir/DEIR%20Sections/IV.N.%20Transportation.pdf#page=22
⁴ See Government Code §66473.5. "A proposed subdivision shall be consistent with a general plan or a specific plan only if the local agency has officially adopted such a plan and the proposed subdivision or land use is compatible with the objectives, policies, general land uses, and programs specified in such a plan." See also Friends of "Bs" St. v. City of Hayward, 106 Cal. App. 3d 988, 998 (1980) ("City approval of a proposed subdivision, construction of public improvements, and private sale of subdivided lots may be enjoined for lack of consistency of the subdivision map with the general plan. Such consistency is expressly required by Government Code section 66473.5. [City] was required to adopt all mandatory elements specified in Government Code section 65302, and was required to conform [projects] to its general plan." (citations omitted)).

especially in developments located near transit.⁵ To build these residential units, the Project requests General Plan amendments, a zone change and parking reductions in order to dramatically increase the number of residential units permitted on site. Yet the Project seeks this increase in residential density without utilizing the city's density bonus ordinance, the Downtown Housing Incentive Ordinance, or meeting the standards of the FAR incentive program in the draft Southeast LA Community Plan. In other words, the Project would receive all the benefits contained in these incentive programs, without meeting even the minimum requirements to qualify. By completely circumventing existing density incentive programs, the Project would undermine the city's entire affordable housing incentive structure. This is entirely inconsistent with numerous important General Plan policies and objectives.⁶

Obscuring the fact that the Project needs over a dozen discretionary land use entitlements to be developed as proposed, the Determination merely states that "[t]he proposed General Plan designation will be consistent with the proposed zone upon approval of Case No. CPC-2014-1771-GPA-VZC-SN-VCU-MCUP-CUX-ZV-SPR-MSC." This circular logic presumes a laundry list of discretionary approvals and it fails to present evidence that such approvals are permitted by the City Charter or otherwise allowed by law.

The Project is inconsistent with numerous other policies, programs and requirements of the General Plan, including but not limited to those inconsistencies described in the November 2, 2015 UNIDAD DEIR Comment Letter⁸, the November 2,

⁵ See, General Plan Housing Element Policy 1.1.2: ("Expand affordable rental housing for all income groups that need assistance."), General Plan Housing Element Policy 2.5.1 ("Target housing resources, policies and incentives to include affordable housing in residential development, particularly in mixed use development, Transit Oriented Districts and designated Centers."), General Plan Housing Element Policy 2.5.2 ("Foster the development of new affordable housing units citywide and within each Community Plan Area."), General Plan Housing Element Program 8. ("Explore the feasibility and appropriateness of creating affordable housing requirements for projects that receive benefits from the City, including projects that receive City subsidies or City land, projects receiving zone changes that result in significantly more units than otherwise permitted, as well as projects that obtain a Development Agreement.").

⁶ See, General Plan Housing Element Program 73. ("When building envelopes are increased, take care not to undermine the density bonus program. Aim to attach community benefits, including affordable housing, to include the density bonus program. Aim to attach community benefits, including affordable housing, to include the density bonus program. Aim to attach community benefits, including affordable housing, to include the density bonus program.

to undermine the density bonus program. Aim to attach community benefits, including affordable housing, to significant bonuses in floor area and density."), General Plan Housing Element Program 99: ("Explore ways to improve affordable housing production under the [Downtown Affordable Housing Bonus] program..."), General Plan Housing Element Program 101: ("Take care to not undermine the density bonus program by providing significant land-use incentives without an affordable housing provision..."), General Plan Framework Element Policy 4.1.6: ("Create incentives and give priorities in permit processing for low-and very-low income housing developments throughout the City."), General Plan Framework Element Policy 4.2.1: ("Offer incentives to include housing for very low- and low-income households in mixed-use developments.").

⁷ Determination, 107.

⁸ Available at,

http://planning.lacity.org/eir/TheReef/FEIR/FEIR%20Sections/III.%20Responses%20to%20Comments%20(The%20Reef)%20Public%20Review%20FEIR%20060616.pdf

2015 Public Counsel DEIR Comment Letter, 9 and the June 20, 2016 UNIDAD Comment Letter (EXHIBIT B), which are incorporated herein by reference.

Because the Determination fails to adequately evaluate consistency with the Community Plan, and because the Project is inconsistent with many other General Plan policies and programs, the Determination is not supported by substantial evidence and the decision to approve the VTTM constitutes an abuse of discretion.

ii. Physical Suitability of the Site for the Proposed Type and Density of Development

The Subdivision Map Act requires a city to deny approval of a tentative map where the site is not physically suitable for the type or density of development. As described below, the Determination's findings and conclusions regarding the Project site's suitability for the proposed type and density of development are not supported by substantial evidence.

The Determination finds that the site is physically suitable for the proposed type of development based on a short description of the site's current and proposed uses. ¹¹ This unsupported conclusion is entirely insufficient to support the decision to approve the VTTM. The Determination neglects to acknowledge or adequately evaluate the site's history of being zoned for industrial uses, the proposal to erect enormous digital signage in close proximity to major freeways, the impacts of luxury housing on neighboring rental housing stock, and other important considerations regarding such a substantial change of use on the site.

The Determination states that "the project site's density is suitable because it is compatible with the high density campuses of the Los Angeles Trade Technical College and the Santee Education Complex." Such a comparison might be laughable, were it not such an egregious affront to informed decision-making. It goes without saying, but high schools and commuter colleges with no residential uses are clearly inappropriate or non-instructive examples when considering impacts of adding 1,444 housing units on an industrially zoned site. Incredibly, the Determination then states that the Project is compatible with the Rutland apartment building directly north of the Project site. The Rutland building contains 127 residential units. Conversely, the Project would create 1,444 residential units among 10 low and mid-rise buildings, a 35-story residential tower, a 32 story residential tower, and another 19-story hotel tower. What does it say when the best available comparison to justify the suitability of proposed density is a neighboring building that contains *less than one-tenth* the number of units as the Project? What it says

⁹ Available at,

http://planning.lacity.org/eir/TheReef/FEIR/FEIR%20Sections/III.%20Responses%20to%20Comments%20(The%20Reef)%20Public%20Review%20FEIR%20060616.pdf

¹⁰ Government Code 66474(c)-(d).

¹¹ Determination, 12

¹² Determination, 113.

¹³ Determination, 113.

is that the Project is patently incompatible. The blunder of the Determination's findings and conclusion is self-evident.

iii. Likelihood of the Design of the Subdivision and Improvements to Cause Substantial Environmental Damage

The Determination's conclusion regarding the environmental impact of the Project also is unsupported by substantial evidence. The Project will have significant and unavoidable impacts relative to Aesthetics, Air Quality, and Transportation, as acknowledged in the FEIR. UNIDAD hereby adopts and incorporates by reference the comments regarding the Project's environmental impacts contained in the November 2, 2015 UNIDAD DEIR Comment Letter, the November 2, 2015 Public Counsel DEIR Comment Letter, and the June 20, 2016 UNIDAD Comment Letter.

iv. Likelihood of the Design of the Subdivision and Proposed Improvements to Cause Public Health Problems

The Subdivision Map Act requires a city to deny approval of a tentative tract map where the design of the subdivision or type of improvements is likely to cause serious public health problems. As proposed, the Project threatens to add to the daunting displacement pressures experienced by lower income, rent burdened households. According to the Reef Project Health Impact Study, over 40,000 people have a moderate to very high risk for financial strain and/or displacement as a result of the Project's impacts on housing prices in the surrounding area. Within the South Central community that would be impacted by the Project, thousands of households are already rent burdened, and a large number of subsidized affordable housing units are at risk of converting to market rate in the near future. 16

There are severe negative public health consequences associated with the Project's displacement threat. For example, the Reef Project Health Impact Report found:

"Housing instability, living in substandard housing, overcrowding, and homelessness are all determinants of poor health that can be caused by the financial strain of gentrification. These health determinants can have negative impacts on mental and physical health for adults, and can also specifically impact children...There are significant associations between high housing costs and hunger, inadequate childhood nutrition, and poor childhood growth." ¹⁷

The Reef Project Health Impact Report also notes:

¹⁷ Id. at 25.

¹⁴ Government Code § 66474(f).

¹⁵ Human Impact Partners, Assessing Health and Equity Impacts of the Proposed Reef Development Project in South Central Los Angeles, 19-20 (October, 2015) (hereafter, "Reef Project Health Impact Report"). Available at http://www.humanimpact.org/news/reefdevelopmentproject/

¹⁶ Reef Project Health Impact Report, at 20.

¹⁷ x 1 . 25

"Disruption of social networks through forced serial displacement and root shock can lead to additional health challenges including exposure to fragmented social environments that have higher rates of violence and sexually transmitted diseases. Multi-generational traumas of this nature can potentially influence the genetic makeup of future generations, leaving them more physiologically susceptible to the impacts of stress." ¹⁸

In a letter to the Chair of the City Council Planning and Land Use Management Committee ("DPH Letter"), the Los Angeles County Department of Public Health further advises that "[m]oving frequently leads to housing instability and has negative impacts on children including increased absenteeism and poor performance in school, which is linked with negative health and social outcomes." And the City of Los Angeles' own General Plan Health Element explicitly acknowledges the many negative public health consequences of displacement. ²⁰

Given the demonstrated displacement threats posed by the Project and the corresponding public health risks, the Determination's conclusion that "there appear to be no potential public health problems caused by the design or improvement of the proposed subdivision"²¹ is tone deaf, without merit, and not supported by the evidence.

(b) THE FEIR'S CONCLUSIONS AND THE ADVISORY AGENCY'S CEQA FINDINGS ARE NOT SUPPORTED BY SUBSTANTIAL EVIDENCE.

UNIDAD hereby adopts and incorporates by reference the comments regarding the Project's environmental impacts contained in the November 2, 2015 UNIDAD DEIR Comment Letter, the November 2, 2015 Public Counsel DEIR Comment Letter, and the June 20, 2016 UNIDAD Comment Letter.

i. The CEQA Process has Been Significantly Flawed.

The CEQA process for the proposed Project has been significantly flawed, and fails to account for the true potential impacts of this project on area residents, the community, and the environment. UNIDAD's objections to the CEQA process include but are not limited to:

• The FEIR should have included an Environmental Justice section to account for the impacts that will be felt by the low income community of color surrounding the Project.

¹⁸ *Id*. at 4.

¹⁹The County of Los Angeles, Department of Public Health May 23, 2016 Project letter to PLUM (hereafter "DPH Letter"): 1

²⁰ See Plan for a Healthy Los Angeles, A Health and Wellness Element of the General Plan, at 32 (March 2015). Available at http://planning.lacity.org/cwd/gnlpln/PlanforHealthyLA.pdf
²¹ Determination, 114.

- The FEIR should have analyzed, addressed, and mitigated indirect Displacement of residents in the surrounding community as a result of the Project.
- The results of the Reef Project Health Impact Report, which was prepared by a reputable organization, should have been addressed, instead of callously discounted in the responses to comments.
- The lack of affordable housing included in the Project is unacceptable considering the community surrounding the Project.
- The Project aesthetics are entirely different from the current aesthetics of the South LA neighborhood in which the Project would be located and changes should have been made to the Project, as proposed in the DEIR, including fewer signs, smaller and fewer billboards, and less lighting.
- ii. The FEIR's Responses and Conclusions Regarding Project
 Description and Characterization of Impacts are not Supported by
 Substantial Evidence.

The Draft EIR contained numerous inaccuracies with respect to the Project description and characterization of impacts, which are especially important features of an EIR because they provide a baseline understanding of the activity being analyzed in the document for decision makers and the public. The FEIR's response to comments did not remedy these inaccuracies. For example, throughout the EIR, the City concludes that based on the specific features of the Project, impacts will be less than significant, while at the same time providing flexibility to the Project under the Design Guidelines and Land Use Equivalency Program with respect to specific building locations, uses, and other project features. UNIDAD's comments to the Draft EIR identified this outright inconsistency. And yet the FEIR fails to remedy this inconsistency, and merely states that if the Project is changed through the Design Guidelines or Land Use Equivalency Program, its impacts will be analyzed through separate environmental review at that time. This represents improper deferral of study and mitigation of project impacts under CEQA, and suggests the Draft EIR provides merely a "best guess" as to the specific features and impacts of the proposed Project, in violation of CEQA.

It is especially troubling that the City dedicates significant attention to attempting to dismiss and discredit the lived experience and concrete challenges faced by Project area residents, which were presented in the November 2, 2015 UNIDAD DEIR Comment Letter and the Reef Project Health Impact Report. Rather than addressing the evidence presented, the City unsuccessfully attempts to discredit its methodology (and by extension, the extensive outreach done to collect input from the impacted community). The City disregards the Reef Project Health Impact Report and instead relies on oversimplified assumptions about displacement, without taking into account the economic considerations outlined in the report, as required by CEQA in evaluating the significance of a project's potential impacts.

The DPH Letter, incorporated by reference herein, which acknowledges the Reef Project Health Impact Report, agrees that a lack of affordable housing and increasing

economic pressures on residents have important implications for the project area. The DPH Letter concludes that "[i]ncreased access to affordable housing in housing development projects such as the Reef Project Development would help ameliorate the lack of quality, affordable housing in the City of Los Angeles and related negative health outcomes..." Despite this, and numerous studies establishing that the siting of affordable housing in projects such as The Reef can alleviate such negative outcomes, ease displacement pressures, and increase utilization of public transit systems (reducing greenhouse gas, air quality, and transportation/traffic impacts), the EIR concludes that including affordable housing as mitigation would not affect the impacts of the Project, and would not be appropriate for inclusion in project mitigation measures. It is beyond disturbing that the City can make this outrageous statement against the backdrop of a declared homelessness emergency, increasing housing insecurity, and a citywide affordable housing crisis. Instead of engaging with the community to investigate the true impacts of the Project, and considering feasible measures to mitigate those impacts, the City has prioritized development at all costs and expressed a lack of interest in the needs of current residents.

iii. The FEIR's Conclusions Regarding the Impacts of the Project's Signage are Inadequate and Unsupported by Substantial Evidence.

On November 2, 2015, Public Counsel submitted comments to the Draft Environmental Impact Report (DEIR) submitted for The Reef Project, incorporated by reference herein. In its November 2, 2015 letter, Public Counsel registered numerous serious concerns about the DEIR's perfunctory, inaccurate and conclusory nature. Unfortunately, the FEIR fails to adequately address these concerns in its responses to the comments. On the contrary, the responses double down on the DEIR's inadequacies by advancing conclusions unsupported by their own analyses. Although UNIDAD disputes as inaccurate all of the responses to these comments, several starkly highlight the inadequacy of the environmental review and the falsity of the conclusions reached in the FEIR with respect to the proposed signage.

Response to Comment 9-19

No response captures the dangers contained in the FEIR with respect to inadequate signage analysis more accurately than the response to comment 9-19. Comment 9-19 reads as follows:

(ii) The Project would have significant environmental impacts on the City's signage regulations and policies.

Regardless of which signage ordinance its conclusions are based, the DEIR ignores significant signage restrictions that form the bedrock of the City's signage policy with respect to aesthetics and public safety. Specifically, the DEIR fails to address the fact that the Project violates the City's ban on signage within 2000 feet of a freeway that would be viewed primarily from a main traveled roadway of

a freeway or an on-ramp/off-ramp.²² Not only does this gaping oversight stand as a powerful indictment of its inadequacy, the DEIR fails to account for how its Project's signage threatens to invalidate the City's hard fought ban of freeway facing signage – an environmental impact of monumental significance. Although emerging victorious in *World Wide Rush LLC et al v. City of Los Angeles*, the Ninth Circuit cautioned the City that although the Staples Center and the Fifteenth Street SUD exemptions to the freeway ban did not invalidate the ordinance, additional exceptions could "break the link between Freeway Facing Sign Ban and the City's objectives in traffic and aesthetics."²³

The Project has all the elements of a sign district that would invalidate the City's ban of freeway facing signs ordinance. Its fully animated billboards would be highly visible from multiple freeways. The City's arguments of blight and improving traffic safety available for the Staples Center and Fifteenth Street SUD are absent. Thus, the Project threatens the City's continued ability to ban freeway facing signs, and opens up the entire length of every freeway to signage the City has fought so hard to ban. The environmental impacts of such a risk are immensely significant. Yet the DEIR fails to acknowledge and analyze this environmental impact. Accordingly the DEIR is inadequate and must be recirculated.

The FEIR responded as follows:

The commenter contends that the Project signage would have significant impacts related to existing signage regulations and policies, in particular the City's ban on signs facing freeways. See Responses to Comments 9-5, 9-13, 9-17 and 9-18.

This response grossly neglects to address the hazards relayed in comment 9-19. First, the attempt to dismiss the comment by cross referencing earlier responses fails because the cross referenced responses acknowledge the fact that the signage will be "viewed primarily from" the nearby freeways, notwithstanding the FEIR's artful efforts to obscure this fact. By the FEIR's own account, the proposed signage will be "primarily viewable" from the Southbound 1-110, Northbound I-110, Westbound 1-10, and Eastbound 1-10 freeways. Specifically with each viewing, the proposed signage would be visible to the freeway driver for a greater distance than a person traveling on the street adjacent to the sign. Accordingly, the proposed signage would violate the Sign Ordinance, Chapter 62 § 91.6205.5. Despite the Project's obvious violation of the signage ordinance entitled "Hazard to Traffic", the FEIR erroneously and dangerously concludes that the signage would not impair road safety.

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²² Article 4.4, Section 14.4.6 and Section 14.4.5 of draft Signage Ordinance under CPC consideration.

²³ Word Wide Rush LLC et al., vs. City of Los Angeles, 606 F.3d 676 (9th Cir. 2010).

²⁴ The phrase "viewed primarily from" shall mean that the message may be seen with reasonable clarity for the greater distance by a person traveling on the main traveled roadway of a freeway or on-ramp/off ramp than by a person traveling on the street adjacent to the sign. Sign Ordinance, Los Angeles Building Code, Chapter 62 § 91.6205.5.

Equally troubling is the fact that the response entirely fails to address the fact that the proposed signage stands to eviscerate the City's ban on freeway facing billboards. The Ninth Circuit in *World Wide Rush LLC et al v. City of Los Angeles* held that projects like the Reef threaten to invalidate the ordinance, as additional freeway signage exceptions could "break the link between Freeway Facing Sign Ban and the City's objectives in traffic and aesthetics."²⁵

Response to Comment 9-6

Public Counsel's DEIR Comment Letter cited to studies showing the negative impact on human health from exposure to excessive artificial nighttime lighting. Here, the FEIR acknowledges that the Project would amount to the single largest concentration of outdoor electronic signage in the City. It acknowledges that this nighttime signage would have a significant impact on the residents of the Rutland Apartment (Response to Comment 9-13). And it acknowledges that scientific studies show that human health is placed at risk when exposed to excessive artificial nighttime lighting. Despite these acknowledgements, the FEIR seeks to minimize these acknowledged impacts by attempting to distinguish the cited literature as "primarily focusing" on indoor lighting. The falsity of this distinction is self-evident given that the signage from the proposed Project will illuminate the insides of the Rutland Apartment residents' bedrooms during sleeping hours. Rather than seriously confront this impact, the FEIR cavalierly asserts these residents can simply draw their blinds to shield themselves from the Project's electronic signage. This suggestion not only requires affected individuals to alter their environment to protect themselves from the Project's impacts, it requires every occupant to have and use window coverings sufficient to block out the proposed electronic signage. Clearly, the FEIR fails to account for the impacts the Project's nighttime lightshow would have on Rutland Apartment residents.

III. CONCLUSION

For the reasons stated above and those presented during the public hearing for this appeal, the City Planning Commission should grant this appeal and overturn the Determination.

²⁵ Worldwide World Wide Rush LLC. 606 F.3d at 687.

Exhibit E



August 8, 2016

Los Angeles City Planning Commission 200 North Spring Street, Room 272 Los Angeles, CA 90012.

RE: CPC-2014-1771-GPA-VZC-SN-VCU-MCUP-CUX-ZV-SPR-MSC;

CPC-2014-1772-DA; ENV-2014-1773-EIR.

Dear Planning Commissioners:

United Neighbors in Defense Against Displacement (UNIDAD) submits these comments to express our strong objections to the proposed development at 1900 South Broadway ("the Project" or "the Reef"). We renew and incorporate by reference herein, all comments previously submitted by UNIDAD with regard to the Project. This letter also serves as a response to the Department of City Planning Recommendation Report ("Staff Recommendation Report").

PHR LA MART, LLC (the "Applicant") is asking this Commission to approve two amendments to the General Plan, a zone change, multiple conditional use permits, variances, and a new Sign District, among other entitlements. The Applicant seeks these fundamental rule changes to enable the development of multiple high- and mid-rise buildings with 1,444 market rate condos and apartments, significant retail use, a 208 key hotel, unprecedented display of intense signage, and zero on-site affordable housing units. All of this is proposed for a site that is zoned for industrial use. The Applicant is also seeking a Development Agreement (CPC-2014-1772-DA) that would provide funding for off-site affordable housing, but would not provide any on-site affordable units. As proposed, the Project is fundamentally inconsistent with important citywide standards for equitable development and improperly conflicts with relevant provisions of the General Plan.

I. The City's Industrial Land Use Policy requires on-site affordable housing.

This Commission is being asked to approve a General Plan amendment to convert the Reef property's land use designation from "Limited Manufacturing" to "Community Commercial." The City's Industrial Land Use Policy (ILUP) sets forth the procedures for evaluating and approving General Plan amendments and zone changes for industrial sites. This well-established city land use policy dictates that in order to qualify for the proposed change of use, the Reef must provide specific Community Benefits, including on-site affordable housing. 1

This is not a matter of debate. The ILUP Staff Directive literally directs Department of City Planning (DCP) Staff to "recommend approval of applications for changes of use or zone provided Community Benefits are incorporated," and states that "[w]hen considering approval of projects within ... 'transition' Districts, staff recommendations should include Community Benefits set forth below." The enumerated Community Benefits include minimum required percentages of on-site affordable housing units. This directive is repeated throughout the ILUP.

The Staff Recommendation Report acknowledges the applicability of the ILUP - but not once does it mention the Community Benefits provisions. ⁴ This omission is both alarming and deeply

¹ Los Angeles ILUP, Staff Direction Memorandum Regarding Industrial Land Use and Potential Conversion to Residential or Other Uses [hereafter, "Staff Directive."], 5. available at, http://planning.lacity.org/Code_Studies/LanduseProj/Industrial_Files/StaffDirections.pdf.

² Staff Directive, 5 and 8.

³ Staff Directive, 8.

⁴ Department of City Planning Recommendation Report, A-22.

troubling. The Commission, and the public, requires a full analysis of all applicable policies, not just cherry-picked provisions that support approval.

To be very clear: the ILUP does not require the City to retain the Reef's industrial land use designation. However, if a conversion is approved, the ILUP does call for specific Community Benefits, including on-site affordable housing. The Applicant and DCP Staff are proposing that the Commission ignore this policy directive. But policies are not made to be ignored. We urge the Commission to adhere to the ILUP provisions and not approve the Project unless on-site affordable housing is provided.

II. <u>As proposed, the Project is inconsistent with numerous General Plan policies</u> and programs, and does not conform to good zoning practice.

In a June 20 letter to DCP staff ("June 20 Letter"), incorporated herein by reference, UNIDAD identified numerous General Plan policies and programs intended to: (i) protect affordable housing incentive programs; (ii) increase affordable housing near transit; (iii) prevent displacement and avoid the loss of affordable housing; and (iv) reduce homelessness. The Staff Recommendation Report improperly fails to acknowledge or assess the Project's consistency with many of these relevant General Plan policies.

In order to approve the Project, the Commission must find that it is consistent with the provisions of the General Plan. As proposed, the Project is in fact inconsistent with important General Plan policies and programs, including but not limited to the following:

A. The Project improperly undermines existing affordable housing incentive programs.

The project site is currently in the M1 zone, with a land use designation of "Limited Industrial." To allow residential uses, the Applicant seeks a General Plan amendment to "Community Commercial" and a zone change to the C2 zone. But "Community Commercial" is limited to Height District 1 and 1.5 FAR. So, in order to develop the full 1,444 dwelling units, the Applicant seeks *another* amendment to the General Plan to modify footnote 1 of the land use map to allow Height District 2 and a Floor Area Ratio (FAR) of 6:1 (a 400% density increase). The Applicant also seeks to expand the building envelope by requesting a reduction in parking requirements.

UNIDAD recognizes that increasing residential density for individual projects is sometimes appropriate, especially near transit. However, well-established state and local policies dictate that increases in the building footprint should correspond with the provision of on-site affordable housing. The State Density Bonus law, the City's density bonus ordinance, the Downtown Housing Incentive floor area bonus, the Draft Southeast LA Community Plan, and numerous other local programs are all predicated on aligning density increases with on-site affordable housing. The General Plan plainly calls on the City to strengthen incentive programs and avoid undermining the Density Bonus. State law requires the same.

⁵ See, e.g., Housing Element Programs 73, 99 and 101, and Framework Element Policies 4.1.6 and 4.2.1.

⁶ See, e.g., Community Plan Policy 11-2.3, Housing Element Policies 1.1.2, 2.5.1, 2.5.2, and Program 8.

⁷ See, e.g., Community Plan Policies 1-5.2 and 2-1.4, Housing Element Objective 1.2 and Policies 1.2.2 and 1.2.8, and Health Element Policy 1.7 and Program 86.

⁸ See, e.g., General Plan Housing Element Objectives 4.1 and 4.2 and Policy 4.2.3.

⁹ General Plan Housing Element Program 73 ("When building envelopes are increased, take care not to undermine the density bonus program. Aim to attach community benefits, including affordable housing, to significant bonuses in floor area and density."); General Plan Housing Element Program 101 ("Take care to not undermine the density bonus program by providing significant land-use incentives without an affordable housing provision.")

¹⁰ California Government Code 65917 ("a locality shall not offer a density bonus or any other incentive that would undermine the intent of [state density bonus law].")

Granting a zone change and General Plan amendment to allow significantly increased density without any on-site affordable housing is the very definition of undermining the Density Bonus. This is bad policy, and undeniably inconsistent with the General Plan.

B. The Project contradicts General Plan Policies to increase affordable housing near transit,

The Applicant proposes to build 1,444 market rate units without any affordable housing on a site that is less than a \(\frac{1}{2} \) mile from a transit station. This lack of affordability is antithetical to numerous planning policies, undermines efforts to increase ridership and reduce GHGs, and is tone deaf to the needs and priorities of our region. 11 Moreover, as described in the June 20 Letter, it is fundamentally inconsistent with numerous General Plan policies to increase affordable housing near transit.¹²

The Staff Recommendation Report omits these policies from its analysis, and simply claims that the Project is consistent with Housing Element policies to produce housing generally. 13 Touting only the total number of market rate units is a red herring. Housing Element Goal 1 refers to "an adequate supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels." The most recent Housing Element Reports show that the City is on track to exceed the RHNA allocation for above-moderate income units, while falling woefully short on Low- and Very Low-income units. 4 Adding 1,444 units at rents starting at \$1,200 (and likely going much higher) - without any on-site affordable units - exacerbates this imbalance and is inconsistent with General Plan Housing Element provisions.

C. The Project fails to adequately address displacement impacts.

The Project threatens to add to the overwhelming displacement pressures experienced by lower income, rent burdened households. According to a Health Impact Study conducted by Human Impact Partners (the "Reef Project Health Impact Study"), over 40,000 people have a moderate to very high risk for financial strain and/or displacement as a result of the Project's impacts on housing prices in the surrounding area. 15 Within the South Central community that would be impacted by the Project, thousands of households are already rent burdened. ¹⁶ The Reef also threatens to contribute to disruption and destabilization for small local businesses. 17

The Staff Recommendation Report fails to acknowledge or evaluate the findings of the Health Impact Report. Moreover, the repeated assertion that the Project has no displacement impact

3

¹¹ In California, higher income households drive more than twice as many miles and own more than twice as many vehicles as extremely low-income households living near transit. One recent study found that increasing affordable housing near transit would be "a powerful and durable GHG reduction strategy" and would significantly improve our air quality standards. See, California Housing Partnership Strategy & Transform. Why Creating and Preserving Affordable Homes Near Transit Is a Highly Effective Climate Protection Strategy, 3, 2014. http://www.transformca.org/transform-report/why-creating-andpreserving affordable-homes-near-transit- highly-effective-climate. By providing exclusively luxury housing and no affordable units near a major transit stop, the Project contradicts the environmental and equity goals of increasing opportunities for low-income core transit riders to live near transit.

See, e.g. Southeast LA Community Plan Policy 11-2.3 "Maximize opportunities for affordable housing \dots adjacent to rail stations," and General Plan Housing Element Policy 2.5.1 and Program 8. ¹³ See, e.g., Staff Recommendation Report, F-6 – F-7.

¹⁴ Los Angeles, Annual Element Progress Report, Housing Element Implementation, 2014. Available at, http://planning.lacity.org/policyinitiatives/Housing/ProRept/APR2014.pdf

¹⁵ Human Impact Partners, Assessing Health and Equity Impacts of the Proposed Reef Development Project in South Central Los Angeles, 19-20 (October, 2015) (hereafter, "Reef Project Health Impact Report"). Available at http://www.humanimpact.org/news/reefdevelopmentproject/

¹⁶ Reef Project Health Impact Report, at 20

¹⁷ Id., at 33-35.

plainly ignores the lived experiences of low-income residents in communities across our city. While housing units may not be demolished as a direct result of this Project, it threatens to drive up housing costs and accelerate real estate speculation, contributing to enormous displacement and community destabilization pressures throughout the area. We can't afford to ignore these risks, which render the Project inconsistent with numerous General Plan policies, 18 and clearly invoke the public health considerations outlined in the City's new General Plan Health Element ("Plan for a Healthy LA"). 19 The Commission should not approve the Project until these risks are appropriately evaluated and addressed.

Approving the proposed Sign District would be improper at this time. III.

The Applicant is seeking a Supplemental Use District – Sign District (SUD) to allow an aggressive array of signage covering large buildings and beaming animated, digital advertising in all directions. In addition to all of the objections in the UNIDAD Draft EIR Comment Letter and the Public Counsel Draft EIR Comment letter, which are incorporated herein by reference, we urge the Commission to not approve the requested SUD in light of the fact that the City is actively revising its sign ordinance.

This Commission has in fact approved and recommended revisions to the City's sign ordinance that would prohibit a sign district for this Project, as it simply falls outside one of the designated regional center or regional commercial areas. This point was raised in various public comments in response to the Draft EIR. The Final EIR states that because the new sign district regulations had not yet been adopted by City Council, they were irrelevant. This response improperly disregards the hours of deliberation of this Commission. We urge you to carefully consider the impact of the proposed sign district on the health of the surrounding community, the threat to the safety of the millions of motorists on the nearby freeways, and the harmful precedent it would set in the midst of a citywide conversation about appropriate sign regulation.

Moreover, approving the SUD would threaten to undo the City's hard-won environmental and public safety policies concerning freeway-facing signage. The Staff Recommendation Report downplays this risk by merely noting the outcome of World Wide Rush, LLC v. City of Los Angeles. 20 while ignoring the court's reasoning. There, the fundamental question was whether exceptions to the freeway facing sign ban in the Staples Center and Fifteenth Street SUD would undo the ordinance. The court found unique circumstances that did "not break the link between the Freeway Facing Sign Ban and the City's objectives in traffic safety and aesthetics."²¹ But additional exceptions that do not improve safety and aesthetics likely would break this link. Because unique circumstances are not present in this case, approving this SUD threatens the constitutionality of the ordinance.

IV. The Project is inconsistent with the Department's own vision for this site.

The Department is currently in the process of updating the Southeast Los Angeles Community Plan. The most recent draft of the Community Plan Implementation Overlay (CPIO) was released just last month – July, 2016. 22 The Staff Recommendation Report correctly notes that the Project

¹⁸ See, e.g., Community Plan Policy 1-5.2, Housing Element Objective 1.2, and Policies 1.2.2. and 1.2.8. 19 The City's new General Plan Health Element, or "Plan for a Healthy LA," explicitly acknowledges the negative health consequences of displacement and includes a Policy 1.7 that states that "major revitalization efforts that have the potential to cause displacement should be evaluated and mitigated." ²⁰ 606. F.3d 676 (9th Cir. 2010).

²² Draft Southeast Los Angeles Community Plan Implementation Overlay, Available at, https://drive.google.com/file/d/0B2-Bso5cdFL9RnV0Rnkyei0zZVU/view

site is slated for transition from industrial to commercial and residential uses, and would be part of a "Transit Oriented District" subarea.

But the Staff Recommendation Report is missing the other crucial half of this analysis. The recently released draft CPIO would also regulate the allowable density on the Project site through a set of carefully crafted density incentives. As drafted, the Community Plan would allow FAR greater than 1.5 on this site *only* if the Project provides minimum percentages of on-site affordable housing.²³ The Reef proposes to construct none.

Once again, the City has carefully crafted affordable housing incentives only to see the Reef flout these efforts with a contradictory and non-compliant proposal. Approving the Project at 6 FAR without any affordable housing would directly negate the CPIO and would be inconsistent with the Department's vision for this site and for this community. The Staff Recommendation Report obscures this fact by failing to mention the density limitations and incentive programs contained in the Draft Community Plan. Likewise, the proposed Findings omit any reference to the CPIO density regulations.²⁴ We urge the Commission to consider this serious inconsistency.

V. The evidence does not support approving a General Plan amendment.

The Staff Recommendation Report fails to provide evidence to support the findings required under Charter Section 555 and Municipal Code Section 11.5.6. Moreover, the proposed General Plan Amendment may not have been properly initiated. Pursuant to the City Charter, a General Plan amendment may only be initiated by the Director of Planning, the City Planning Commission, or the City Council. The Staff Recommendation Report states that "the Director of Planning proposed the amendment to the Southeast Los Angeles Community Plan (General Plan Land Use Element), pursuant to Council instructions to the Department of City Planning in a motion by Councilmember Curren Price on May 13, 2014 (Council File No.14-0620)."

However, this motion is still pending in the Planning and Land Use Management Committee, and therefore the directive has not yet received City Council approval. 26

As proposed, the Reef project should not be recommended for approval. The lack of on-site affordable housing is blatantly inconsistent with the City's ILUP requirements. The Project directly and improperly undermines several carefully crafted land use incentive programs and contradicts numerous General Plan policies and programs. The proposed Sign District undercuts this Commission's recommendations for citywide sign regulations. The Staff Recommendation Report - including the Findings that this Commission is being asked to adopt - obscures these inconsistencies and fails to acknowledge contradictory policy directives. The provisions of the draft Development Agreement do not remedy the inadequacies of the Project. Given these serious flaws, we urge the Commission to not approve the Reef project. While we need equitable development and community investment in our neighborhoods, the residents and stakeholders of South Central deserve far better than what the Reef is currently proposing.

Sincerely,

UNIDAD Coalition²⁷

²³ Draft Southeast Los Angeles Community Plan Implementation Overlay, 21-22.

²⁴ Staff Recommendation Report, A-22, and Findings, F-4.

²⁵ Staff Recommendation Report, Findings, F-11.

²⁶ Council File 14-0620.

²⁷ For more information on the UNIDAD coalition, visit http://www.unidad-la.org/who-we-are/

Exhibit F



June 20, 2016

Via electronic mail

Vince Bertoni, Director of Planning, City Planning Department, vince.bertoni@lacity.org Sarah Molina-Pearson, City Planning Department, sarah.molina-pearson@lacity.org Henry Chu, City Planning Department, Henry.Chu@lacity.org Erin Strelich, City Planning Department, erin.strelich@lacity.org

RE: REEF Project - 1900 South Broadway

CPC-2014-1771-GPA-VZC-SN-VCU-MCUP-CUX-ZV-SPR-MSC

CPC-2014-1772-DA

VTT-72914

ENV-2014-1773-EIR

Dear Los Angeles City Planning Department:

We submit this letter to highlight significant concerns with the proposed development at 1900 South Broadway, otherwise referred to as the Reef Project ("the Project"). PHR LA MART, LLC (the Applicant) seeks approval to construct a development that deviates from the existing code in numerous and significant ways. The Project seeks a laundry list of exceptions and fundamental rule changes, including General Plan amendments, a zone change, several conditional use permits, FAR averaging, parking reductions and other significant departures from the City's General Plan and other adopted plans and policies. All of these entitlements are being requested to enable the development of 1,444 residential units and hundreds of thousands of square feet of commercial uses and electronic signage on a site that is currently zoned for industrial use. As proposed, the Project is inconsistent with standards for equitable and inclusive development, and conflicts with numerous important planning and development standards and General Plan policies.

United Neighbors in Defense Against Displacement (UNIDAD) is a coalition of tenants, homeowners, workers, business owners, students, teachers, health providers and advocates, faith congregations, and community-based organization who work together to create a healthy and strong South Los Angeles community by ensuring that the interests of low-income communities, especially low-income communities of color, are represented in the decisions and processes that drive development in our neighborhoods.

Our collaborative was formed in the early 1990s. In all of our work, we have sought to deepen the quality of community resident engagement in land use and economic development policy creation and implementation, knowing that such engagement ultimately results in better planning and implementation. We have built capacity among local residents to be active participants in the planning processes through community-based programs, such as People's Planning School. Through this process residents have created a set of Equitable Development Principles that guide our work.

These comments draw upon our years of experience living and working in this community and engaging in land use planning and development processes, including the LA Live

development, the USC Specific Plan, the Lorenzo housing project at the 23rd St. Expo Line station, the Grand Metropolitan mixed use project at the Washington/Grand Blue Line station, the City's Housing Element, the Health and Wellness Element, and the updates to the Southeast LA and South LA Community Plans. Our member organizations are long-standing members of this community and are active in numerous economic development projects and programs, affordable housing and commercial development, health care service provision, social services, faith-based community building, the Community Plan Advisory Committees, and the Los Angeles Department of Public Health's Community Prevention and Population Health Task Force.

These comments also draw upon the results of a rigorous community engagement process over the course of several months in 2015 and 2016. UNIDAD organizations convened hundreds of South Central community members to discuss the proposed Project and to lift up a vision for development in this neighborhood. This visioning process culminated in a community-based analysis of impacts of the proposed Project and a community benefits proposal that called for funding and/or support for the following: affordable housing, displacement prevention, good permanent and construction jobs at the development and support for local job programs, support for existing small businesses, health and safety improvement measures, programs for the homeless, green space, youth development, and community benefits implementation. The full proposal can be found online at http://www.unidad-la.org/resources/.

In this light, we provide the following comments on the proposed Reef Project at 1900 South Broadway.

As proposed, the Project falls short of equitable development standards for the South LA community.

For decades South LA communities have been harmed by poor planning efforts that have resulted in ill-fitting development and a lack of investment in the people and health-promoting infrastructure. Polluting industrial uses were placed on top of residential areas. Mega development projects have been encouraged that have exacerbated displacement of residents and small businesses in the area. And the promise of jobs for local residents has often fallen short both in terms of quality and quantity. In response, communities have taken it upon themselves to respond with visions for a different way of doing development – one that benefits all residents, especially those most economically vulnerable. The UNIDAD coalition – along with many other groups – have shown through policy change, community benefits agreements, and demonstration projects that development can be done to support the health and well-being of its long-time residents, including African-Americans and Latino immigrants.

The community benefits residents identified during UNIDAD's recent community engagement process support a vision of South LA where existing and future redevelopment opportunities create economic opportunity and decrease the displacement of low-income residents of color in the Figueroa Corridor area of South Los Angeles, where development promotes healthy and equitable neighborhoods through planning and land use that is rooted in the community. The Reef is proposed within a community and so should adhere not only to land use regulation and city policies, but also to community standards for development established through decades of work done by local groups. Unfortunately, the Project, as proposed, does not meet local standards for equitable development.

As proposed, the Project fails to include the community benefits required by the City's Industrial Land Use Policy (ILUP).

The Project site is located in the M1-2-O zone and has a General Plan land use designation of "Limited Manufacturing." The M1 zone does not permit the uses currently proposed for the Project. As a result, the Applicant is requesting a General Plan amendment to change the use designation to "Community Commercial," and a zone change from M1-2 to (T)(Q)C2-2-O-SN. Well-established city policy dictates that in order to qualify for these discretionary approvals, the Project should provide specific community benefits, including on-site affordable housing. Until the Project is revised to include these community benefits, the Department of City Planning (DCP) should not recommend approval.

The Industrial Land Use Policy (the "ILUP") is the City's core tool to regulate industrial-to-residential conversions -- just like the one requested here. The ILUP provides a comprehensive assessment of the viability of the City's industrial districts. Based on this assessment, the ILUP organizes industrial zoned land according to four distinct typologies, ranging from districts that should be preserved to parcels that are appropriate for conversion. The ILUP culminated in a memorandum to DCP staff ("Staff Directive"), which clearly establishes the process and procedures that DCP staff must now follow when evaluating requests for General Plan amendments and zone changes on industrial zoned land. The ILUP is a touchstone of city land use policy, and plainly requires the inclusion of certain community benefits as part of *any* land use change on this Project site.

The ILUP Report's "Guiding Principles" include the following: "When zone changes and/or other actions increase land value, ensure that community benefits are appropriately identified and provided." The ILUP Staff Directive calls for DCP staff to "recommend approval of applications for changes of use or zone provided Community Benefits are incorporated..." This directive applies even in areas identified as appropriate for transition. The ILUP recommendations for this exact Project site state that "[i]f residential development is studied and recommended to replace industrial uses, an affordable housing component and/or other public benefits should be incorporated..." And the Staff Directive instructs: "[w]hen considering approval of projects within "Industrial Mixed Use" and "Transition" Districts, staff recommendations should include Community Benefits set forth below." The Staff Directive then defines specific Community Benefits that should be required, including: "a minimum number of on-site affordable units," relocation consultation for displaced business," the creation of a job training assistance fund, minimum job-producing space, open space, and infrastructure improvements. 5

¹ Department of City Planning and Community Redevelopment Agency of the City of Los Angeles, "Los Angeles' Industrial Land: Sustaining a Dynamic City Economy" [hereafter, "ILUP Report"].

² Los Angeles Industrial Land Use Policy, Staff Direction Memorandum Regarding Industrial Land Use and Potential Conversion to Residential or Other Uses [hereafter, "Staff Directive."] Available at, http://planning.lacity.org/Code_Studies/LanduseProj/Industrial_Files/StaffDirections.pdf

³ ILUP Report, 32.

⁴ Preliminary Southeast Los Angeles Industrial Area Data and Recommendations, http://cityplanning.lacity.org/Code_Studies/LanduseProj/Recommendations/sela.pdf. ⁵ Staff Directive. 5-8.

The ILUP is undeniably relevant to this Project. Even if the Project site is determined to be appropriate for transition to other uses, the ILUP requires any such transition to include certain community benefits. At this stage, the Applicant has not mentioned the ILUP, and the Project as proposed does not include the affordable housing or other benefits required by this long-standing city policy. In this situation, the role of DCP staff is clear. As you prepare the Recommendation Report for this proposed Project, you must comply with the directives of the ILUP and ensure the provision of specific community benefits, including on-site affordable housing.⁶

As proposed, the Project is inconsistent with numerous General Plan policies and programs, and does not conform to good zoning practice.

The Project requires over a dozen different discretionary land use entitlements, including General Plan amendments, a zone change, tentative tract map, multiple conditional use permits and variances, FAR averaging and the creation of a new sign district. Each of these entitlements requires the City to find that the Project is consistent with the General Plan and/or in conformance with good zoning practice. The Applicant claims that the Project is consistent with the General Plan by selectively citing just a few Community Plan objectives. This cursory assessment obscures the many ways in which this proposal does not demonstrate consistency with other important General Plan policies and objectives, many of which are listed below. Until these substantial inconsistencies are resolved, the City should not approve the entitlements for the Project as proposed.

The Project conflicts with General Plan policies to increase affordable housing near transit.

A number of General Plan policies and objectives highlight the importance of creating new affordable housing, especially in developments located near transit. For example:

- o <u>Southeast LA Community Plan Policy 11-2.3</u>: "Maximize opportunities for affordable housing and pedestrian access adjacent to rail stations."
- o <u>General Plan Housing Element Policy 1.1.2</u>: "Expand affordable rental housing for all income groups that need assistance."
- General Plan Housing Element Policy 2.5.1 "Target housing resources, policies and incentives to include affordable housing in residential development, particularly in mixed use development, Transit Oriented Districts and designated Centers."
- o <u>General Plan Housing Element Policy 2.5.2</u> "Foster the development of new affordable housing units citywide and within each Community Plan Area."
- o General Plan Housing Element Program 8. "Explore the feasibility and appropriateness of creating affordable housing requirements for projects that receive benefits from the City, including projects that receive City subsidies or City land, projects receiving zone changes that result in significantly more units than otherwise permitted, as well as projects that obtain a Development Agreement."

⁶ Staff Directive, 8 ("When considering approval of projects within 'Industrial Mixed Use' and 'Transition' Districts, staff recommendations should include Community Benefits set forth below.")

As proposed, the Project would provide 549 market rate rental units and 895 market rate condominium units and zero affordable units on a site that is less than one-quarter of a mile from a major transit stop. This is counter to sound public policy and planning objectives to maximize affordable housing near transit.⁷ The Project's failure to provide on-site affordable housing directly contradicts the spirit and intent of numerous General Plan policies and programs.

As proposed, the Project would improperly undermine existing affordable housing programs.

A number of General Plan policies and programs seek to prevent developments and city actions from undermining existing affordable housing incentives. For example:

- O General Plan Housing Element Program 73. "When building envelopes are increased, take care not to undermine the density bonus program. Aim to attach community benefits, including affordable housing, to significant bonuses in floor area and density."
- o <u>General Plan Housing Element Program 99</u>: "Explore ways to improve affordable housing production under the [Downtown Affordable Housing Bonus] program..."
- o <u>General Plan Housing Element Program 101</u>: "Take care to not undermine the density bonus program by providing significant land-use incentives without an affordable housing provision..."
- O General Plan Framework Element Policy 4.1.6: "Create incentives and give priorities in permit processing for low- and very-low income housing developments throughout the City."
- General Plan Framework Element Policy 4.2.1: "Offer incentives to include housing for very low- and low-income households in mixed-use developments."

The Project seeks a General Plan amendment, zone change and parking reductions that would dramatically increase the number of residential units permitted on site, thereby creating enormous new value. Yet, the Project seeks this increase in residential density without utilizing the city's Density Bonus Ordinance, the Downtown Housing Incentive Floor Area Bonus, or meeting the standards of the FAR incentive program in the draft Community Plan. If the City grants the zone change and General Plan amendment as proposed, the Project would exceed the benefits contained in the Density Bonus Ordinance and the Downtown Housing Incentive Ordinance without meeting *even the minimum* requirements to qualify for these programs. By completely circumventing existing density incentive programs, this procedure undermines the City's entire affordable housing incentive structure. This result is profoundly inconsistent with numerous

⁷ In California, higher income households drive more than twice as many miles and own more than twice as many vehicles as extremely low-income households living near transit. One recent study found that increasing affordable housing near transit would be "a powerful and durable GHG reduction strategy" and would significantly improve our air quality standards. See, California Housing Partnership Strategy & Transform. Why Creating and Preserving Affordable Homes Near Transit Is a Highly Effective Climate Protection Strategy, 3, 2014. http://www.transformca.org/transform-report/why-creating-and-preserving-affordable-homes-near-transit- highly-effective-climate. By providing exclusively luxury housing and no affordable units near a major transit stop, the Project proposal runs counter to the environmental and equity goals of increasing opportunities for low-income core transit riders to live near transit.

important General Plan policies and objectives and is the opposite of good zoning practice. ⁸ If the City chooses to create incredible financial value for the Project by permitting significant residential development where none was previously allowed, then we urge that some of that new value be captured and redirected – in the form of affordable housing and other important benefits - to the South LA community that will be most impacted.

The Project fails to adequately address displacement and community destabilization impacts.

Numerous General Plan policies and programs seek to prevent displacement and avoid the loss of affordable housing and local small businesses. For example:

- Southeast LA Community Plan Policy 1-5.2 "Ensure that new housing opportunities minimize displacement of the residents. Program: Require that a decision-maker adopt a finding which addresses any potential displacement of residents as part of any decision relating to the construction of new housing."
- Southeast LA Community Plan Policy 2-1.4 "Ensure the viability of existing neighborhood stores (i.e., mom-and pop) which support the needs of local residents and are compatible with the neighborhood."
- o <u>General Plan Housing Element Objective 1.2</u>: "Preserve quality rental and ownership housing for households of all income levels and special needs."
- General Plan Housing Element Policy 1.2.2 "Encourage and incentivize the preservation of affordable housing, including non-subsidized affordable units, to ensure that demolitions and conversions do not result in the net loss of the City's stock of decent, safe, healthy or affordable housing."
- General Plan Housing Element Policy 1.2.8 "Preserve the existing stock of affordable housing near transit stations and transit corridors. Encourage one-to-one replacement of demolished units."
- o General Plan Health Element Policy 1.7 Displacement and Health: "Reduce the harmful health impacts of displacement on individuals, families, and communities by pursuing strategies to create opportunities for existing residents to benefit from local revitalization efforts by: creating local employment and economic opportunities for low-income residents and local small businesses; expanding and preserving existing housing opportunities available to low income residents; preserving cultural and social resources; and creating and implementing tools to evaluate and mitigate the potential displacement caused by large-scale investment and development. [...] While communities naturally change over time, major revitalization efforts that have the potential to cause displacement should be evaluated and mitigated."

⁸ In 2015, the City approved a project at 233 W. Washington Blvd. that was similarly requesting a General Plan amendment and zone change to allow mixed-use development on an industrial zoned site. The City acknowledged that with the requested conversion to C2 zoning, the project would be eligible for the Downtown Housing Incentive Area density incentives. To facilitate on-site affordable housing, the City approved the conversion but placed a "D" Development limitation on the site to limit the FAR below the requested 6:1. This allowed the project to reach its desired density through the 35% increase obtained in exchange for providing on-site affordability. See, Department of City Planning Recommendation Report, CPC-2008-0596-GPA-ZC-SPR.

General Plan Health Element Program 86 Displacement: "To mitigate displacement, leverage government resources (including land) to preserve the social, cultural and economic diversity of the city. Evaluate best practices to develop criteria to assess the displacement potential of low-income and vulnerable populations; identify and implement an array of mitigation tools that can preserve existing small businesses and affordable housing for low-income households; and create opportunities for low-income and vulnerable populations to access the benefits created by new development and investment in their neighborhoods."

As proposed, the Project threatens to add to the daunting displacement pressures experienced by lower income, rent burdened households. According to the Reef Project Health Impact Study, over 40,000 people have a moderate to very high risk for financial strain and/or displacement as a result of the Project's impacts on housing prices in the surrounding area. Within the South Central community that would be impacted by the Project, thousands of households are already rent burdened, and a large number of subsidized affordable housing units are at risk of converting to market rate in the near future. The Health Impact Study also highlights the potential for this Project to contribute to disruption and destabilization for small local businesses. Unmitigated, these displacement and community destabilization risks cause the Project to conflict with numerous General Plan policies, and clearly implicate the public health considerations outlined in the City's new Plan for a Healthy LA.

The City should acknowledge the health impacts of displacement and must ensure the Project's consistency with programs and policies aimed at addressing these impacts. It is not sufficient to merely state that construction of the Project will not remove housing from the Project site. The City should acknowledge and address the broader impacts of large-scale development in historically disinvested communities. Per the direction of Health Element Program 86, the City should consider and require an "array of mitigation tools that can preserve existing small businesses and affordable housing for low-income households; and create opportunities for low-income and vulnerable populations to access the benefits created by new development and investment in their neighborhoods."

The Project threatens to contribute to the worsening of our City's homelessness crisis.

The General Plan includes policies and programs aimed at reducing homelessness and providing resources and opportunities to individuals and families experiencing homelessness. For example:

⁹ The County of Los Angeles, Department of Public Health May 23, 2016 Project letter to PLUM (hereafter "DPH PLUM Letter"); Human Impact Partners, Assessing Health and Equity Impacts of the Proposed Reef Development Project in South Central Los Angeles, 19-20 (October, 2015) (hereafter, "Reef Project Health Impact Report"). Available at http://www.humanimpact.org/news/reefdevelopmentproject/

¹⁰ Reef Project Health Impact Report, at 20.

¹¹ Id., at 33-35. The Reef Project Health Impact Study also notes one example of a local business that had operated in the neighborhood for 20 years experiencing a rent increase of over 100%, forcing the business to close down immediately. Other businesses in the vicinity of the Project are only being offered short term leases, despite owners' efforts to negotiate longer terms.

- O General Plan Housing Element Objective 4.1: "Provide an adequate supply of short-term and permanent housing and services throughout the City that are appropriate and meet the specific needs of all persons who are homeless or at risk of homelessness."
- General Plan Housing Element Objective 4.2: "Promote outreach and education to: homeless populations; residents; community stakeholders; health, social service and housing providers and funders; criminal justice system agencies; and, communities in which facilities and services may be located."
- General Plan Housing Element Policy 4.2.3: "Strengthen the capacity of the development community to locate, construct and manage housing facilities for the homeless."

A number of individuals and families experiencing homelessness currently live near the Project site, and Council District 9 has the second largest homeless population in the City. The Reef Project Health Impact Report notes that local residents and focus group participants fear becoming homeless as a result of increasing displacement pressures in the area. Yet, as proposed, the Project provides zero affordable housing and fails to address or evaluate opportunities to support community stakeholders, health, social service and housing providers and funders to provide crucial services to the homeless population and to construct and manage housing facilities for the homeless. The Project's silence on the issue of homelessness when the City has declared a state of emergency on the same reflects the depths of its deficiency.

As proposed, the Project is inconsistent with the Redevelopment Plan for the Council District Nine Corridor South of the Santa Monica Freeway Recovery Redevelopment Project ("Redevelopment Plan").

The Applicant asserts the Project is consistent with the "relevant objectives" of the Redevelopment Plan by claiming that Objectives 1, 2, 4, 6, 7, 8, and 11 are the "relevant Plan objectives". Yet, Applicant completely ignores the fact that the Project clearly undermines the following three critically important and highly relevant objections.

- o Redevelopment Objective 3: "Industrial area stabilization and expansion by appropriate development incentives."
- Redevelopment Object 5: "Housing for all income levels to be provided along with preservation of existing single family housing stock
- Redevelopment Objective 7: "The cultural heritage of the area to be preserved and promoted."

With respect to Objective 3, as noted above, the Project seeks to change the zoning and designated use of the site from industrial to commercial residential, in direct conflict with this objective. "Additionally, the Project proposes not a single unit of affordable housing, in direct conflict with Objective 5's call for housing at all income levels. On the contrary, the development would be home exclusively to residents able to pay the ever increasing market rates. Additionally, the Applicant errs in claiming that the development would preserve the cultural heritage of the area. In reality, the Project will immediately impact and over the long term erase

¹² Reef Project Health Impact Report, 21.

¹³ Attachment A Section M.

the cultural heritage of this traditionally lower-income community of color. As noted by the Los Angeles County Department of Public Health, the Project's lack of affordable housing is likely to result in the displacement of current neighborhood residents, many of whom have lived there for generations. A project that stands to displace existing residents through gentrification and rent pressures cannot be described as preserving cultural heritage of the area. Until these consistencies are address, the Project, as proposed, should not be approved.

As proposed, the Project is inconsistent with the draft Southeast LA Community Plan.

The Department of City Planning is currently in the process of updating the Southeast Los Angeles Community Plan. The most recent draft of the plan was revised in October 2014, along with a corresponding draft of the Community Plan Implementation Overlay (CPIO).

The Applicant highlights that the Project site would be designated for Community Commercial use under the current draft of the Southeast LA Community Plan (Draft Plan). ¹⁴ While claiming consistency with the Draft Plan's vision for a mixed-use TOD district along the Blue Line, the Applicant fails to acknowledge the Project's dramatic *inconsistency* with the density regulations. The Applicant also neglects to mention that the Project is fundamentally inconsistent with many of the Draft Plan's fundamental policies and objectives.

As proposed, the Project would have a floor area ratio (FAR) of at or just below 6:1. But the draft CPIO would allow density greater than 1.5:1 FAR on the Project site *only for projects* that provide on-site affordable housing. In addition, the CPIO would only permit the type of parking reduction sought by the Applicant if the Project included on-site affordable housing. ¹⁵ Because the Project would have a floor area ratio at 6:1 and enjoy parking reductions without including any affordable housing, it is patently inconsistent with the CPIO.

In addition to the affordable housing provisions in the CPIO, the Draft Plan also contains a number of broader goals and policies that are inconsistent with the Project. For example:

- o <u>Policy LU 1.5</u> "Encourage affordable housing options by promoting ... the density bonus ordinance."
- Policy LU4.1 "Maintain and increase the commercial employment base for community residents through local hiring, job resource centers and job training."
- Policy LU5.6 "Prioritize housing that is affordable to a broad cross-section of income levels and that provides the ability to live near work."
- o Policy LU14.3 "Encourage job training and local hiring for community residents."
- Policy LU18.3 "Prioritize new housing for the transit-dependent community and discourage upscale luxury housing at TODs in Southeast Los Angeles, which has a large transit-user and low income population."
- Policy LU18.4 "Promote and incentivize mixed income and/or affordable housing in TODs"

¹⁵ Draft Southeast Los Angeles Community Plan Implementation Overlay, 38.

¹⁴ Attachment A, 26

- Policy LU 18.7 "Discourage the displacement of existing residents in TODs and encourage the protection of affordable housing units protected by the Rent Stabilization Ordinance."
- Program 17 "The CPIO provides incentives for the development of mixed-income and affordable housing within LRT station areas, along commercial corridors that are well-served by transit and in close proximity to jobs, services and facilities."
- Program 55 "Encourage businesses to hire locally, and require local hiring for discretionary projects with Development Agreements to the extent feasible."

The Draft Plan clearly contemplates and advances a comprehensive vision for transitoriented development in the Southeast LA Community Plan Area. The Draft Plan calls for TOD projects that include housing opportunities for low-income core riders and contribute economic opportunities to local residents. Lacking an affordability component or detailed programs to ensure permanent jobs for local residents, the Project is inconsistent with this vision. It also threatens the kind of community destabilization that directly contradicts the goals and objectives outlined above.

The Project's Request for a Variance with respect to Tree Planting Should be Denied.

City zoning requires the Project to plant 361 trees. Despite its purported commitment to green, sustainable design, the Project seeks a variance to reduce its tree planting obligation to 289 trees – nearly 100 fewer than required. The Project attempts to justify this significant reduction by claiming that so many trees would interfere with the Project's open space design. The Project asserts that the City's tree planting requirement is out of step with high density urban construction and was crafted for more suburban settings. This statement is unsupportable. Urban settings, if anything, have greater needs for maximal tree plantings than suburban environs. Urban settings such as the site of the Proposed Project are shade starved and in desperate need for more tree canopy. The Project's application fails to adequately explain why this variance is necessary. The Project contends that if it were obligated to comply with the law, the "vast majority of the open space would need to be dedicated to tree planting ... [which would not allow] the exterior open space to be used by residents or the community." It is unclear how trees interfere with open space, given that trees are traditionally needed for open space to be welcoming and comfortable to human users. Moreover, the Project's request to plant fewer than the required numbers of trees conflicts with the self-described "green" nature of the Project's design. Accordingly, the requested variance should be denied.

As proposed, the City should not approve the Supplemental Use District (SN) – Sign District.

(i) <u>It is Premature to Approve the SUD in light of the Complete Overhaul of the City's Signage Ordinance currently underway.</u>

¹⁶ Attachment A Section G(1).

Although neither necessary to its construction or functionality, the Project nevertheless requests a Supplemental Use District for Signage to allow over 200,000 square feet of electronic billboards. In addition to the objections submitted to the proposed SUD in our comments to the DEIR, which are incorporated herein by reference, the SUD should not be approved in light of the fact that the City is actively revising its Signage Ordinance with proposals that would not allow the SUD proposed here. Specifically, the Project falls outside one of the regional high intensity commercial centers in which signage districts would be allowed under the revised ordinance approved by the City Planning Commission in October of last year. Moreover, PLUM in April of this year, instructed City agencies to continue their work in preparing a revised Signage Ordinance, thus further highlighting the uncertain future of electronic billboards in the City as a whole. Given the enormous scale of the proposed SUD, prudence warrants withholding evaluation and approval until the City finalizes its vision for new signage regulations.

(ii) The Project threatens to dismantle the City's signage regulations and policies.

Additionally, approval of the SUD threatens to undermine the bedrock of the City's signage policy with respect to aesthetics and public safety. Specifically, the Project applications and FEIR ignore fact that the Project violates the City's ban on signage within 2000 feet of a freeway that would be viewed primarily from a main traveled roadway of a freeway or an onramp/off-ramp.¹⁷ In this regard, approval of the SUD threatens to invalidate the City's hard fought ban of freeway facing signage – an environmental and policy impact of monumental significance. Although emerging victorious in *World Wide Rush LLC et al v. City of Los Angeles*, the Ninth Circuit cautioned the City that although the Staples Center and the Fifteenth Street SUD exemptions to the freeway ban did not invalidate the ordinance, additional exceptions could "break the link between Freeway Facing Sign Ban and the City's objectives in traffic and aesthetics." ¹⁸

The Project has all the elements of a sign district that would invalidate the City's ban of freeway facing signs ordinance. Its fully animated billboards would be highly visible from multiple freeways. The City's arguments of blight and improving traffic safety available for the Staple Center and Fifteenth Street SUD are absent. Thus, the Project threatens the City's continued ability to ban freeway facing signs, and opens up the entire length of every freeway to signage the City has fought so hard to ban. Accordingly, as proposed, the SUD should not be approved.

The City should not approve the Vesting Tentative Tract Map as proposed.

In order to approve the requested tentative tract map, the City must find that the Project is designed in compliance with zoning and all other elements of the General Plan. ¹⁹ The Project must also satisfy the requirements of the California Subdivision Map Act. In addition to requiring

¹⁹ Los Angeles Municipal Code section 17.05.C.

¹⁷ Article 4.4, Section 14.4.6 and Section 14.4.5 of draft Signage Ordinance under CPC consideration.

¹⁸ Word Wide Rush LLC et al., vs. City of Los Angeles, 606 F.3d 676 (9th Cir. 2010)

consistency with the city's General Plan,²⁰ the Subdivision Map Act also requires a city to deny approval of a tentative map where the site is not physically suitable for the type or density of development, or where "the design of the subdivision or type of improvements is likely to cause serious public health problems."²¹

For the reasons described above, the Project as proposed is not consistent with numerous important policies and programs contained in several different General Plan Elements, including the Land Use Element (Community Plan), Health and Wellness Element, Framework Element, and Housing Element. As a result, the Project fails to satisfy the findings required by LAMC 17.05 and the Subdivision Map Act. The City should resolve these inconsistencies before it can approve the tentative tract map.

In addition to General Plan inconsistencies, the Project may also demonstrate several of the criteria listed in the Subdivision Map Act that compel denial of a tract map application. As proposed, the Project would construct 10 low and mid-rise buildings in addition to a 35-story residential tower, a 32 story residential tower, and another 19 story hotel tower, each of which are out of scale with the surrounding uses. This increase in density and height is proposed on a site that is currently zoned industrial and surrounded by industrial uses. This suggests that the site may not be physically suitable for both the type and density being proposed, which would compel the City to deny the tract map request under Government Code 66474(c)-(d).

Moreover, the Reef Project Health Impact Study has determined that over 40,000 people have a moderate to very high risk for financial strain and/or displacement as a result of the Project's impacts on housing prices in the surrounding area. The Reef Project Health Impact Report also identifies a large number of subsidized affordable housing units are at risk of converting to market rate in the near future. There are severe negative public health consequences associated with this displacement threat. For example, the Reef Project Health Impact Report found:

"Housing instability, living in substandard housing, overcrowding, and homelessness are all determinants of poor health that can be caused by the financial strain of gentrification. These health determinants can have negative impacts on mental and physical health for adults, and can also specifically impact children...There are significant associations between high housing costs and hunger, inadequate childhood nutrition, and poor childhood growth."²⁴

The Reef Project Health Impact Report also notes:

"Disruption of social networks through forced serial displacement and root shock can lead to additional health challenges including exposure to fragmented social environments that have higher rates of violence and sexually transmitted

²⁰ California Government Code section 66473.5.

²¹ California Government Code section 66474.

²² Reef Project Health Impact Report, 19-20.

²³ Reef Project Health Impact Report, 19-20.

²⁴ Reef Project Health Impact Report, 21.



diseases. Multi-generational traumas of this nature can potentially influence the genetic makeup of future generations, leaving them more physiologically susceptible to the impacts of stress."²⁵

The LA County Department of Public Health further advises that ²⁶:

"Moving frequently leads to housing instability and has negative impacts on children including increased absenteeism and poor performance in school, which is linked with negative health and social outcomes."

The City of Los Angeles' own General Plan Health Element explicitly acknowledges the many negative public health consequences of displacement. Given the clear, demonstrated displacement threats posed by the Project and the corresponding health risks, the Subdivision Map Act compels denial of this tract map until these serious public health problems are evaluated and mitigated.²⁷

It is unclear whether the City has properly initiated the General Plan amendment under consideration.

Under the City Charter, a General Plan amendment may only be initiated by the Director of Planning, the City Planning Commission, or the City Council. In May 2014, Councilmember Curren Price introduced a motion to instruct the Planning Department to initiate the proceedings for a General Plan Amendment and the creation of a Supplemental Use District (SN) – Sign District for the property. This motion is currently pending in the Planning and Land Use Management Committee, and therefore the directive has not yet received City Council approval. Since City Council has not yet directed the Department to initiate the amendment, that leaves only the City Planning Commission (CPC). Assuming the CPC has not initiated this proposed amendment, it would appear that the amendment has not been properly initiated and the Department's review and recommendation at this time is premature.

There have been significant flaws in the CEQA review process.

All comments submitted on the Draft EIR are herein incorporated by reference, and the Coalition reserves the right to submit additional, more detailed comments regarding the Final EIR (FEIR). However, it is important to address some general concerns at this time. The CEQA process for the proposed project has been significantly flawed, and fails to account for the true potential impacts of this project on area residents, the community, and the environment.

²⁵ Id.

²⁶ DPH PLUM letter.

²⁷ See, California Government Code section 66474. "A legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes any of the following findings:[...](f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.

²⁸ Council File 14-0620.

The Draft EIR contained numerous inaccuracies with respect to the project description and characterization of impacts, which are especially important features of an EIR because they provide a baseline understanding of the activity being analyzed in the document for decision makers and the public. The FEIR's response to comments did not remedy these inaccuracies. For example, at numerous times throughout the EIR, the City concludes that based on the specific features of the Project, impacts will be less than significant, while at the same time providing flexibility to the Project under the Design Guidelines and Land Use Equivalency Program with respect to specific building locations, uses, and other project features. This is an outright inconsistency, which was identified in comments on the Draft EIR. However, the FEIR does not remedy this inconsistency, but merely states that if the project is changed through the Design Guidelines or Land Use Equivalency Program, its impacts will be analyzed through separate environmental review at that time. This, arguably, represents improper deferral of study and mitigation of project impacts under CEQA, and suggests the Draft EIR provides merely a "best guess" as to the specific features and impacts of the proposed Project, in violation of CEQA.

It is especially troubling that the City dedicates significant attention to attempting to dismiss and discredit the lived experience, important concerns and concrete challenges faced by Project area residents, which were presented in the Coalition's comments to the Draft EIR as well as an accompanying report entitled "Assessing Health and Equity Impacts of the Proposed Reef Development Project in South Central Los Angeles." Rather than addressing the evidence presented by the report, the City attempts to discredit its methodology (and by extension, the extensive outreach done to collect the local community's input). This is especially inappropriate given that Human Impact Partners, who conducted the study, is a well-respected organization with a proven track record in evaluation of health impacts in connection with development and government decision-making. The City relies on oversimplified assumptions about displacement, without taking into account the economic considerations outlined in the study, as required by CEQA in evaluating the significance of a project's potential impacts.

The Department of Public Health's PLUM Letter, which acknowledges the study, agrees that a lack of affordable housing and increasing economic pressures on residents have important implications for the project area. That letter concludes that "[i]ncreased access to affordable housing in housing development projects such as the Reef Project Development would help ameliorate the lack of quality, affordable housing in the City of Los Angeles and related negative health outcomes..." Despite this, and numerous studies indicating that the siting of affordable housing in projects such as The Reef can alleviate such negative outcomes, ease displacement pressures, and increase utilization of public transit systems (reducing greenhouse gas, air quality, and transportation/traffic impacts), the EIR concludes that including affordable housing as mitigation would not affect the impacts of the project, and would not be appropriate for inclusion in project mitigation measures. This statement is made by the City against the backdrop of increasing homelessness, increasing housing insecurity, and a citywide affordable housing crisis. Instead of engaging with the community to investigate the true impacts of the project, and considering feasible measures to mitigate those impacts, the City has prioritized development at all costs and expressed a lack of interest in the needs of current residents.

We appreciate the Planning Department's efforts to fully review this project and take our comments into consideration.



On behalf of the UNIDAD Coalition²⁹,

Joe Donlin Associate Director Strategic Actions for a Just Economy <u>Idonlin@saje.net</u>

4816-1830-7891, v. 1

 $^{^{29}}$ For more information on the UNIDAD coalition, visit http://www.unidadla.org/who-we-are/

Exhibit G



August 10, 2016

Erin Strelich
Major Projects & EIR Section
The City of Los Angeles
Department of City Planning
200 North Spring Street, Room 750
Los Angeles, CA 90012-2601

Via email (erin.strelich@lacity.org)

Re: Final Environmental Impact Report for the Reef Project (City Case No. ENV-2014-1773-EIR; SCH No. 2014071054)

Dear Ms. Strelich:

On behalf of the United Neighbors in Defense Against Displacement Coalition (UNIDAD), we submit these comments on the Final Environmental Impact Report (FEIR) for The Reef Project (Project). We have continued concerns regarding the proposed development, as expressed in our comments on the Draft Environmental Impact Report (DEIR). We are disconcerted by the City's disregard for these concerns, as made apparent in the response to comments and the lack of changes made to the EIR to incorporate feedback overall. Unless the flaws in the FEIR are corrected and changes are made to ensure that the Project's significant impacts are thoroughly mitigated, the EIR should not be approved in its current form.

I. The Project Aesthetics are Entirely Different from the Current Aesthetic of the South Los Angeles Neighborhood in which the Project would be Located, and Changes Should be Made to the Project Including Fewer Signs, Smaller and Fewer Billboards, and Less Lighting

The proposed Project's height, size and the number and types of buildings it will contain will be significantly greater than other projects in South Los Angeles. The neighborhood in which the Project is proposed to be built is comprised of small businesses, older residential and commercial buildings, and longtime residents who have established a close-knit and unique community. The Reef Project, as proposed, would stand in stark contrast to the current aesthetic of the area in all aspects of the development, including its size, design, height, and character. The sheer size, and buildings to be included in the Project (a hotel, high-end stores and a supermarket) will effectively transform the aesthetics and character of the neighborhood by virtue of their appearance and the clientele they will attract.

In addition, the signage proposed for the Project will total 234,067 square feet, some of which will be animated and in operation from dawn until 2 a.m. South Los Angeles does not currently

contain many high rise buildings, and those that are located in the area are not outfitted with large, animated signs and billboards. As we pointed out in our comments on the DEIR, this quantity and type of signage is more characteristic of Downtown Los Angeles, where the demographics and aesthetics are significantly different than those of South Los Angeles. As stated in the DEIR, the Project, as proposed, "would establish a new visual identity for the otherwise non-descript Project Site and surrounding area, and would serve as a visual focal point in the area." The current neighborhood surrounding the Project site has a distinct, unique and historically robust identity and character, made up of dedicated and connected residents. The City clearly admits that the Reef Project, as proposed, will completely alter this identity. The FEIR should not be approved until measures are implemented to mitigate these impacts and preserve the neighborhood's important character and culture.

II. The Project Will Likely Result in Indirect Displacement, and the Findings of the Health Impact Report Should have Been Taken Into Account and the Corresponding Impacts Mitigated

The Health Impact Report (HIR) was prepared by Human Impact Partners, an independent, well respected, science and research-based organization, which reached its conclusions based on data, facts, direct resident engagement, and peer reviewed articles. Based on this research and studies conducted in other cities in similar communities and areas, the HIR predicted that the effects of the Project could reach up to 43,000 residents in South Los Angeles, and result in their displacement. In the response to comments, the City repeatedly tries to discredit the study through a variety of assertions including that the HIR lacks evidence or its conclusions are speculative. In fact, the HIR provides ample sources, studies and appendices on which the Study's results were based, and supplements the City's failure to examine indirect displacement impacts of the Project. In addition, because the Project has not yet been built, all predictions, assumptions and assertions made in the FEIR are, in effect, speculative. Therefore, the results of the HIA should be seriously considered, and the anticipated impacts mitigated, before the Project is considered for approval. It is troubling that the City has elected to dedicate significant staff time and resources to discrediting a robust, community-driven study, as opposed to utilizing those resources to consider its findings and incorporate measures to mitigate the impacts.

Residents of the community surrounding the Project site and in the nearby neighborhood are low-income people of color, who are already overburdened with health issues and rising rents. These individuals and families are already struggling to remain in South Los Angeles, where rent is lower than most other parts of Los Angeles, including Downtown. The charts presented in the response to comments clearly demonstrate that in Downtown Los Angeles, there are substantially more large, multi-unit buildings, with significantly fewer persons residing in each unit.² The Project, which will contain units similar to those in Downtown Los Angeles, both in cost and in design, will not be affordable for current South Los Angeles residents. Further, the

² FEIR, pg. III-239.

¹ DEIR, p. IV.B.1-22.

City claims that the area surrounding the Project Site is not conducive to development similar to the Project because of current zoning designations.³ It is precisely for this reason that the Project, and its potential for displacement of existing residents and businesses, should be carefully considered; construction of the Project hinges on numerous zone changes requested by the developers. There is a real possibility that the Project will lead to additional developments and changes in the local economy to cater to the higher-income population, which the Project hopes to attract. Such changes are not merely speculative, but have been experienced and documented in other areas, and could drive up the costs of goods, services, and housing, which would displace current residents. The potential for this is well-documented in the HIR.

In the response to comments, the City states that "the Project will operate as an extension of downtown, and that potential future residents will exhibit the characteristics in common with current residents of downtown Los Angeles." Because of the distinct socioeconomic characteristics of current South Los Angeles residents as compared to residents of Downtown Los Angeles, this confirms that the project intends to serve a higher-income population than the population that currently resides in the Project area, at the possible expense of these residents. It is critical to the health, survival and integrity of the South Los Angeles community that the Project's potential for displacement is addressed, analyzed and taken into account before the Project is approved.

III. The Project's True Growth-Inducing Impacts and Cumulative Impacts Should Have Been Analyzed and Mitigated in the FEIR

The Reef Project has been described as a "catalytic" and "transformative" project, yet the effects of this transformation on the current South Los Angeles population are ignored through the EIR's failure to examine the Project's true growth-inducing and cumulative impacts. There is a concrete potential for the Project to attract a different population than that which currently resides in the Project area by virtue of the luxury housing it intends to provide; this may lead to a shift in the types of services provided in the area, the construction of new retail and other commercial developments to serve new area residents, and economic challenges for existing area businesses serving current residents. Similarly, the FEIR's response to comments repeatedly states that the trend of development in Downtown Los Angeles is moving southward into the Project area, but fails to truly account for the cumulative indirect displacement which may result from this Project, taken in concert with this new development trend.

³ FEIR, pg. III-240.

⁴ FEIR, pg. III-246.

UNITED NEIGHBORS IN DEFENSE AGAINST DISPLACEMENT

IV. The City Should Address the Project's Potential to Exacerbate Los Angeles' Current Affordable Housing Crisis By Requiring the Inclusion of Affordable Housing

As mentioned above and in our DEIR comments, the community surrounding the Project site is comprised mainly of low- and very low-income people of color who already live in overcrowded housing, and experience housing insecurity despite an average rent that is significantly lower than average in Los Angeles. Because the Project's impacts will disproportionately affect this community, affordable housing units should be included to ensure that community members are given the opportunity to be included in the development. The DEIR claims that current residents will benefit from the supermarket and other amenities that will be built on site. They should not be excluded from also living on site, and accommodating the local community in the Project will help mitigate a number of impacts identified in the FEIR including displacement impacts, and Air Quality and Climate Change impacts by, for example, increasing transit ridership. The speculation in the response to comments that affordable units may be required in the Project's Development Agreement does not remedy the failure to include them as mitigation in the EIR.

V. The FEIR Should Have Included an Environmental Justice Section to Account for the Impacts that will be Felt by the Low-Income Community of Color Surrounding the Project

Lead agencies are encouraged to include Environmental Justice analyses in EIRs for Projects that are likely to have a significant and disproportionate effect on surrounding communities or communities of color. Although CEQA does not explicitly define the term "environment," it is commonly accepted that people make up an important part of the environment. As Attorney General Kamala Harris noted, because "human beings are an integral part of the environment[, in a CEQA analysis,] 'an agency is required to find that a 'project may have a significant effect on the environment' if, among other things, '[t]he environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.[]" An Environmental Justice analysis is not limited to, as the response to comments states, identification of "situations where a project would result in disproportionate impacts on a low income community, as compared to similar impacts that are experienced from projects located in higher income communities." Rather, the analysis extends to identifying whether the affected community will be disproportionally impacted by the Project because it is a low-income community of color, or disadvantaged in another way. Whether or not the impacts are typical for a development is not at

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⁵ It is important to note that the response to comments only mentions low-income communities as those necessitating an Environmental Justice analysis. Environmental Justice communities include those that are comprised of members of any protected class including race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color or disability. The FEIR should have taken each of these classes into account in determining whether to include an Environmental Justice analysis, as opposed to focusing exclusively on income. This is especially true considering that our DEIR comments referred repeatedly to the demographics and racial makeup of this community and the disadvantages that they encounter daily.

⁶ FEIR, pg. III-249.



issue. The analysis aims to determine whether these "typical" impacts will have a greater significance or exaggerated effect on a protected class, and in this case on a community that is already struggling with health, financial and other concerns, as compared with communities that are not burdened in these ways.

As expressed in our DEIR comments, and emphasized in the attached HIR, the community surrounding the Project site is an environmental justice community. Its members are overburdened with mental and physical health issues, financial struggles, and overcrowded and unaffordable housing. As a result, the impacts of the Project, particularly those that have been found to be significant and unavoidable will likely disproportionately affect the community. In order to properly analyze and mitigate these impacts and to ensure a fair, just and equitable Los Angeles, an Environmental Justice analysis should have been included in the FEIR. Without this analysis, the Project should not be approved.

VI. The DEIR Contained Numerous Inaccuracies and Improper Deferral of Impact Analyses and Mitigation, Which Were Not Resolved in the FEIR

The DEIR contained an inaccurate project description, inaccurate characterization of impacts, and improper deferral of mitigation measures, none of which were resolved in the FEIR. These deficiencies were laid out in detail in comments on the DEIR. For example, at numerous times throughout the EIR, the City concludes that based on the specific features of the project, impacts will be less than significant or fully mitigated. Elsewhere, the City provides flexibility to the project under the Design Guidelines and Land Use Equivalency Program. These programs allow the specific locations of buildings, uses, and other project features to be modified after the FEIR is certified. This inconsistency was identified in comments on the DEIR. However, the FEIR does not resolve it, but merely states that if the project is changed through the Design Guidelines or Land Use Equivalency Program, new impacts will be analyzed through additional environmental review. This, arguably, represents improper deferral under CEQA, and implies that the DEIR provides no more than an approximation as to the specific impacts of the proposed Project. Similarly, reliance on the negotiation of a development agreement between the City and Project developers to defer inclusion of feasible mitigation measures such as incorporating affordable housing into the Project is improper under CEQA. The FEIR should have included a full and accurate description of all features and requirements of Project development, including incorporation of all feasible mitigation measures, a clear and accurate description of the location and layout of Project design features, and the conditions under which the Project will be constructed.

VII. Conclusion

It is disappointing that the City failed to account for the full extent of potential Project impacts. We believe that the FEIR failed to include a number of important analyses and mitigation measures, most notably to address the likely indirect displacement of existing residents, the



aesthetic impacts of the Project, the lack of affordable housing, and Environmental Justice impacts. The Project should not be approved until these deficiencies are addressed and a fair and complete environmental review is produced. Thank you for your consideration.

Sincerely,

Alexander Harnden, Attorney

March

Legal Aid Foundation of Los Angeles

On behalf of the UNIDAD Coalition

CC: Los Angeles City Planning Commission (cpc@lacity.org)

Sarah Molina Pearson (sarah.molina-pearson@lacity.org)

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Exhibit H



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November 2, 2015

Attn: Erin Strelich
Major Projects & EIR Section
The City of Los Angeles
Department of City Planning
200 North Spring Street, Room 750
Los Angeles, CA 90012-2601
Via Email (erin.strelich@lacity.org)

Re: Public Comment on The Reef Project DEIR

Dear Ms. Strelich:

We write to register our concerns with respect to the Draft Environmental Impact Report (DEIR) submitted for The Reef Project in September 2015. Although insufficient time was given for public comment, the DEIR's perfunctory, inaccurate and conclusory nature is, nevertheless, obvious and alarming. So deficient and substandard is the DEIR, only a revised and recirculated DEIR will satisfy California Environmental Quality Act's (CEQA) mandate. We support and adopt the comments submitted by our clients and colleagues of the UNIDAD coalition. We tender this separate letter, however, to focus our comments on the DEIR's signage and land use & planning review, which we found particularly troubling.

Founded in 1970, Public Counsel is the public interest law firm of the Los Angeles County and Beverly Hills Bar Associations and the Southern California affiliate of the Lawyers' Committee for Civil Rights under Law. For 30 years, our Community Development Project has worked to confront a wide range of economic, social and environmental challenges faced by low-income communities in Los Angeles County. As part of our work, we represent and partner with nonprofit affordable housing developers to provide housing equity and prevent homelessness. At the same time, the communities we serve routinely bear the brunt of environmental burdens and have the greatest need for robust environmental review. As such, our work frequently balances the need to streamline affordable housing development and the need to ensure meaningful environmental review and community engagement.

I. A RECIRCULATED DEIR MUST CORRECT THE DEIR'S DANGEROUS DEFICIENCIES WITH RESPECT TO ENVIRONMENTAL REVIEW OF THE PROPOSED SIGNAGE.

The proposed Reef Project (The Reef or the Project) is a behemoth development by any standard. So out of step and inconsistent with the neighborhood it seeks to "transform", the Project cannot be erected without General Plan Amendments, zone changes, variances from the existing Code, FAR averaging, parking reductions and other significant departures from the City's General Plan and other adopted plans and policies. Nowhere is the Project's community incongruence more disturbing than its request for a Supplemental Use District for Signage (SUD) seeking to install 234,067 square feet of electronic billboards in a community where virtually none exist.

The signage proposed is a dizzying array of offsite advertising stacked 400 feet high, like a massive vertical outdoor TV showroom. Not only would these proposed signs negatively impact, in the most profound ways, the quality of life for the residents living, working and studying just feet away, the signage would also pull the attention of every driver along the I-10 and I-110 freeways away from the road and toward the animated advertising, creating untold hazards for every person obliged to drive in the Project's vicinity.

The DEIR utterly fails to evaluate the environmental impacts of the proposed billboards. Rather than acknowledging the devastating environmental impact its electronic billboards would have on both the immediate community and the City as a whole, the DEIR either underestimates the impacts or fails to evaluate them entirely. Below we have outlined key deficiencies with respect to signage, any one of which requires a recirculated DEIR.

A. DEIR Fails to Acknowledge and Evaluate Significant Environmental Impacts Resulting from the Proposed Signage.

CEQA mandates that an EIR evaluate the health and safety problems caused by the physical changes resulting from a project. Here, the DEIR does not comply with this requirement in many respects - especially so with regard to the proposed 234,067 square feet of electronic and animated billboards.

(i) The DEIR fails to address the public safety hazard caused by billboards.

Due to their severe threat to public safety, the City of Los Angles has banned billboards within 2000 feet of freeways.² It is well established that billboards increase the risk of injury and death for drivers, passengers and pedestrians, as outdoor advertising draws drivers' attention away from the road. This danger is heightened when, as here, the

¹ Cal. Code Regs. tit. 14 § 15126.2.

² Sign Ordinance, Los Angeles, Chapter 62 § 91.6205.5.

signage includes electronic animation. The Project and its proposed electronic billboards would tower over the I-110 and I-10 freeways – distracting the attention of every driver. So close is the Project to I-10, its towers would cast "far-reaching" shadows over the freeway for most of the day. And yet the DEIR fails to evaluate the environmental impact the proposed signage would have on the safety of our roadways.³ As such, the DEIR fails to acknowledge and evaluate one of the most significant environmental impacts created by the Project, an evaluation gap that must be corrected with a recirculated DEIR.

(ii) The DEIR fails to acknowledge and evaluate the known harm to human health caused by electronic billboards.

The science is well settled - exposure to nighttime lighting is harmful to both human and plant life. Nighttime lighting disrupts the circadian rhythm, which in turns impairs the production of melatonin. Suppression of melatonin is linked to numerous serious chronic diseases, such as cancer (especially breast cancer), obesity, diabetes, depression and reproductive problems. So serious and universally accepted is this risk, the American Medical Association adopted a policy recognizing that exposure to light at night disrupts sleep, exacerbates sleep disorders and creates unsafe driving conditions. These threats to human health are even more pronounced when considering LEDs, the type of lighting proposed by this Project, given that light from blue LEDs in electronic billboards is even more dramatically damaging to human health and to the natural environment due to its peak spectral output falling within the sensitivity range of melanopsin.

The proposed Project would be the single largest concentration of electrified signage in Los Angeles – dwarfing anything even contemplated in Hollywood or by LAX. The DEIR acknowledges that the animated advertising extravaganza would be viewed by sensitive receptors – including apartment dwellers living under its shadows. And yet the DEIR declines even the most modest evaluation of the health impacts the signage would undoubtedly have on existing community members and residents of the Project. This is a profound and alarming deficiency in the DEIR that must be corrected to comply with CEQA.

³ The DEIR's passing reference to compliance with the California Motor Vehicle Code does not constitute an analysis of the traffic hazards created by the freeway adjacent billboards proposed here. See DEIR, IV 8.2.17.

⁴ Department of Neurology, Thomas Jefferson University, "Adverse Health Effects of Nighttime Lighting: Comments on American Medical Association Policy Statement," 9-1-2013; Ron Chepesiuk, "Missing the Dark, Health Effects of Light Pollution," Environmental Health Perspective, 2009 January, 117(1)

⁵ "Missing the Dark" at 5. Council on Science and Public Health Perspect 4. "Light Pollution," Adverse

⁵ "Missing the Dark," at 5; Council on Science and Public Health Report 4, "Light Pollution: Adverse Health Effects of Nighttime lighting, American Medical Association House of Delegates Annual Meeting, June 2012, Chicago, IL.

⁶ American Medical Association, h-135.932, Light Pollution: Adverse Health Effects of Nighttime Lighting.

⁷ Council on Science and Public Health Report 4, "Light Pollution: Adverse Health Effects of Nighttime lighting, American Medical Association House of Delegates Annual Meeting, June 2012, Chicago, IL; Roland Deschesne, "Electronic Digital Billboards as a Health Hazard,"2013-07011.

(iii) The DEIR fails to evaluate the health and safety risks, particularly for lower income communities, posed by outdoor advertising.

Although the DEIR favors describing the electronic billboards as "improvements" and "adding visual interest" to the area, in fact, they are outdoor advertising, the content of which would likely have negative health and environmental impacts on their viewers. In fact, a study of such signage in Los Angeles showed that outdoor advertising adversely impacts public health and targets lower income communities at a higher percentage for advertising of unhealthy foods and life choices. ⁸ Moreover, the images commonly promote the use of guns and objectify women. ⁹ Again, the DEIR fails to acknowledge, much less evaluate, these health and safety impacts the proposed signage would have on the surrounding community. This deficiency must be corrected in the recirculated DEIR.

B. The Sign District Criteria contained in the DEIR's Project Description Inaccurately Describes the Environmental Impacts of the Signage.

A recirculated DEIR must correct the proposed Sign District Criteria. ¹⁰ First, with respect to Vertical Sign Levels 1 and 2, the proposed criteria guidelines describe certain proposed "unrestricted animation" and "light color animation" signs as "Digital Display signs and Integral Electronic Display Signs that are in encapsulated areas that are no more than incidentally visible from the public right of way." According to the Project design, however, very little of the signage at Levels 1 and 2 would be "in encapsulated areas that are no more than incidentally visible from the public right of way." The DEIR repeatedly touts the Project's open design with all sides visible from a public right of way. In fact, the only differences between the signs proposed at these levels versus "integral electronic display signs" proposed at Level 3 are that they are lower and would run 24 hours a day. The recirculated DEIR must correct the mischaracterization of the signage proposed for Levels 1 and 2.

Additionally, the Signage District Criteria would allow the animated signage in Zone 3 to operate from dawn until 2 a.m. – nearly 24 hours a day. As a mitigation measure, the DEIR proposes to shorten the time of operation from 7 a.m. to 10 p.m. It is suspect to offer the shortened time as a mitigation measure rather than simply embedding the shorter period within the proposed signage district regulation. Notwithstanding the inadequacy of this particular mitigation measure, the Signage District Criteria should be modified to reduce the hours of operation to the shorter period, as suggested by the DEIR, rather than being offered as a mitigation measure.

⁸ Bryce C. Lowry and David Sloane, "The Prevalence of Harmful Content in Outdoor Advertising in Los Angeles: Land Use, Community Characteristics, and the Spatial Inequality of a Public Health Nuisance," American Journal of Public Health, February 13, 2014.

⁹ Id.

¹⁰ DEIR, Figures II-15 and 16.

C. The DEIR Aesthetics mischaracterizes significant environmental impacts from signage as less than significant.

(i) The DEIR engages in impermissible segmentation with respect to its signage and the SUD analysis.

As noted above, the DEIR breaks the proposed electronic signage onslaught into five sign zones (Zone A- E) and then further breaks each of these zones into three vertical signage subzones (Zones 1-3). Inexplicably, the DEIR proceeds to address the environmental impacts of each separately – as if the visual and environmental disturbance of one can be isolated from the others. And in doing so, the DEIR attempts to minimize the environmental impacts of the signage through impermissible segmentation. Even the causal-observer understands that individual zones do not stand-alone and in fact have a cumulative environmental impact. The DEIR's impermissible segmentation results in the flawed conclusion that signage in Vertical Zones 1 and 2 pose "less than significant" environmental impacts. Although individually each zone presents significant impacts, the impact of these signs as a whole - as humans perceive them – is undoubtedly even more severe. Yet, the DEIR fails to acknowledge and analyze this. As such, the Aesthetic section is built on a faulty foundation that invalidates all its conclusions, requiring a revised and recirculated DEIR.

(ii) The DEIR's test for assessing aesthetic impacts is fatally flawed.

The DEIR self-selects a test for significant impacts with respect to the signage that fails to account for the reality of the visual quality/aesthetic impacts. Specifically, the DEIR asserts:

Project signage would result in a significant impact with regard to visual quality/aesthetics, if it is: (1) prominent and visible at a distance from the Project Site, and provides a visual appearance that is not consistent with or complimentary [sic] to the effects of Project development on the visual environment of the Project Site and surrounding areas, as previously discussed; or (2) if the operation of one or more specific signs would adversely impact the visual environment as experienced at a particular sensitive receptor, such as a residence or school." ¹²

This criterion wrongly prioritizes aesthetic impacts experienced by communities at a distance and inappropriately disregards the aesthetic experience of the local community members – the very persons most impacted by the Project and its electronic signage. But even under this flawed test, the DEIR's characterization of signage in Zones 1 and 2 as less than significant is clearly wrong for several reasons and must be revised. First, the signage in Zone 2 projecting 75 feet into the air would be visible from a distance,

¹¹ It is well established California law that CEQA is violated when a DEIR piecemeals a project to minimize environmental impacts. See *Laurel Heights Improvement Assn. v. Regents of University of California*, (1988) 47 Cal. 3d. 376.

¹² DEIR, IV.B.1-27.

including from the I-10. Thus, even under the DEIR's faulty test, their impacts should have be classified and evaluated as significant. Moreover, with respect to both Zones 1 and 2, the electronic signage would be visible and adversely impact the visual environment of every person living, working, and studying in this area. The signage in Zones 1 and 2 would have a significant impact and the DEIR must be revised to account for these zones.

(a) Views of Project Signage from the West

Although conceding that the signs in Zone 3 would have a significant impact, the DEIR erred in basing this conclusion solely on the impacts Zone 3 signs would have from a distance. The surrounding community would be negatively impacted from the existence of the proposed signage and, as such, the DEIR must be revised to account for the local impact of Zone 3 in all directions, not just from the far west.

Additionally, the DEIR incorrectly concludes that the signage in Zone 2 would be "less than significant because the signage would be visible and prominent only in the immediate vicinity of the Project, where it would reinforce and contribute to the aesthetic image of an urban center that would result from the Project by providing contrast and color that promotes the identity of the areas as a center of activity." ¹³

This conclusion is ludicrous. The billboard proponent may choose to euphemize the blighting impact of their signage, but the reality is that these billboards would profoundly impact the environmental experience of the surrounding community. The DEIR goes on to contend, "[i]n addition, the proposed Reef Project SUD would not place west-facing highly animated signage in the Vertical Zone 2 immediately adjacent to sensitive receptors, where it could adversely affect the visual environment as observed from these receptors." (Emphasis added.) Such obfuscation must be addressed. Any signage, whether "highly animated" or not, will negatively impact the visual experience and quality of life of the sensitive receptors within the area. In fact, the DEIR acknowledges that a residential apartment would bear the blunt of the Zone 2 signage impacts given that the apartment would visually shield other local buildings from seeing the Zone 2 signage. Moreover, the DEIR notes in the glare discussion that the residents of the Rutland Apartments and Southland Apartments and the students at LA Trade Tech would see the signs in Vertical Zones 1 and 2, and still asserts a less than significant environmental impact.

The DEIR makes the same conclusion as to Zone 1, asserting that since the signage would only be viewed by the "immediate vicinity," it would not have a significant environmental impact. Again, this is wrong and must be corrected.

¹³ DEIR, IV B.1-28.

¹⁴ DEIR, IV.B.1-28.

(b) Views of the Project Signage from the North

Likewise, the DEIR acknowledges that the environmental impacts from Zone 3 would be significant, but insignificant as to Zones 2 and 1. Again, the DEIR's conclusions are wrong and in this case, even more so given that animated signage in Zone 2 would face directly into the sensitive receptor of the Rutland Apartments. The DEIR callously states that by limiting the animated signage invading the Rutland Apartment to 2,550 square feet, the impacts would be less than significant. This suggestion is as insulting and it is injurious to the residents who would be forced to live not only with the signage pointed directly at them, but also with all the other billboards in all the zones. There is a cumulative effect of the proposed signage that the DEIR completely ignores.

The DEIR makes the same conclusion as to Zone 1, asserting that since the signage would only be viewed by the "immediate vicinity," it would not have a significant environmental impact. Again, this is wrong and must be corrected.

(c) Views of the Project Signage from the East

Here again DEIR relies on the same faulty and self-serving assessments of the signage in this region with respect to Zones 2 and 1 to conclude they are less than significant. The proposed signage undoubtedly would have a significant environmental impact and must be analyzed and mitigated.

(d) Views of the Project Signage from the South

The DEIR makes the same conclusion as to Zone 1, asserting that since the signage would only be viewed by the "immediate vicinity," it would not have a significant environmental impact. Again, this is wrong and must be corrected.

II. THE DEIR PROJECT'S LAND USE AND PLANNING EVALUATION IS INADEQUATE AND INACCURATE.

As proposed, the Project seeks a laundry list of General Plan Amendments, zone changes, variances from the existing Code, FAR averaging, and other significant departures from the City's General Plan and adopted policies. This long list of required departures from adopted plans lays bare the fact that the Project upends existing city policy. In order for the development to proceed as proposed, the Project must show consistency with relevant General Plan policies and objectives. ¹⁵ Moreover, the EIR must

¹⁵ Government Code § 65860(a)(2) (land uses authorized by zoning ordinance must be "compatible with the objectives, policies, general land uses, and programs specified in the [general] plan."); see also Neighborhood Action Group v. County of Calaveras (1984) 156 Cal.App.3d 1176, 1184.) (A project cannot be found consistent with a general plan if it conflicts with a general plan policy that is "fundamental, mandatory, and clear," regardless of whether it is consistent with other general plan policies.) Even in the absence of a direct conflict, an ordinance or development project may not be approved if it interferes with

evaluate "any inconsistencies between the proposed project and applicable general plans and regional plans." As detailed below, the DEIR fails to evaluate the Project's many conflicts with existing zoning requirements and applicable general and regional plans. And where the DEIR does discuss applicable plans, the analysis is often flatly inaccurate and self-serving. A recirculated DEIR must resolve this inadequate analysis and provide meaningful mitigation measures relating to the significant impacts associated with land use (in)consistency.

A. The DEIR's Dangerously Deficient Supplemental Use District for Signage Land Use Assessment Leads to False Conclusions and Risks Invalidating the City's Signage Ordinance.

Despite having devoted nearly half its Project Description to describing the proposed SUD, the DEIR mustered an anemic paragraph for the same topic in its Land Use & Planning analysis, of which two sentences address the Project's impacts on signage regulations and policies. Specifically, the DEIR's Land Use & Planning analysis on the SUD obliquely reads:

The potential environmental impacts of The Reef Project SUD are evaluated in this EIR. Therefore, the Project would have less than significant impacts with regards to signage regulations and policies.

This circular assessment gives new meaning to the phrase "environmental window dressing." The DEIR's assessment is as wrong as it is inadequate for the following reasons.

> (i) The DEIR fails to account for the land use regulations and policies upon which it based its erroneous conclusions.

The history and status of our City's signage regulations play a controlling role in the Project's request for a SUD for Signage. Yet the DEIR is silent on both. This is a glaring obfuscation given that the ordinance on the books is currently being revised and, for all intents and purposes, no longer controls the City's evaluation of new Supplemental Use Districts for Signage applications and the signs a project proposes.

The DEIR fails to acknowledge that the City is in the process of establishing new sign regulations and that sign district applications are being viewed through the lens of the proposed new regulations. This shortcoming is all the more troubling given that the DEIR incorrectly asserts that it "would have less than significant impacts with regard to signage regulations and policies." This statement holds no water under either the

or frustrates the general plan's policies and objectives. Napa Citizens for Honest Gov't v. County of Napa. (2001) 91Cal. App. 4th 342, 378-79.

¹⁶ CEOA Guidelines, 15125(d); see also, City of Los Angeles CEQA Thresholds Guide, calling for an evaluation of "whether the proposal is inconsistent with the General Plan or adopted environmental goals or policies contained in other applicable plans." DEIR, IV J-72.

current sign ordinance or the revised ordinance under consideration. Further, under the revised ordinance approved by the City Planning Commission on October 22, 2015, the Project would not qualify for a signage district even with the proposed rezoning given that it falls outside one of the regional centers in which signage districts would be allowed. Additionally, under the same revised ordinance, the Project would be required to acquire and remove 10 square feet of existing billboards for every 1 square foot of signage planned for the Project. And yet the Project does not discuss any of the numerous environmental impacts associated with removing 2,340,670 square feet of billboards.

(ii) The Project would have significant environmental impacts on the City's signage regulations and policies.

Regardless of which signage ordinance its conclusions are based, the DEIR ignores significant signage restrictions that form the bedrock of the City's signage policy with respect to aesthetics and public safety. Specifically, the DEIR fails to address the fact that the Project violates the City's ban on signage within 2000 feet of a freeway that would be viewed primarily from a main traveled roadway of a freeway or an onramp/off-ramp. Not only does this gaping oversight stand as a powerful indictment of its inadequacy, the DEIR fails to account for how its Project's signage threatens to invalidate the City's hard fought ban of freeway facing signage – an environmental impact of monumental significance. Although emerging victorious in World Wide Rush LLC et al v. City of Los Angeles, the Ninth Circuit cautioned the City that although the Staples Center and the Fifteenth Street SUD exemptions to the freeway ban did not invalidate the ordinance, additional exceptions could "break the link between Freeway Facing Sign Ban and the City's objectives in traffic and aesthetics." 19

The Project has all the elements of a sign district that would invalidate the City's ban of freeway facing signs ordinance. Its fully animated billboards would be highly visible from multiple freeways. The City's arguments of blight and improving traffic safety available for the Staple Center and Fifteenth Street SUD are absent. Thus, the Project threatens the City's continued ability to ban freeway facing signs, and opens up the entire length of every freeway to signage the City has fought so hard to ban. The environmental impacts of such a risk are immensely significant. Yet the DEIR fails to acknowledge and analyze this environmental impact. Accordingly the DEIR is inadequate and must be recirculated.

(iii) Environmental Review of the Project's proposed SUD and Sign District Criteria is premature given that the City is actively overhauling it Signage Ordinance.

As noted above, the City is actively overhauling its signage ordinance, with a recent vote by the City Planning Commission to approve a reworked ordinance on

19 Word Wide Rush LLC et al., vs. City of Los Angeles, 606 F.3d 676 (9th Cir. 2010)

¹⁸ Article 4.4, Section 14.4.6 and Section 14.4.5 of draft Signage Ordinance under CPC consideration.

October 22, 2015. Although the DEIR fails to mention the overhaul, the truth of the matter is the Project, for several reasons, would not qualify for a SUD under the new ordinance moving through the approval process. Of note, of course, is the fact that the Project is not within one of the designated regional centers in which sign districts would be permitted under the revised ordinance. In addition to the DEIR's numerous material deficiencies, the Project's attempt to end-run the City's land use approval process by securing an environmental review on a SUD that is fundamentally incongruous with City's proposed signage ordinance is inappropriate and must be rejected.

B. The DEIR Fails to Acknowledge and Evaluate the Project's Conflicts with Existing Zoning Regulations.

The DEIR's land use analysis unjustifiably assumes that the Project will be constructed in a manner that is patently inconsistent with existing zoning requirements and numerous current land use plans and policies that apply to the Project Site. Specifically, the Project involves the construction of a mixed use development with 1,444 housing units on a site that is currently zoned for limited manufacturing. The DEIR briefly notes that as proposed, the Project "would not be consistent with the existing General Plan land use designation and zoning of the Project site." However, this is presented not as an issue to be analyzed, but merely as the explanation behind the Project's request for an extensive list of discretionary land use approvals. Rather than evaluating the existing land use inconsistency and analyzing the on-the-ground environmental impacts that the proposed land use changes will have on the community, the DEIR simply concludes "the zone change would result in the entire parcel being singularly zoned for the mix of uses that [sic] proposed for the mixed-use development." This circular logic undermines environmental review.

The DEIR's approach completely removes Project's proposed land use changes from any meaningful scrutiny. It implies that existing land use regulations are inappropriate and suggests that once the current regulations are amended to permit the Project, then all of the Project's land use impacts are somehow resolved. In other words, the DEIR proceeds from the flawed assumption that the Project should dictate land use laws, not the other way around. By assuming that the approval of the Project's numerous discretionary land use entitlement requests are a foregone conclusion, ²² the DEIR fails to comply with the CEQA requirement that the EIR identify the significant environmental effects of the project based on "the existing physical conditions in the affected area."

²⁰ DEIR, IV.J-70.

²¹ DEIR IV.J-70.

²² Moreover, the Los Angeles Municipal Code clearly states that General Plan Amendments – including those limited to a specific property – must be initiated by the City Council, the City Planning Commission, or the Director of Planning; not the applicant. LAMC 11.5.6.B; Los Angeles City Charter Section 555). It appears that this process was initiated in May, 2014, by a motion from Councilmember Curren Price. However, this motion is still pending in the Planning and Land Use management Committee, and has not been approved by the Council as required by the Code and Charter. See Council File 14-0620. Without such approval, the DEIR analysis of land use consistency is premature.

²³ CEOA Guidelines, 15125(e); 15126.2.

C. The DEIR Fails, Altogether, to Evaluate Consistency with Numerous Relevant General Plan policies.

The CEQA Guidelines require an analysis of "any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans." The City of Los Angeles CEQA Thresholds Guide provides five factors for consideration in determining significant impacts related to land use consistency. These factors include, "whether the proposal is inconsistent with the General Plan or adopted environmental goals or policies contained in other applicable plans."

Despite these clear directives, the DEIR completely neglects to evaluate consistency with many relevant General Plan policies, goals and objectives. While DEIR Tables IV.J-3, IV.J-4, IV.J-5, and IV.J-7 selectively and inadequately consider some policies, they inexplicably ignore numerous General Plan policies essential to the understanding the Project's environmental impacts. The following table outlines just some of the important and relevant policies the DEIR fails to evaluate. Moreover, and perhaps unsurprisingly, the Project as proposed is inconsistent with many of these General Plan policies that go unanalyzed in the DEIR. As a result, a recirculated DEIR should include a full analysis of General Plan consistency, as well as mitigation measures to address potential significant impacts relating to land use inconsistency.

General Plan Policy missing from DEIR analysis	Comment	
General Plan Housing Element		
Policy 1.1.2 Expand affordable rental housing for all income groups that need assistance.	As proposed, the Project would provide 449 market rate rental units and 895 market rate condominium units and zero affordable units. This does nothing to meet the current need for (never mind expand the supply of) housing for lower income populations that currently live in the neighborhood. A recirculated DEIR should acknowledge and evaluate the Project's inconsistency with this Objective and Policy, and should include mitigation measures to address the impacts of the further loss of affordable housing in the community.	
Objective 1.2 Preserve quality rental and ownership housing for households of all income levels and special needs.	As proposed, the Project threatens to contribute to displacement pressures experienced by lower income, rent burdened households. According to a recent study, over 40,000 people have a moderate to very high risk for financial strain and/or displacement as a	

²⁴ CEQA Guidelines, 15125(d).

Policy 1.2.2 Encourage and incentivize the preservation of affordable housing, including non-subsidized affordable units, to ensure that demolitions and conversions do not result in the net loss of the City's stock of decent, safe, healthy or affordable housing

result of the Project's impacts on housing prices in the surrounding area.²⁵ Within the South Central community that would be impacted by the Project, thousands of households are already rent burdened, and a large number of subsidized affordable housing units are at risk of converting to market rate in the near future.²⁶

Policy 1.2.8 Preserve the existing stock of affordable housing near transit stations and transit corridors. Encourage one-to-one replacement of demolished units.

The current DEIR fails to evaluate consistency with these relevant policies concerning the preservation of affordable housing, and neglects to acknowledge evidence that the Project would undermine these goals to preserve and protect affordable housing.

Policy 1.3.5 Provide sufficient land use and density to accommodate an adequate supply of housing units by type and cost within the City to meet the projections of housing needs, according to the policies and objectives of the City's Framework Element of the General Plan.

The DEIR does not evaluate inconsistency with these relevant policies. The Project seeks numerous legislative decisions to change existing land use regulations in order to allow an increase in residential density. However, of the proposed 1,444 residential units, none are affordable. As proposed, the Project does not contribute at all to meeting the City's projected housing needs for lower-income households.

Policy 1.4.1 Streamline the land use entitlement, environmental review, and building permit processes, while maintaining incentives to create and preserve affordable housing.

The DEIR does not evaluate inconsistency with this relevant policy. The Project, as proposed, is seeking numerous significant discretionary land use changes, including a General Plan Amendment and zone change. This would dramatically increase development intensity on the site, effectively going from zero residential units to 1,444 units, with a floor area ratio approaching 6:1. If the requests for zone changes, parking reductions and a General Plan Amendment are granted without affordability, as currently proposed, then the existing incentives (e.g. density bonus and Downtown Housing Incentive Ordinance) would be circumvented, not maintained.

²⁵ Human Impact Partners, Assessing Health and Equity Impacts of the Proposed Reef Development Project in South Central Los Angeles, 19-20 (October, 2015) (hereafter, "Health Impact Report," or "HIR"), available at http://www.humanimpact.org/news/reefdevelopmentproject/

²⁶ Id., at 20.

Policy 2.2.3 Promote and		
facilitate a jobs/housing balance		
at a citywide level.		

The DEIR suggests that the Project will create new jobs and 1,444 new residential units. The DEIR does not evaluate or compare the wages of the new jobs with the rents and housing prices of the exclusively market rate units. Therefore, the DEIR has failed to adequately evaluate consistency with this relevant policy.

Policy 2.5.1 Target housing resources, policies and incentives to include affordable housing in residential development, particularly in mixed use development, Transit Oriented Districts and designated Centers.

The Project, as proposed, is a mixed-use development in proximity to transit, but proposes to provide no affordable housing. The DEIR fails to evaluate this effect of the Project, directly contradicting the spirit and intent of these policies.

Policy 2.5.2 Foster the development of new affordable housing units citywide and within each Community Plan Area

Objective 4.2 Promote outreach and education to: homeless populations; residents; community stakeholders; health, social service and housing providers and funders; criminal justice system agencies; and, communities in which facilities and services may be located.

Policy 4.2.3 Strengthen the capacity of the development community to locate, construct and manage housing facilities for the homeless.

Program 8. Land Use Program to Increase the Production of Affordable Housing. Explore the feasibility and

A number of homeless individuals and families currently live in close proximity to the Project, and Council District 9 has the second largest homeless population in the City. The Reef Project Health Impact Report notes that local residents and focus group participants fear becoming homeless as a result of increasing displacement pressures. But the DEIR fails to address or evaluate opportunities for the Project to contribute to outreach efforts and support community stakeholders, health, social service and housing providers and funders to provide crucial services to the homeless population and to construct and manage housing facilities for the homeless.

The DEIR's silence on the issue of homelessness when the City has declared a state of emergency on the same reflects the depths of its deficiency in disclosing environmental impacts.

As proposed, the Project is seeking significant benefits from the City – notably zone changes that result in considerably more housing units than otherwise permitted (effectively going from zero

²⁷ Id., at 17.

²⁸ Id., at 4, 21.

appropriateness of creating affordable housing requirements for projects that receive benefits from the City, including projects that receive City subsidies or City land, projects receiving zone changes that result in significantly more units than otherwise permitted, as well as projects that obtain a Development Agreement.

residential units currently, to the 1,444 residential units proposed). But the Project is not planning to include any affordable units. This is profoundly inconsistent with the spirit and intent of Housing Element Program 8, and the DEIR fails to evaluate the effects of this inconsistency.

Program 41. Preservation of **Affordable Housing Preserve** and/or extend the affordability of approximately 500 units annually currently part of the City of Los Angeles affordable housing stock. Do this through recapitalizing existing projects and/or facilitating the execution of project-based Section 8 (or similar) contract renewals.

The current DEIR neglects to evaluate the Project's impact on the City's affordable housing stock, and therefore fails to evaluate consistency with this important and relevant General Plan Housing Element Program. The Health Impact Report for this Project identifies over 1,000 units in the South Central area that are currently subsidized by federal or state programs (this number excludes additional units funded exclusively through local programs). Of these, the Health Impact Report identifies 152 units that are at risk of converting to market rate within the next 10 years.²⁹ The Health Impact Report forecasts increasing housing costs as a result of the Project, which increases the likelihood of these units converting to market rate. As a result, the Health Impact Report concludes that the people currently living in these currently deed-restricted units are vulnerable to displacement.³⁰ Despite this, the DEIR fails to even mention Housing Element Program 41.

A recirculated DEIR should incorporate and address the Health Impact Report's findings and analysis regarding the potential loss of deed-restricted units in the area.

Program 54. Monitor and **Update the Density Bonus Program**. Track the production of affordable housing units produced as a result of density bonus requests, including the

As proposed, the Project is seeking a general plan amendment and zone change that would dramatically increase the number of residential units permitted on site. Yet, the Project is requesting this increase in allowable residential density without utilizing either the city's Density Bonus Ordinance or the Downtown

²⁹ Id., at 20. ³⁰ Id.

location and income levels served. Track affordable housing units created through the granting of parking reductions, including: the number of affordable housing units exchanged for the concession; the location; and, income levels served. Track and assess the granting of other incentives in conjunction with density bonus requests. Assess the need to make adjustments to incentives and to the Affordable Housing Incentives Program Guidelines. In particular, examine strategies to increase the production of affordable housing units, facilitate the use of density bonus at Transit Stops/Major Employment Centers, encourage more large family and senior units, and transfer unused density bonus rights.

Housing Incentive Floor Area Bonus. Moreover, the project will almost exclusively consist of studio and one-bedroom units, despite the Housing Element policy to encourage more large family units and the significant need for affordable housing for families in the neighborhood. As proposed, the Project threatens to undermine the stated objectives of Housing Element Program 54, and the DEIR fails to evaluate the effects of this inconsistency.

Program 73. Targeting Growth in Community Plan Areas ... When building envelopes are increased, take care not to undermine the density bonus program. Aim to attach community benefits, including affordable housing, to significant bonuses in floor area and density.

Affordable Housing Bonus ... Explore ways to improve affordable housing production under the program, including how the incentives under this program relate to those provided

under the Downtown TFAR

program (#17) and whether the

Program 99 Downtown

The Project is relying on a zone change and general plan amendment to convert the site from Limited Industrial to Community Commercial in order to significantly increase the number of residential units permitted on site. The Project also seeks a general plan amendment to exempt the development from Southeast Los Angeles Community Plan Footnote 1, which restricts all Community Commercial properties to Height District 1 and a base FAR of 1.5.

While the DEIR describes why allowing residential use at higher densities is appropriate at this location, the Project seeks to circumvent several of the City's established affordable housing incentive programs, which are intended as the appropriate mechanisms to achieve increased residential density.

Granting the zone change and general plan amendment, as proposed, will permit the Project to achieve the incentives contained in the density bonus parks fee in lieu of required open space constrains affordable housing development.

Program 101 Community
Level Affordable Housing
Programs ... Take care to not
undermine the density bonus
program by providing significant
land-use incentives without an
affordable housing provision...

ordinance and the Downtown Housing Incentive Ordinance without actually meeting the minimum requirements to qualify for these incentives. This undermines the entire incentive structure, thereby rendering the project inconsistent with Housing Element Programs 73, 99, and 101.

General Plan Health Element - Plan for a Healthy LA

Introduction. The real and perceived threat of displacement and gentrification cause stress and other serious health consequences for families and can move them away from key resources and social networks. which is a particular concern in areas undergoing rapid change due to new transit infrastructure and catalytic development...The Plan for a Healthy Los Angeles acknowledges the negative health consequences of displacement, elevates community stability as a fundamental public health goal, and reaffirms the policy connections between housing and good health in the City's Housing Element.

Policy 1.7 Displacement and Health Reduce the harmful health impacts of displacement on individuals, families, and communities by pursuing strategies to create opportunities for existing residents to benefit from local revitalization efforts by: creating local employment

The DEIR nominally mentions the City's new General Plan Health Element ("Plan for a Healthy LA"), and cherrypicks five Policies from that plan to evaluate. ³¹ However, the DEIR completely neglects to evaluate the Project's consistency with those Policies and Programs aimed and addressing and mitigating the health impacts of displacement.

Policy 1.7 and Implementation Program 86 of the Plan for a Healthy Los Angeles are undeniably relevant to the Project. Policy 1.7 notes the impacts of local revitalization efforts and calls for evaluation and mitigation of "major revitalization efforts that have the potential to cause displacement," while Program 86 calls for "opportunities for low-income and vulnerable populations to access the benefits created by new development and investment in their neighborhoods." As proposed, the Project would clearly fall within the intended scope of these provisions.

The recently released Health Impact Report for the Project outlines a number of serious concerns and potential health impacts, including tens of thousands of residents being at heightened risk for financial strain and/or displacement. The Health Impact Report reinforces many of the conclusions in the Plan for a Healthy LA, including that "housing instability, living in substandard housing, overcrowding, and homelessness are all determinants of poor health that can be caused by the financial strain of gentrification.

³¹ DEIR Table IV.J-5, pp. IV.J-59-60.

and economic opportunities for low-income residents and local small businesses; expanding and preserving existing housing opportunities available to low-income residents; preserving cultural and social resources; and creating and implementing tools to evaluate and mitigate the potential displacement caused by large-scale investment and development.

[...]

While communities naturally change over time, major revitalization efforts that have the potential to cause displacement should be evaluated and mitigated.

Program 86 Displacement: To mitigate displacement, leverage government resources (including land) to preserve the social, cultural and economic diversity of the city. Evaluate best practices to develop criteria to assess the displacement potential of low-income and vulnerable populations; identify and implement an array of mitigation tools that can preserve existing small businesses and affordable housing for low-income households; and create opportunities for low-income and vulnerable populations to access the benefits created by new development and investment in their neighborhoods.

These health determinants can have negative impacts on mental and physical health for adults, and can also specifically impact children... There are significant associations between high housing costs and hunger, inadequate childhood nutrition, and poor childhood growth. "32 The Health Impact Report also notes that "[d]isruption of social networks through forced serial displacement and root shock can lead to additional health challenges including exposure to fragmented social environments that have higher rates of violence and sexually transmitted diseases. Multi-generational traumas of this nature can potentially influence the genetic makeup of future generations, leaving them more physiologically susceptible to the impacts of stress." 33

A recirculated DEIR should acknowledge the health impacts of displacement, consistent with the City's General Plan Health Element, and should evaluate the Project's consistency with programs and policies aimed at addressing these impacts. The DEIR should evaluate, and as appropriate, incorporate the findings of the Health Impact Report into this analysis.

Consistent with Program 86, the DEIR should also evaluate an "array of mitigation tools that can preserve existing small businesses and affordable housing for low-income households; and create opportunities for low-income and vulnerable populations to access the benefits created by new development and investment in their neighborhoods." The Plan for a Healthy Los Angeles identifies potential measures such as "creating local employment and economic opportunities for low-income residents and local small businesses; expanding and preserving existing housing opportunities available to low-income residents; preserving cultural and social resources" [Policy 1.7].

Adopted Southeast Los Angeles Community Plan

Policy 1-5.2 Ensure that new housing opportunities minimizes

The Land Use and Planning Chapter of the DEIR fails to evaluate whether the Project is consistent with

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³² Health Impact Report, 25.

³³ Id., 21.

displacement of the residents. Program: Require that a decision-maker adopt a finding which addresses any potential displacement of residents as part of any decision relating to the construction of new housing.

this highly relevant Policy to minimize the displacement associated with new development. In fact, the Land Use and Planning Chapter of the DEIR does not provide any consideration of potential displacement.

According to the Health Impact Report, over 40,000 people have a moderate to very high risk for financial strain and/or displacement as a result of the Project's impacts on housing prices in the surrounding area.³⁴ Within the South Central community that would be impacted by the Project, thousands of households are already rent burdened, and a large number of subsidized affordable housing units are at risk of converting to market rate in the near future. 35

A recirculated DEIR should evaluate the Project's potential for displacement and its consistency with General Plan policies to mitigate and minimize displacement impacts.

Policy 2-1.4 Ensure the viability of existing neighborhood stores (i.e., mom-and pop) which support the needs of local residents and are compatible with the neighborhood.

The Health Impact Study provides a wealth of data on the risk of commercial displacement associated with large scale development projects and the potential for construction to contribute to disruption and destabilization for small local businesses. The Health Impact Report also notes one example of a local business that had operated in the neighborhood for 20 years experiencing a rent increase of over 100%, forcing the business to close down immediately. Other businesses in the vicinity of the Project are only being offered short term leases, despite owners' efforts to negotiate longer terms.³⁶

Given this, Policy 2-1.4 is highly relevant, and a recirculated DEIR should evaluate the Project's consistency with this policy, as well as any mitigation measures available to help stabilize and promote local community serving small businesses.

Policy 11-2.3 Maximize opportunities for affordable housing and pedestrian access The Land Use and Planning Chapter of the DEIR neglects to evaluate whether the Project is consistent with this policy. If such an evaluation had been

³⁴ Id., at 19-20. ³⁵ Id., 20. ³⁶ Id., 34-35.

adjacent to rail stations.

provided, it would conclude that the Project – with 1,444 market rate housing units and zero affordable units – is clearly inconsistent with a policy to maximize affordable housing near transit.

General Plan Framework Element

Policy 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

The Project is currently zoned "M1-2-0." The site has a General Plan land use designation of "Limited Manufacturing" with Oil District Overlay.

To facilitate the proposed development of 1,444 residential units, 90,000 square feet of retail uses, 46,000 square feet of restaurant/bar uses, a 208-key hotel; 18,000 square-foot gallery, and 8,000 square-foot yoga/fitness studio and approximately 2,733 parking spaces, the Applicant is requesting a General Plan Amendment to change the designation to Community Commercial, and a corresponding zone change from M1-2 to C4-2.

Building the Project as proposed would effectuate a transition or redesignation of a large swath of industrial land. The City has enacted a number of policies intended to ensure that industrial land use conversion is carefully evaluated and considered. In addition to the City's Industrial Land Use Policy (ILUP, discussed in detail below), Framework Policy 3.14.6 provides criteria for evaluating whether it is appropriate to redesignate industrial land, as requested by this Project.

It is important to carefully evaluate and consider land use changes that would forever remove properties from the City's inventory of industrial land. Industrial zoned land is vital for the City's long-term economic sustainability.

The DEIR includes shockingly very little analysis of the Project's impact on the conversion of industrial zoned land. The DEIR only provides vague references to the Project Site being located in a portion of the City undergoing transition.³⁷ The DEIR does not even mention the City's ILUP or Framework Policy 3.14.6, let alone provide an

³⁷ DEIR, p. IV.J-34.

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 iobs 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.

Policy 7.2.9 Limit the redesignation of existing industrial land to other land uses except in cases where such redesignation serves to mitigate existing land use conflicts, and where it meets the criteria spelled out in Policy 3.14.6

Policy 3.1.9: Assure that fair treatment of people of all races, cultures, incomes and education levels with respect to the development, implementation and enforcement of environmental laws, regulations, and policies, including affirmative efforts to inform and involve environmental groups, especially environmental justice groups, in early planning stages through notification and two-way

adequate analysis of the criteria listed therein.

Although the City may reasonably determine that it is appropriate to allow mixed-use commercial and residential development on this site, the DEIR cannot simply ignore that this transition is being proposed and that such a transition invokes several important land use policies.

A recirculated DEIR must provide an analysis of the land use consistency impacts of the transition of existing industrial zoned land to support mixed use commercial and residential uses as proposed by the Project.

As described throughout this letter, there are numerous significant environmental impacts associated with the Project, and many instances in which the DEIR's evaluation of environmental impacts is inadequate. Despite the known community concern relating to these impacts, the City repeatedly refused requests – including requests from environmental justice groups – for an extension of the 45 day comment period, to allow local residents appropriate opportunity to review the enforcement of environmental laws, regulations and policies. This, along with the refusal of requests for Spanish language translation, is inconsistent with the

communication.	environmental justice objectives of Framework Policy 3.1.9.
Policy 4.1.6 Create incentives and give priorities in permit processing for low- and very-low income housing developments throughout the City. Policy 4.2.1 Offer incentives to include housing for very low- and low-income households in mixed-use developments.	As proposed, the Project is seeking a general plan amendment, zone change and parking reductions that would dramatically increase the number of residential units permitted on site. Yet, the Project is requesting this increase in allowable residential density without utilizing either the city's Density Bonus Ordinance or the Downtown Housing Incentive Floor Area Bonus. Granting the zone change and general plan amendment, as proposed, will permit the Project to achieve the benefits contained in the density bonus ordinance and the Downtown Housing Incentive Ordinance without the Project actually meeting the minimum requirements to qualify for these incentives. Effectively circumventing existing incentives, this procedure undermines the City's entire affordable housing incentive structure, thereby rendering the Project inconsistent with Framework Policy 4.1.6 and 4.2.1.
Policy 7.3.2 Retain existing neighborhood commercial activities within walking distance of residential areas.	The DEIR includes numerous descriptions of the new commercial uses at the Project. But the DEIR neglects to evaluate the potential impacts that the project will have on existing neighborhood commercial activities, including the potential to drive up commercial rents in the surrounding area, threatening the displacement of existing community serving small businesses. ³⁸

D. The DEIR fails to evaluate the Project's consistency with the City's Industrial Land Use Preservation Policy (ILUP).

The Project site is located in the M1-2-0 zone and has a General Plan land use designation of Limited Manufacturing with Oil District Overlay and Height District 2. While Height District 2 permits an FAR of 6:1, the M1 zone does not permit the uses proposed by the Project. To aid the proposed development of 1,444 residential units, 90,000 square feet of retail uses, 46,000 square feet of restaurant/bar uses, a 208-key hotel; 18,000 square-foot gallery, and 8,000 square-foot yoga/fitness studio and approximately 2,733 parking spaces, the Applicant is requesting a General Plan

³⁸ See Health Impact Report, 33-35.

Amendment to change the designation to Community Commercial, and a corresponding zone change from M1-2 to C4-2.

Ten years ago, an onslaught of industrial-to-residential conversions -- just like the one requested here -- caused a rapid loss of job-supporting industrial land throughout the city. In response, the Department of City Planning (DCP) and Community Redevelopment Agency embarked on the Industrial Land Use Policy project (the "ILUP"). Consequently, a comprehensive study evaluated the viability of the City's industrial districts and created four distinct typologies of existing industrial zoned land, ranging from districts that should be preserved to parcels that are appropriate for conversion. The ILUP project culminated in a 2008 memorandum to DCP staff ("Staff Directive"). This policy document includes very specific direction and guidance regarding the evaluation of entitlement applications for proposed developments on industrial zoned land. The ILUP, and this Staff Directive in particular, outline the process and procedures that DCP staff must now follow when evaluating the general plan amendment and zone change requested for this Project.

The ILUP is a touchstone of city land use policy, and unquestionably applies to this Project. And yet, the DEIR Land Use and Planning chapter fails to even mention this policy, let alone adequately evaluate the Project's consistency. Given the dramatic transformation of industrial land to support residential use that is being proposed for this Project, the DEIR must evaluate the project's consistency with the city's ILUP. Without this analysis, the DEIR fails to meet the standards of thorough review of consistency with City plans and policies.⁴¹

E. Although the ILUP may support transition to residential and commercial use on the Project Site, the Project as proposed is inconsistent with ILUP Community Benefits Requirements.

The Project Site was designated by the ILUP as a "transition district," where transition from industrial uses to other commercial or residential uses may be continued. While certainly instructive, this designation is not the end of the story. The ILUP unequivocally calls for the inclusion of certain meaningful community benefits as part of any land use change on this property.

Although omitted entirely from the DEIR analysis of land use policy, this requirement for meaningful community benefits is actually reiterated throughout the City's Industrial Land Use Policy. For example, the ILUP Report outlined a series of "Guiding Principles," which included the following:

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³⁹ Department of City Planning and Community Redevelopment Agency of the City of Los Angeles, "Los Angeles' Industrial Land: Sustaining a Dynamic City Economy."

⁴⁰ Los Angeles Industrial Land Use Policy, Staff Direction Memorandum Regarding Industrial Land Use and Potential Conversion to Residential or Other Uses [hereafter, "Staff Directive."] http://planning.lacity.org/Code Studies/LanduseProj/Industrial Files/StaffDirections.pdf

⁴¹ See, e.g., City of Los Angeles CEQA Thresholds Guide, H.1

⁴² http://planning.lacity.org/Code Studies/LanduseProj/Industrial_Files/SoutheastLA.pdf

"When zone changes and/or other actions increase land value, ensure that community benefits are appropriately identified and provided. Whenever possible, provide mechanisms to mitigate the business and job-loss impacts whenever zones are changed." 43

In the "Preliminary Southeast Los Angeles Industrial Area Data and Recommendations Report," the recommendations for the Project Site included the following:

"If residential development is studied and recommended to replace industrial uses, an affordable housing component and/or other public benefits should be incorporated. Develop strategies and programs to mitigate potential loss of industrial jobs."

More specifically, the ILUP Staff Directive calls for DCP staff to "recommend approval of applications for changes of use or zone provided Community Benefits are incorporated..." The Staff Directive then instructs: "[w]hen considering approval of projects within "Industrial Mixed Use" and "Transition" Districts, staff recommendations should include Community Benefits set forth below." The Staff Directive then outlines specific Community Benefits, including: the provision of Affordable Housing, Relocation Consultation for Displaced Business, the creation of a Job Training Assistance Fund, Minimum Job-Producing Space, Open Space, and Infrastructure Improvements.

Because it lacks any acknowledgment of the ILUP's clear directive for Community Benefits, the DEIR is incomplete. ⁴⁷ This failure to adequately evaluate the Project's inconsistency with the ILUP must be corrected. In considering mitigation measures, the DEIR should refer to the ILUP Community Benefits requirements and recommend proper mechanisms to effectuate these requirements. In addition, it is important to recognize that the requested zone change causes a permanent loss of land that would support good industrial jobs with family-supporting wages. This loss would

⁴³ Department of City Planning and Community Redevelopment Agency of the City of Los Angeles, "Los Angeles' Industrial Land: Sustaining a Dynamic City Economy," 32.

⁴⁴ Preliminary Southeast Los Angeles Industrial Area Data and Recommendations, http://cityplanning.lacity.org/Code_Studies/LanduseProj/Recommendations/sela.pdf. These preliminary recommendations were converted to "Geographically Specific Staff Directions." In the preliminary recommendations, the project site is located in Analysis Area 2. In the Geographically Specific Staff Directions, the project site is located in Analysis Area 3. The Geographically Specific Staff Directions do not include the reference to community benefits that is in the preliminary recommendations, presumably because it was included as an appendix to the Staff Directive Memo, which includes several very specific directives and guidance concerning community benefits.

⁴⁵ Staff Directive, 5.

⁴⁰ Id., at 8.

⁴⁷ See, e.g., City of Los Angeles CEQA Thresholds Guide, H.1. A determination of significance regarding land use consistency should be made considering the following factors: "Whether the proposal is inconsistent with the adopted land use/density designation in the Community Plan, redevelopment plan or specific plan for the site; and "Whether the proposal is inconsistent with the General Plan or adopted environmental goals or policies contained in other applicable plans." Here, the Project is clearly inconsistent with the Site's existing industrial zoning and use regulations, and is also inconsistent with the City's existing policy framework that is intended to inform land use planning for industrial zoned property.

occur in an area that is starving for good jobs. The recirculated DEIR must contain adequate mitigation measures to address this loss.

F. The DEIR includes only a perfunctory listing of relevant General Plan policies and provides an incomplete analysis of the Project's consistency.

Notwithstanding the glaring absence of numerous relevant General Plan policies (as described above), The DEIR does include several "consistency tables," as if to suggest an analysis of the Project's relationship to applicable development guidelines and standards. Unfortunately however, where relevant General Plan policies are actually identified in the DEIR, the consistency analysis is often cursory, leading only to conclusory statements of consistency without adequate evidence to support. The table below provides just some of the examples of General Plan policies where the DEIR's analysis is incomplete or inadequate.

General Plan Policy	Comment
Genera	Plan Framework Element
Objective 3.1 accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.	The DEIR contends that the Project is consistent with this objective, in part, because it in the developer's opinion will "provide a service that is essential and beneficial to the community." Yet the DEIR provides no support for these claims and specifically declines to identify, as required, how the proposed uses will support the needs of existing residents and community serving small businesses in the area.
Policy 3.1.5: Allow amendments to the community plans and coastal plan to further refine General Plan Framework Element land use boundaries and categories to reflect local conditions, parcel characteristics, existing land uses, and public input. These changes shall be allowed provided (a) that the basic differentiation and relationships among land use districts are maintained, (b) there is no reduction in overall housing capacity, and (c) additional	The DEIR acknowledges that the project is inconsistent with existing General Plan land use designation and zoning. The DEIR merely concludes, however, that once the General Plan is amended and the zone designation is changed to match the project description, then the parcel will be singularly zoned for the mix of uses that would be included in the project. This circular logic fails to adequately address the impacts of a General Plan amendment and zone change that will not only dramatically increase the allowable development scale and intensity on-site, but also permanently remove a large area of industrial zoned land from the City's rapidly shrinking inventory.
environmental review is conducted in accordance with the	In addition, the DEIR suggests that the Project would be consistent with the land use designation

⁴⁸ DEIR, Table IV.J-3.

⁴⁹ Td

California Environmental
Quality Act should the impacts
of the changes exceed the levels
of significance defined and
modify the conclusion of the
Framework Element's
Environmental Impact Report.

contemplated by the New Draft Southeast LA Community Plan. Tellingly, the DEIR fails to mention that the Draft Community Plan bars the proposed level of residential density in the absence of significant affordable housing on-site. ⁵⁰ As the Project fails to propose any affordable units, it is in fact inconsistent the new Community Plan.

Objective 3.2: To provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicle trips, vehicle miles traveled, and air pollution

The DEIR claims that the Project is consistent with this objective because it will provide opportunities to live, work and visit the area, given the site's proximity to public transportation options.⁵¹ However, this analysis fails to evaluate whether the project – particularly with the lack of affordable housing and catalytic impacts on surrounding land prices - may actually increase VMT through the displacement of Metro core ridership, which consists of transit dependent households making less than \$25,000 per year. For example, in California, higher income households drive more than twice as many miles and own more than twice as many vehicles as extremely low-income households living near transit.⁵² One recent study found that increasing affordable housing near transit would be "a powerful and durable GHG reduction strategy" and would significantly improve our air quality standards.⁵³ The DEIR fails to analyze this highly relevant information in considering the Project's impact on vehicle miles traveled and air pollution.

Objective 3.4: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional and downtown centers as well as

The DEIR charges that the Project is consistent with this objective, in part, because it "would not encroach upon or cause the removal or relocation of uses in [nearby commercial, educational, institutional, industrial and residential districts]." This statement is not supported by any analysis concerning the potential for economic displacement of surrounding

⁵⁰ Draft Southeast Los Angeles Community Plan Implementation Overlay, 8, 38.

⁵¹ DEIR, Table IV.J-3

⁵² California Housing Partnership Strategy & Transform. Why Creating and Preserving Affordable Homes Near Transit Is a Highly Effective Climate Protection Strategy, 3, 2014. http://www.transformca.org/transform-report/why-creating-and-preserving-affordable-homes-near-transit-highly-effective-climate. See also, Stephanie Pollack et.al., Dukakis Ctr. For Urban and Reg'l Policy, Maintaining Diversity in America's Transit-Rich Neighborhoods: Tools for Equitable Neighborhood Change, 24-29 (2010).
⁵³ Id

⁵⁴ DEIR, Table IV.J-3.

along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts residential or business uses, many of which may encounter increasing rental rates as land prices are driven up. ⁵⁵ The DEIR also fails to adequately analyze the Project's role in eliminating the industrial uses that currently characterize this portion of Washington Blvd. By focusing only on the Project's creation of new multi-family residential, retail and commercial uses, the DEIR fails to evaluate how the project will impact the goal of "conserving existing neighborhoods and related districts."

Objective 3.8 Reinforce existing and establish new neighborhood districts which accommodate a broad range of uses that serve the needs of adjacent residents, promote neighborhood activity, are compatible with adjacent neighborhoods, and are developed as desirable places to work and visit

The DEIR contends that the Project is consistent with this objective because it will "introduce residential uses," and "add new retail, restaurants, and cultural opportunities that would generate employment as well as serve employees/patrons of the existing educational, commercial, and institutional uses surrounding the project site as well as nearby residents."⁵⁶ The DEIR does not analyze how these uses will actually serve the needs of adjacent residents, especially low-income residents who may be unable to afford the exclusively market rate housing units. The DEIR fails to evaluate whether these new uses will contribute to displacement of low-income residents, and whether any measures are available to mitigate or prevent residential and commercial displacement in the nearby neighborhoods.

Policy 3.15.2 Work with developers and the Metropolitan Transportation Authority to incorporate public and neighborhoods serving uses and services in structures located in proximity to transit stations, as appropriate.

The Project will create new retail, grocery and commercial space near transit. However, as proposed, the Project misses a critical opportunity to contribute to affordable housing near transit, which has shown to be a key strategy for increasing transit use and reducing GHGs. In California, people in high income households living in close proximity to transit own more vehicles and drive more than low income people living near transit, while lower income households use transit more - especially those with the lowest incomes. If the Reef only provides housing for high income households, new residents are likely

⁵⁵ See, Health Impact Report, at 33-35.

⁵⁶ Id.

to drive more and use transit less than current lower income residents."⁵⁷ The DEIR should consider the lack of any affordable housing in evaluating consistency with this Policy.

Goal 5A: A livable City for existing and future residents and one that is attractive to future investment. A City of interconnected, diverse neighborhoods that builds on the strengths of those neighborhoods and functions at both the neighborhood and citywide scales.

The DEIR claims that the Project is consistent with this goal, in part, because it would "result in increased housing opportunities for employees working in and near the area." The DEIR draws this conclusion without any supporting analysis of the jobs-housing fit at the Project. As proposed, the Project would not include any affordable housing. The DEIR offers no analysis of how the Project's high-end market-rate housing meets the needs of and/or matches the incomes of employees working in or near the area.

Objective 5.5 Enhance the livability of all neighborhoods by upgrading the quality of development and improving the quality of the public realm

The recently released Health Impact Report indicates that "An estimated 4,445 people who live within ½ mile of the proposed Reef development project are already experiencing housing cost burdens and could be at high or very high risk of financial strain or displacement as a result. An additional 39,311 could be at moderate risk. Some anticipate they will become homeless."59 The Health Impact Report also identifies a large number of subsidized affordable housing units are at risk of converting to market rate in the near future. 60 Such impacts will clearly affect the livability of this neighborhood for many residents. Yet, the DEIR does not acknowledge or evaluate this potential impact. Without this analysis, the DEIR cannot fully evaluate the Project's impacts on livability and quality of the public realm.

General Plan Housing Element

Goal 1 Housing Production and Preservation: A City where housing production and preservations result in an The DEIR alleges that the Project is consistent with this goal, citing only the proposed unit mix and the existence of bicycle facilities.⁶¹ There is no analysis, whatsoever, of the Project's contribution to a supply

⁵⁷ Health Impact Report, 15,41; California Housing Partnership Strategy & Transform. Why Creating and Preserving Affordable Homes Near Transit Is a Highly Effective Climate Protection Strategy, 3, 2014. http://www.transformca.org/transform-report/why-creating-and-preserving-affordable-homes-near-transit-highly-effective-climate

⁵⁸ DEIR, Table IV.J-3.

⁵⁹ Health Impact Report, 4, 19-20.

⁶⁰ Id, at 20.

⁶¹ DEIR, Table IV.J-7.

adequate supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels, races, ages, and suitable for their various needs.

Objective 1.1 Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.

Policy 1.1.3: Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city's households

of housing that is affordable to people of all income levels and suitable for their various needs. It is unsurprising that this part of the Goal is not evaluated, as the Project currently proposes to build zero affordable housing units out of a total of 1,444 units. But however unsurprising, this omission is inappropriate for meaningful environmental review.

Los Angeles is the most unaffordable city in the country, and we are undoubtedly in the midst of a severe affordable housing crisis. The need for new affordable housing and the environmental impacts of this crisis have been well-documented. The area around the Project is a low income neighborhood suffering from a loss of affordable housing. The DEIR provides no evidence to support its claim that the Project is consistent with a policy goal to produce housing that meets the needs of lower income households. The DEIR simply assumes that Project will satisfy certain needs without evaluating whether these needs actually exist in the community.

In evaluating consistency with these General Plan Goals, Objectives and Policies, the DEIR plainly ignores the real community needs and income levels. The DEIR's analysis must be impartial and thorough; otherwise the analysis does not represent a "good faith effort at full disclosure," as required by CEQA. 62

Objective 2.2: Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities services and transit

The DEIR alleges that the Project is consistent with this goal, citing only the unit mix and the "range of different housing types." But housing type is irrelevant to this Objective, which calls for the promotion of "mixed-*income* housing." Of the 1,444 new residential units proposed in the Project, none are affordable.

General Plan Health Element - Plan for a Healthy LA

Policy 2.6 Repurpose underutilized spaces for health: Work proactively with residents to identify and remove barriers to

The DEIR claims that the Project is consistent with this goal, citing only the provision of open space. ⁶⁴ But the DEIR fails to evaluate the Project's potential impacts on the economic displacement of lower-

⁶² CEQA Guidelines, 15151.

⁶³ DEIR, Table IV.J-7.

⁶⁴ DEIR, Table IV.J-5.

leverage and repurpose vacant and underutilized spaces as a strategy to improve community health. income households and community serving small businesses.

The Health Impact Report for the Project indicates that "[a]n estimated 4,445 people who live within ½ mile of the proposed Reef development project are already experiencing housing cost burdens and could be at high or very high risk of financial strain or displacement as a result. An additional 39,311 could be at moderate risk." Some anticipate they will become homeless. ⁶⁵ The Health Impact Report also identifies a large number of subsidized affordable housing units are at risk of converting to market rate in the near future. ⁶⁶

There are severe negative health consequences associated with this displacement threat. The Health Impact Report found that "housing instability, living in substandard housing, overcrowding, and homelessness are all determinants of poor health that can be caused by the financial strain of gentrification. These health determinants can have negative impacts on mental and physical health for adults, and can also specifically impact children...There are significant associations between high housing costs and hunger, inadequate childhood nutrition, and poor childhood growth. "67 The Health Impact Report also notes that "[d]isruption of social networks through forced serial displacement and root shock can lead to additional health challenges including exposure to fragmented social environments that have higher rates of violence and sexually transmitted diseases. Multi-generational traumas of this nature can potentially influence the genetic makeup of future generations, leaving them more physiologically susceptible to the impacts of stress.,,68

The DEIR's analysis of the health impacts of the Project is incomplete without an evaluation of the Project's potential to contribute to displacement and/or financial strain experienced by low income households in the neighborhood.

⁶⁵ Health Impact Report, 19-20.

⁶⁶ Id.

⁶⁷ Id., at 21.

⁶⁸ Id.

Policy 5.7 Land Use Planning for Public Health and GHG Emission Reduction: Promote land use policies that reduce per capita greenhouse gas emissions, result in improved air quality and decreased air pollution, especially for children, seniors and other susceptible to respiratory diseases.

The DEIR alleges that the Project is consistent with this Policy by noting its proximity to a rail station and the proposal for bike facilities.⁶⁹ The DEIR fails to analyze the important and relevant relationship between public health and GHG reduction and the Project's lack of affordable housing.

As proposed, the Project will create 1,444 new housing units exclusively at or above market rate. In California, higher income households drive more than twice as many miles and own more than twice as many vehicles as extremely low-income households living near transit. One recent study found that increasing affordable housing near transit would be "a powerful and durable GHG reduction strategy" and would significantly improve our air quality standards. The second strategy is a significantly improve our air quality standards.

A recirculated DEIR must analyze this highly relevant information in considering the Project's impact on GHG emission reduction goals.

Southeast Los Angeles Community Plan

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

The DEIR asserts the Project is consistent with this objective based solely on the fact that it will create new housing units in proximity to public transit. 12 High-end housing in proximity to transit, alone, does not guarantee a reduction in vehicular trips. The DEIR should evaluate what effect the influx of new market rate units, combined with potential indirect displacement and relocation of low-income residents, will have on ridership and vehicle trips. For example, the DEIR should assess whether the occupants of the market rate apartments and condominiums will bring new vehicles into the area, and whether the potential displacement of low-income households from the surrounding area will result in those households increasing vehicle trips.

⁶⁹ DEIR, Table IV.J-5.

⁷⁰ California Housing Partnership Strategy & Transform. Why Creating and Preserving Affordable Homes Near Transit Is a Highly Effective Climate Protection Strategy, 3, 2014. http://www.transformca.org/transform-report/why-creating-and-preserving-affordable-homes-near-transit-highly-effective-climate.

⁷¹ Id.

⁷² DEIR, Table IV.J-4.

The Reef Project Health Impact Report notes: "[c]ensus data confirms that residents of South Central are much more likely to take transit and less likely to drive alone when community to work than residents of Los Angeles as a whole." A growing body of research concerning the nexus between affordable housing and transit supports this conclusion. According to one recent study, "[i]n California, people in high income households living in close proximity to transit own more vehicles and drive more than low income people living near transit, while lower income households use transit more - especially those with the lowest incomes." If the Reef only provides housing for high income households, new residents are likely to drive more and use transit less than current lower income residents.",74

The DEIR should take this information into account when evaluating the impacts on vehicular trips.

Policy 1-3.2 Consider factors such as neighborhood character and identity, compatibility of land uses, impact on livability, impacts on services and public facilities, and impacts on traffic levels when changes in residential density are proposed.

The DEIR fails to evaluate the potential for indirect displacement of low-income residents and community serving small businesses in the surrounding community. The recently released Health Impact Report of the Project indicates that "An estimated 4,445 people who live within ½ mile of the proposed Reef development project are already experiencing housing cost burdens and could be at high or very high risk of financial strain or displacement as a result of the development. An additional 39,311... could be at moderate risk. Some focus group participants from the area anticipate they will become homeless."

Such an impact will clearly affect neighborhood character, identity, and livability. Yet, the DEIR does not acknowledge or evaluate this potential impact. Without this analysis, the DEIR fails to evaluate the

⁷³ Health Impact Report, at 15.

⁷⁴ Health Impact Report, 15, 41; California Housing Partnership Strategy & Transform. Why Creating and Preserving Affordable Homes Near Transit Is a Highly Effective Climate Protection Strategy, 3, 2014. http://www.transformca.org/transform-report/why-creating-and-preserving-affordable-homes-near-transit-highly-effective-climate

⁷⁵ Health Impact Report, at 4.

	Project's impacts on livability, impacts on services and public facilities, and impacts on traffic levels.
Policy 2.1-3 Commercial areas should be consolidated and deepened to stimulate existing businesses, create opportunities for new development and offstreet parking, expand the variety of goods and services, and improve shopping convenience as well as offer local employment	The DEIR asserts that the Project is consistent with this Policy based only on a description of the <i>new</i> commercial, retail and employment opportunities. The DEIR does not evaluate, at all, the impacts on <i>existing</i> businesses. As a result, the DEIR's evaluation of consistency with this policy is incomplete.
Policy 2.4-3: Ensure that commercial infill projects achieve harmony with the best of existing development	In evaluating the "harmony with the best of existing development," the DEIR does not evaluate the dramatic <i>disharmony</i> between the anticipated housing prices in the Project and the incomes of local residents.
Objective 2-6 To maintain and increase the commercial employment base for community residents whenever possible	The DEIR claims consistency with this Objective merely by listing the proposed uses and claiming that they will strengthen the economic base and expand market opportunities for existing and new businesses and increase the employment base for community residents. But the DEIR does not provide any information regarding how this will occur. The DEIR fails to outline the specific policies or programmatic details that will result in local residents accessing the new jobs. It is insufficient to simply assert that jobs will be created in the Project. To properly evaluate consistency with this objective, the DEIR needs to explain how those jobs will be made available to and occupied by community residents.

The DEIR fails to evaluate inconsistency with the Draft Southeast LA G. Community Plan.

The Department of City Planning is currently in the process of updating the Southeast Los Angeles Community Plan. The most recent draft of the plan was revised and released in October, 2014, with a corresponding draft of the Community Plan Implementation Overlay (CPIO).⁷⁸

DEIR, Table IV.J-5.
 DEIR, Table IV.j-4.
 Available at, https://sites.google.com/site/seastlancp/

The DEIR highlights that under the current draft of the Community Plan, the Project Site would be designated for Community Commercial Use. While claiming consistency with the Plan's vision for a mixed-use TOD district along the Blue Line, the DEIR only briefly acknowledges the Project's inconsistency with the Draft Plan's density provisions. The DEIR neglects to mention that the Project as proposed is also fundamentally inconsistent with many of the Draft Plan's policies and objectives.

The DEIR indicates the Project will have a floor area ratio (FAR) of at or just below 6:1. It is the intent of the CPIO to allow density above 1.5 FAR on the Project Site for projects that provide affordable housing. In addition, the Draft CPIO provides a mechanism to achieve the type of parking reduction that the Project is currently seeking. Consistent with the structure of the City's Density Bonus Ordinance and the Downtown Housing Incentive, and in keeping with Housing Element policy, the Draft CPIO would allow a parking reduction only for residential projects that include affordable housing. Because the Project as proposed would have a floor area ratio at 6:1 and enjoy parking reductions without including any affordable housing, it is inconsistent with the provisions of the Draft Southeast Los Angeles CPIO.

In addition to the affordable housing provisions in the CPIO, the Draft Community Plan also contains a number of broader goals and policies that are potentially inconsistent with the Project and go unaddressed in the DEIR. For example:

- Policy LU5.6 "Prioritize housing that is affordable to a broad cross-section of income levels and that provides the ability to live near work."
- Policy LU13.3 "Prioritize new housing for the transit-dependent community and discourage upscale luxury housing at TODs in Southeast Los Angeles, which has a large transit-user and low income population."
- Policy LU13.4 "Promote and incentivize mixed income and/or affordable housing in TODs"
- **Policy LU16.3** "Encourage job training and local hiring for community residents."
- **Program 34** "Consistent with the goals and policies of the City's Housing Element, the Plan supports the maintenance and enhancement of the existing affordable housing stock for existing residents."
- **Program 63** "Encourage businesses to hire locally, and require local hiring for discretionary projects with Development Agreements to the extent feasible."

These policies and programs call for the City to do more than just indiscriminately green-light any project that creates mixed-use development in the general vicinity of transit. Rather, the Draft Plan clearly contemplates and advances a more comprehensive vision for transit-oriented development in the Southeast LA

⁷⁹ DEIR IV.J-58-59.

⁸⁰ Draft Southeast Los Angeles Community Plan Implementation Overlay, 38. In addition to mixed income housing incentives, parking reductions are offered as incentives for sit-down restaurants, full service grocery stores and Federally Qualified Health Centers.

Community Plan Area. The Draft Plan calls for TOD projects that include housing opportunities for low-income core riders and contribute economic opportunities to local residents. Lacking an affordability component or detailed programs to ensure jobs for local residents, the Project is inconsistent with the vision laid out in the Draft Community Plan. It also threatens the kind of community destabilization that directly contradicts the goals and objectives outlined above.

Although the Southeast Los Angeles Community Plan and CPIO have not yet been enacted, the DEIR makes selective use of it. For example, in the Population/Housing/Employment chapter, the DEIR notes that "the most recent draft of the plan was revised in April 2014 through the collaborative effort between the City, the Community Plan Advisory Committee (CPAC), residents, businesses, developers, design professionals and property owners." That chapter of the DEIR concludes that, although not adopted, "the data used in the development of the plan are valid for purposes of evaluating impacts of growth associated with the project." But in the context of land use and planning, where it is much more apparent that the Project is inconsistent with forthcoming Community Plan policies, the DEIR abruptly concludes "the Plan has not been adopted and is not yet applicable to the development of the Project Site." The DEIR cannot promote the Draft Community Plan to shape its narrative in one Chapter and then disayow its relevance in another.

A recirculated DEIR Land Use & Planning Chapter should acknowledge that the Draft Community Plan and CPIO reflect a current visioning process for the community, and evaluate the Project for alignment with this vision.

H. The DEIR fails to evaluate whether the individual buildings comprising the Project meet current planning and zoning requirements.

In addition to several mid-rise buildings, the Project includes a 35-story residential tower, a 32 story residential tower, and another 19 story hotel tower, each of which are completely out of scale with the surrounding uses. The DEIR fails to disclose or evaluate the full extent of these buildings' inconsistency with current zoning regulations. Although the Project consists of multiple buildings, the DEIR's Land Use & Planning analysis treats the Project as a single unit when evaluating compliance. In doing so, the DEIR presents a misleading analysis of potential impacts and concludes that the Project will be consistent with the proposed density restrictions, even though the 3 towers, if considered independently, would likely violate both current and the requested new zoning provisions.

The Project Site is currently zoned [Q]M1-2-O. The Applicant is seeking a zone change to C4-2-O and a corresponding General Plan Amendment to change the use from Limited Manufacturing to Community Commercial. However, the Community

⁸³ DEIR, IV.J-59.

⁸¹ DEIR, IV.L-6.

⁸² Id

Commercial use designation is subject to Community Plan Footnote 1, which limits FAR to 1.5:1. As a result, the Applicant is seeking *another* General Plan Amendment to exempt the Project from this requirement and allow the Project to be developed under Height District No. 2 (which allows 6:1 FAR). Even after all this maneuvering, the Project seeks *yet another* discretionary deviation from existing zoning by requesting a separate conditional use permit (CUP) to allow averaging of floor area ratio.

Presuming that the CUP and other entitlements will be granted, the DEIR computes a single floor area ratio value for the entire project and neglects to provide the separate floor area ratios for each tower in the Project. All told, the averaged floor area ratio for the Project (approximately 6:1) exceeds what is currently permitted on site. It exceeds what would be permitted even with the requested zone change and general plan amendment to change the use. And even with another General Plan Amendment to avoid Footnote No. 1, the individual towers may *still* exceed the floor area ratio allowed in Height District 2. In failing to present the floor area ratio of each building, the DEIR provides insufficient information and analysis regarding the Project's significant impacts. Even with a contemplated CUP to average the floor area ratio, a recirculated DEIR should acknowledge and address the impacts of individual towers potentially exceeding height and density limitations.

I. The DEIR fails to evaluate Secondary Impacts of the Project's proposed zone change and General Plan Amendment.

The Los Angeles CEQA Thresholds Guide requires an analysis of "the number, degree, and type of secondary impacts on surrounding land uses that could result from implementation of the project." The DEIR attempts to bundle this factor into its evaluation of "community division and land use compatibility." This analysis however, includes only broad references to the Project's proposed uses and pedestrian access. In contravention of the LA CEQA Thresholds, there is absolutely no mention or analysis of potential secondary impacts on surrounding land uses.

The Project may, in fact, result in secondary land use impacts on surrounding land uses. As demonstrated in DEIR Figure IV.J-4, most of the surrounding properties are zoned M1 or M2. Pursuant to the City of Los Angeles Zoning Code, certain allowable uses on M1 and M2 parcels may be limited when a more restrictive use is in the vicinity. As well, a significant mixed use project with 1,444 new residential units in the immediate vicinity of industrial zoned property will likely result in those nearby locations no longer being marketable as industrial sites. The Project as proposed is likely to catalyze the transformation of not just the Project Site, but the adjacent and surrounding industrial sites to commercial and residential oriented development patterns. Regardless

⁸⁴ CEQA Thresholds, H.2-3

⁸⁵ DEIR, IV.J-33 "The criteria identified above under "thresholds of significance" are used to evaluate the Project's potential impacts in respect to two general categories: regulatory impacts (criteria a and b of the City of Los Angeles L.A. CEQA Thresholds Guide) and physical impacts (criteria c through e of the City of Los Angeles L.A. CEQA Thresholds Guide)." The secondary land use impacts factor is listed as criteria e in the DEIR (IV.J-27).

⁸⁶ See, e.g., LAMC 12.19A4(b)(3); LAMC 12.17.6A.8; LAMC 12.17.6A.10; LAMC 12.17.6A.11;

of whether the City ultimately supports such a transition for this area, the DEIR neither discloses nor evaluates this potential impact, thereby impeding informed decision-making and thorough environmental review. A recirculated DEIR should evaluate the Project's potential secondary impacts on the industrial land uses that characterize many of the parcels in the vicinity.

III. THE DEIR FAILS TO CONSIDER A PROJECT ALTERNATIVE WITHOUT OFFSITE SIGNAGE.

CEOA requires an EIR to describe a range of reasonable alternatives to the project that could feasibly attain most of the basic objectives but would avoid or substantially lessen its significant environmental impacts. 87 Here, the DEIR again fails to comply with CEOA given its failure to evaluate a "no offsite signage" alternative. Although deficient in its evaluation of the billboard's environmental impacts, as noted above, even under its impermissibly segmented analysis, the proposed signage lodges a significant environmental impact resulting from the signage in Vertical Zone 3. As an alternative to avoid or substantially lessen the environmental impacts from the Project's signage, the DEIR offers "Alternative 3: Reduced Height/Reduced Signage". However, "Alternative 3, Reduced Height/Reduce Signage" fails to avoid or substantially lessen these environmental impacts. In fact, under "Alternative 3:Reduced Height/Reduced Signage," environmental impacts from the Project signage remain significant and unavoidable due to the Project's inclusion of offsite electronic signage. 88 Although clearly a source of lucrative revenue for the developer, the offsite signage is not essential to the basic objectives of the Project. And yet, elimination of the offsite signage appears necessary to avoid many of the significant environmental impacts associated with Project as proposed. Accordingly, to comply with CEQA, the recirculated DEIR must include an evaluation of a project alternative without offsite signage.

Given its numerous deficiencies and unaccounted for environmental impacts, the DEIR falls far short of complying with CEQA. Its deficiencies and inaccuracies deprive the public their legal right to meaningful disclosure and evaluation of the Project's true environmental impacts. A CEQA compliant DEIR must contain substantial new information and analysis of the currently unaddressed impacts and faulty analysis. Accordingly, a recirculated DEIR must be prepared.

We thank you for your time and consideration. If you should have any questions, please do not hesitate to call us at (213) 385-2977 or email us at cgiorgio@publiccounsel.org or dsmith@publiccounsel.org.

⁸⁷ Cal. Code Regs. tit. 14 § 15126.6.

⁸⁸ DEIR, VI 17.

Regards,

/s/ Christina Giorgio

/s/ Doug Smith

Christina Giorgio Staff Attorney Doug Smith Staff Attorney

Exhibit I

UNITED NEIGHBORS IN DEFENSE AGAINST DISPLACEMENT

November 2, 2015

Attn: Erin Strelich Major Projects & EIR Section City of Los Angeles Department of City Planning 200 North Spring Street, Room 750 Los Angeles, CA 90012-2601

Via email (erin.strelich@lacity.org)

Re: Draft Environmental Impact Report for the Reef Project (City Case No. ENV-2014-1773-EIR; SCH No. 2014071054)

Dear Ms. Strelich:

On behalf of the United Neighbors in Defense Against Displacement Coalition (UNIDAD), and the undersigned, we submit these comments on the Draft Environmental Impact Report (DEIR) for The Reef Project (Project). We have identified significant flaws in the DEIR for the proposed development, in violation of the California Environmental Quality Act (CEQA), and have serious concerns regarding the development as a whole. The DEIR fails to properly describe the Project, fails to adequately analyze a range of potential impacts, fails to mitigate these impacts to the level required by CEQA, and fails to select the environmentally superior alternative. Further, the DEIR's analysis is brimming with conclusory statements which do not give an opportunity for review of the methodology employed. Because these flaws have precluded meaningful public review of the Project and its potential impacts, the DEIR for the Project should be revised and recirculated in compliance with CEQA¹.

Furthermore, the DEIR comment process has not provided local residents an opportunity to fully review and respond to the Project's potential impacts on their community. The UNIDAD coalition – along with other groups, including the local neighborhood council – requested an extension of the comment period from 47 days to 90 days. These multiple requests were made well in advance and were accompanied by substantial rationale for an extension, including the scale of the project, the length and technical nature of the DEIR and the lack of a Spanish translation for the majority Spanish-speaking local population. Despite being well within the law and preceded by numerous other instances where extensions have been granted, these requests were denied. It is gravely disappointing that such a relatively small request was denied in light of the massive size of the proposed

¹ Cal. Code Regs. tit. 14 § 15088.5.

project and its anticipated impacts on local residents and businesses.² We submit our comments on the DEIR here, but fear the lack of flexibility on the part of the City to work with community members requesting additional time to provide input has meant many other comments will not make it under the short timeline. This is contrary to the spirit of CEQA, which prioritizes fully-informed public review.

I. The DEIR's Project Description is Inaccurate

The DEIR contains an inaccurate Project Description. The Project Description section of the DEIR describes the location of the Project as "in downtown Los Angeles." As explained in these comments, this is particularly misleading, as the Project is actually located in South LA, an area with a different population, demographic, and character than downtown LA.4 The recirculated DEIR should include an accurate description of the geographic area in which the Project will be built, which will allow for meaningful public comment. An accurate project description is critical to proper environmental review of the Project; CEOA requires that a project description provide sufficient detail about a project for evaluation and environmental review, including the precise boundaries and location of the project. Despite this requirement, the DEIR states numerous times the Project may utilize the Design Guidelines, which "allow for, among other things, the relocation of buildings within the site..." The DEIR simultaneously relies on the specific proposed configuration of Project buildings to conclude there will be no significant impacts in various categories, while going on to state that the Project will have flexibility in the ultimate location of these buildings. Similarly, the DEIR repeatedly states that the Project includes a Land Use Equivalency Program which allows for the planned land uses within the Project to change. However, the accurate evaluation of many Project impacts depends on the precise location of the various Project buildings and their associated land uses. The DEIR's preservation of "flexibility" for the project does not ensure that all potential impacts have been included in the EIR and mitigated to the maximum feasible extent, and for that reason, the Project Description is flawed. The DEIR should be recirculated with a corrected, accurate project description.

Additionally, a recirculated DEIR must correct the inaccurate and self-serving characterization of the proposed SUD. Notwithstanding the project proponent's interest in glamorizing the proposed 234,000 plus square feet of illuminated and animated signage, the proposed signage not only threatens the City's ability to preserve its ban on off-site billboards, but the SUD presents numerous public health threats. These include

² In addition to these requests being well within CEQA law, Los Angeles General Plan Framework Element Policy 3.1.9 calls on the City to "[a]ssure that [sic] fair treatment of people of all races, cultures, incomes and education levels with respect to the development, implementation and enforcement of environmental laws, regulations, and policies, including affirmative efforts to inform and involved environmental groups, especially environmental justice groups, in early planning stages through notification and two-way communication."

³ DEIR, p. II-1.

⁴ See sections III and V.

⁵ Cal. Code Regs. tit. 14 § 15124.

⁶ DEIR, p. II-9.

severe traffic hazards associated with electronic billboards visible from highways - in this case the I-10 and I-110. Moreover, it is well established that electronic billboards pose a serious threat to human health, with their nighttime lighting linked to increase risk of cancer, obesity, diabetes, depression and sleep disorders. No doubt the prospect of an electrified community would appeal to those who stand to financially benefit from such excessive outdoor advertising, but for the local residents, freeway travelers and the entire City of Los Angeles, the proposed signage constitutes billboard blight. Accordingly, in the recirculated DEIR, a revised description of the proposed SUD reflecting the reality of the proposal must replace the inaccurate SUD description contained in the DEIR. Additionally, the recirculated DEIR must contain a traffic study that analyzes the health and safety impacts of the proposed SUD and signage.

Furthermore, correction must be made to the proposed Sign District Criteria Figures II-15 and 16. First, with respect to Vertical Sign Levels I and 2, the proposed criteria guidelines describe certain proposed "unrestricted animation" and "light color animation" signs as "Digital Display signs and Integral Electronic Display Signs that are in encapsulated areas that are no more than incidentally visible from the public right of way." However, according to the project design, none of the signage in Level 1 and 2 would be "in encapsulated areas that are no more than incidentally visible from the public right of way." The DEIR repeatedly touts the Project's open design with all sides visible from a public right of way. In fact, the only differences between the signs proposed at these levels verses "integral electronic display signs" proposed at Level 3 is that they are lower and would run 24 hours a day. The recirculated DEIR must correct the mischaracterization of the signage proposed for Levels 1 and 2.

- II. The DEIR Fails to Account for the Indirect Displacement and Growth-Inducing Impacts of the Project, and to Incorporate Corresponding Mitigation Measures, In Violation of CEQA
- a. A Proper Analysis of the Growth-Inducing Impacts of the Project Should Have Been Included in the DEIR

The Reef Project is a 1,664,000 square foot, 9.7 acre mixed use development in South Los Angeles (LA), which will contain residences, a hotel, retail stores and restaurants, a gallery, event space, grocery store, and fitness center. The Project's objectives indicate that growth is forecasted in the region, and the Project is planned to foster and facilitate that growth; at least eight of the eleven objectives stated in the DEIR refer to population growth and the creation of an urban center. Consequently, according to CEQA, the DEIR was required to include an analysis of the growth-inducing impacts of the Project, including an analysis of the indirect displacement that the Project will cause. The

⁷ See, e.g., Ron Chepesiuk, Jan. 2009, "Missing the Dark: Health Effects of Light Pollution," Environmental Health Perspectives, 117(1): A20-A27.

⁸ DEIR, p. II-11.

⁹ DEIR,. II-40.

¹⁰ Cal. Code Regs. tit. 14 § 15126.2.

DEIR's minimal discussion of the Project's growth-inducing impacts, which merely reiterates the description of employee growth from the Population, Housing and Employment section, falls short of the full analysis of growth-inducing impacts required under CEQA.¹¹

CEQA requires that "in evaluating the significance of the environmental effect of the project the lead agency shall consider...reasonably foreseeable indirect physical changes in the environment." An indirect physical change is defined as "a physical change in the environment which is not immediately related to the project but which is caused indirectly by the project." An example of an indirect physical change provided in the text of the statute includes the construction of a new sewage plant, which may facilitate population growth and thereby cause an increase in air pollution. CEQA directs that a growth-inducing impacts analysis must be conducted, and should include a discussion of "the ways in which the project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." 15

The project has been variously described as a "catalytic" and "transformative" project, and there is evidence that its growth-inducing impacts will be significant. For example, the DEIR notes that the buildings in the Project area range from one to fourteen stories in height; the Project proposes to construct buildings of twenty, thirty-two, and thirty-five stories in height, among others. This could drastically alter the development landscape in the Project area, facilitating the approval and construction of taller and denser buildings in the Project area in the future. Similarly, the Project proposes various street improvements, which could facilitate increased traffic and development in the Project area. The growth-inducing impacts section also lacks a discussion of the Project's potential to impact community service facilities, as required by CEQA. ¹⁶ Despite these and other possibilities, no substantial analysis of these potential impacts is provided. As stated in the CEQA Guidelines, "[i]t must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment." Therefore, the DEIR for the Project must be recirculated and disclose and analyze the Project's potential growth-inducing impacts in compliance with CEQA.

b. The DEIR Should Analyze and Mitigate The Project's Indirect Displacement Impacts, a Significant Effect According to CEQA

The Reef Project DEIR did not include a section on indirect displacement or the true growth-inducing impacts of the Project. The DEIR did not include an explanation of these effects in the Population, Housing and Employment section; rather, the DEIR came

¹¹ DEIR, p. V-2.

¹² Cal. Code Regs. tit. 14§ 15064(d).

¹³ Cal. Code Regs. tit. 14 § 15064(d)(2).

¹⁴ Id

¹⁵ Cal. Code Regs. tit. 14 § 15126.2(d).

¹⁶ *Id*.

¹⁷ *Id*.

to the faulty conclusion that "because no residential units currently exist on site, development of the Project would not remove existing housing; thus, no housing would be displaced."18 However, the DEIR fails to adequately address the question of whether housing will be displaced, as opposed to demolished, by the Project. The DEIR, without analysis, simply reaches the conclusion that because no housing exists on-site, no housing will be demolished by the construction of the project, and so no housing will be displaced. This analysis ignores the real possibility that the Project could indirectly displace existing housing through its operation, and this potential should be examined in the DEIR.

Further, the CEQA guidelines provide two distinct questions for determining displacement impacts; one addresses displacement of housing and the other addresses displacement of people. 19 However, the DEIR conflates the two, and concludes that because no on-site residences will be displaced by the Project, no people will be displaced, without further analysis. This violates CEQA. The relevant measure of these impacts is whether displacement, regardless of whether it occurs on-site or off-site, would be a result of the Project. CEQA is clear that not only direct impacts of a proposed project should be analyzed in an EIR, but also those indirect impacts which are reasonably foreseeable outcomes of the project. "Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects."²⁰ This includes the economic effects of a project that will foreseeably lead to physical changes in the environment. "When there is evidence... that economic and social effects caused by a project... could result in a reasonably foreseeable indirect environmental impact, such as urban decay or deterioration, then the CEQA lead agency is obligated to assess this indirect environmental impact."21

In reality, the Project potentially threatens to displace over 43,000 South LA residents.²² Currently, the South LA community is comprised mainly of low-income renters, many of whom relocated to South LA after experiencing discrimination, violence, and displacement in other areas. The recently published health impact report on the Reef Project evaluated the economics and vulnerability of South LA residents.²³ This report is included as an appendix to this letter, and fully incorporated herein. The health impact report shows that the median rent in South LA is significantly lower than median rents in the City or County (\$852/month versus \$1,830/month), but most South LA residents are already living in overcrowded and substandard rental units.²⁴ Apartment units in the

¹⁸ DEIR, p. IV.L-8.

¹⁹ Cal. Code Regs. tit. 14, Appendix G, XIII(c).

²⁰ Cal. Code Regs. tit. 14 § 15126.2.

²¹ Anderson First Coalition v. City of Anderson (2005) 130 Cal. App. 4th 1173, 1182.

²² Human Impact Partners, "Assessing Health and Equity Impacts of the Reef Development Project in South Central Los Angeles" (October, 2015), p. 19-20.

²³ Human Impact Partners, "Assessing Health and Equity Impacts of the Reef Development Project in South Central Los Angeles" (October, 2015).

24 Human Impact Partners, "Assessing Health and Equity Impacts of the Reef Development Project in

South Central Los Angeles" (October, 2015), p. 16-17.

Project are estimated to cost at least \$2,000 per month, a rate that is entirely unaffordable for residents of the community, who are already struggling to pay their relatively low rents.

The potential for higher-income development such as the Project to influence property values and displacement in surrounding neighborhoods, particularly where such development abuts relatively low-income areas, has been documented. ²⁵ As the DEIR indicates repeatedly, the Project is being built to foster and accommodate growth in South LA. The type of demographic that the Project will attract, as implied by the price of a residence, will be of a significantly higher income level and level of education than current South LA residents. This will lead to upward pressure on property values and housing costs throughout the Project area. As a result of the Project, low-income residents of South LA may not be able to afford housing in the area, and may be forcibly displaced as a direct result.

Los Angeles has a well-documented shortage of housing affordable to lower-income families and individuals. For example, covenants for many affordable units in the Project area and across the City are set to expire in the coming years; in 2015 alone, there are approximately 128 properties with CRA/LA covenants set to expire, many of which are situated in the Project area.²⁶ Given the extreme lack of affordable housing in Los Angeles, there is a reasonable likelihood that the Project's potential displacement effects will spur the development of housing and other resources for displaced individuals in surrounding areas, a factor that indicates a significant impact according to CEOA.²⁷ In addition, such displacement could result in increased homelessness in the Project area, resulting in increased demand on social services agencies, community organizations providing services to homeless individuals, and public resources. Despite the overwhelming demonstrated need, the Project does not include any mechanism to create or preserve affordable housing or to minimize its catalytic impacts on increased housing prices and speculation, and the DEIR requires no mitigation in this area. The DEIR specifically includes the goal of creating an urban center that is compatible with and complementary to currently ongoing growth. In order to truly achieve this goal, the Project must include strategies and mitigation measures that take into account the local community. Without an analysis of the indirect displacement that is likely to occur as a result of the Project, as well as corresponding mitigation measures that address such displacement, the DEIR fails to comply with CEQA.

There are several measures that the Project can incorporate to address potential displacement and avoid contributing to the City's affordable housing crisis. For example, the Project should include a strong affordable housing component, as part of the Project design, to counter the Project's displacement impacts by allowing current residents to remain part of the South LA community. Other feasible measures to mitigate

²⁷ Cal. Code Regs. tit. 14 § 15126.2(d).

²⁵ See, e.g., Guerrieri, Hartley, & Hurst, 2013. "Endogenous gentrification and housing price dynamics," Journal of Public Economics, Elsevier, vol. 100(C), pp. 45-60.

²⁶ See "All Expiring 2015 CRA/LA Properties: Citywide," HCIDLA Public Policy and Research Unit, 2014. Available at: http://hcidla.lacity.org/expiring-cra-properties-2015.

displacement include zoning and other land use controls to limit drivers of displacement in the Project area, tools to address threatened housing stock such as increased code enforcement, local and targeted hiring for low-income Project area residents, measures to ease pressures on local small businesses, and neighborhood-based programs which marshal community resources such as local nonprofit organizations to provide comprehensive solutions for residents at risk of displacement.

III. The DEIR Fails to Properly Analyze Potential Urban Decay Caused by the Project, In Violation of CEQA

Similarly, the Project's numerous new retail stores and restaurants may predictably result in the displacement of local commercial tenants and small businesses, but the DEIR fails to include any analysis of the Project's potential impacts with regard to urban decay. "Under CEQA, a lead agency must address the issue of urban decay in an EIR when a fair argument can be made that the proposed project will adversely affect the physical environment." Here, the health impact report analyzing the Project has documented the relative vulnerability of commercial tenants and small businesses in the area that may be placed at risk of displacement by the Project. This represents a potential for the Project to have significant urban decay impacts, and this potential should be evaluated in the EIR. As drafted, the DEIR contains no discussion of urban decay impacts, nor has any type of study been included in the appendices to demonstrate that these impacts have been examined. The urban decay impacts of the Project must be discussed and mitigated in compliance with CEQA.

IV. The DEIR did not Adequately Analyze or Mitigate the Aesthetic Impacts of the Project, In Violation of CEQA

a. Visual Appearance and Character

South Los Angeles is currently composed of residents who have lived in the neighborhood for many years and established a unique culture and cherished community. The overwhelming majority of buildings in the area are several-story, older residential and commercial buildings, inhabited for lengthy periods of time by the same tenants. The tallest building in the Project area currently is 14 stories tall. In contrast, the Project, as proposed, will cover two full city blocks, totaling 9.7 acres, and 1,664,000 square feet. It will include four high rise buildings, each with between 12 and 35 stories, and two parking structures with over 2,500 parking spaces.³⁰ It would be visible from the freeways, as well as most parts of the existing South LA community.

CEQA Guidelines explain that an aesthetic impact would be considered significant if the Project would "substantially degrade the existing visual character or quality of the site

³⁰ DEIR, pp. II-11, 14, 17.

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²⁸ California Clean Energy Committee v. City of Woodland (2014) 225 Cal. App. 4th 173, 188.

²⁹ Human Impact Partners, "Assessing Health and Equity Impacts of the Reef Development Project in South Central Los Angeles" (October, 2015), p. 34-35.

and its surroundings."³¹ The Reef Project would be drastically out of scale with other development in the surrounding community, and would substantially alter the character of the current community by transforming the area into an upscale urban center. Although the DEIR clearly points out that the Project Site is located within the Southeast Los Angeles Community Plan and the Council District 9 Redevelopment Project area,³² the DEIR repeatedly suggests that the Project Site is part of greater Downtown Los Angeles, and that the Project, therefore, fits in with the aesthetics of "the area."³³ This assertion is false and misleading. Downtown Los Angeles is a separate district, which contains several of the tallest buildings in the region, thousands of businesses, and a completely different demographic, cultural and visual character from South LA. In an effort to minimize the negative aesthetic and other impacts of the Project, the DEIR inaccurately characterizes South LA as part of Downtown, rendering the analysis deficient.³⁴

In outlining the Project objectives, the DEIR identifies the need to take the current population of South LA and its goals into account. The objectives reference serving the needs of the community and ensuring compatibility with the resident population, but the Project, as proposed, does not take the current population into account at all; the size, height, and style of the Project will be discordant with the current aesthetic of South LA. 35 A development of this size and magnitude would be larger and more prominent than any other building or development in South Los Angeles.³⁶ The volume of visitors, level of traffic, and scale of development that the Project would bring would change the nature of the community and degrade the existing visual character and quality of the site and its surroundings in the eyes of many of the current residents and stakeholders. As the DEIR states, "the totality of the development would establish a new visual identity for the otherwise non-descript Project Site and surrounding area, and would serve as a visual focal point for the area."³⁷ Despite this, the DEIR still inaccurately concludes that impacts would be less than significant. Aesthetic impacts from height, mass, and character changes should be reanalyzed and properly mitigated in conformance with CEQA.

b. Signage

The amount, size, and type of signage proposed for the Project is unprecedented in the Project area. According to the DEIR, signs will be located on each of the four multi-story buildings, totaling 234,067 square feet of signage.³⁸ Many of the signs will be massive, animated, and placed high up on the buildings, where they will be clearly visible from a

³¹ Cal. Code Regs. tit. 14, Appendix G, I(c).

³² DEIR, p. IV.B.1-10.

³³ e.g., DEIR, p. IV.B.1-1.

³⁴ In the Aesthetics section alone, the word downtown is mentioned 31 times.

³⁵ DEIR, p. II-40.

³⁶ See Figure IV.B-11, (depicting Southeast LA with the proposed Project, without views of Downtown in the background.)

³⁷ DEIR, p. IV.B.1-22.

³⁸ DEIR, p. IV.B.1-20.

distance of at least 2.5 miles away.³⁹ In addition, signs, including animated signs, will be in operation throughout the day and evening, from dawn until 2 a.m.

The DEIR identifies several factors that would indicate significant impacts in terms of lighting, including whether Project lighting would interfere with the performance of an off-site activity, and whether the Project would result in substantial changes to existing artificial light conditions. Although the lighting may not be bright enough to impair drivers' vision (as the DEIR suggests), animated lighting and large signs are extremely distracting for a number of groups and activities, most notably local and regional drivers, families and individuals who live near the Project site, and students who will be in classes within feet of the Project. Light pollution at night can cause sleep disruption in children and adults, and can lead to other health problems, including issues with behavioral and cognitive function. Studies have shown that even small changes in ordinary light exposure during the late evening hours can have significant effects on sleep and the biological clock. Several studies have also linked excessive use of artificial light at night to health problems including cancer.

The substantial changes to existing artificial light conditions are obvious, as the current site and area contains virtually no signage. Views of the Project signage will be visible at a distance from the Project site, and could extend up to 420 feet vertically. The impacts of the proposed signage on the surrounding environment are extremely significant and potentially harmful. Even areas incorrectly deemed by the DEIR to have less than significant impacts would still be visible and prominent in the immediate vicinity of the Project, areas in which schools and residences are located. The DEIR explicitly points out that the effects and impacts of the signage are "dependent primarily upon the size, concentration, and animation associated with the proposed signs," yet instead of reducing the size, concentration, and animation of the signage, the Project proponents chose to retain and ignore the significant impacts. The aesthetics analysis is deficient and inaccurate with regards to signage, and must be revised to fully study all impacts and include appropriate mitigation measures in order to comply with CEQA.

c. Light

The impacts of light from the Project in several zones and from a number of directions would be significant.⁴⁴ Light and glare from digital billboards have been shown to significantly increase the risk of driving accidents, in addition to the other distractions

³⁹ DEIR, p. IV.B.1-22.

⁴⁰ James M. Zeitzer, Derk-Jan Dijk, et. al., "Sensitivity of the Human Circadian Pacemaker to Nocturnal Light: Melatonin Phase Resetting and Suppression," *Journal of Physiology*, 2000, pp. 695-702.

⁴¹ Kevin J. Gaston, Marcel E. Visser, and Franz Holker, "The Biological Impacts of Light at Night: From Molecules to Communities," *Philosophical Transactions B*, May 5, 2015.

⁴² DEIR, p. IV.B.1-27.

⁴³ DEIR, p. IV.B.2-19.

⁴⁴ DEIR, pp. IV.B.2-27-31.

and health risks discussed above.⁴⁵ The single mitigation measure provided, which only slightly limits the signage operating hours to hours when most people are asleep, is not sufficient to address this impact. Additional mitigation measures should be incorporated to reduce the effects of the lighting from the signage on the surrounding environment. These may include, but are not limited to, fewer signs, smaller signs, locating signs in only specific areas, limiting the intensity of sign illumination, and limited hours of operation.

V. The Proposed Air Quality Mitigation Measures are Inadequate and Must Be Strengthened

Los Angeles air quality is already extremely poor as a result of the geography of the region, a legacy of non-attainment of air quality standards, and the high number of vehicle trips and resultant exhaust emissions. The majority of Volatile Organic Compound (VOC) and Nitrogen Oxide (NOx) emissions that the DEIR reports will be significant and unavoidable are generated by exhaust from mobile sources, in addition to industrial and point sources. The Reef Project will be located in close proximity to four major freeways, including "heavily trafficked segments" of the Santa Monica Freeway (the I-10), which runs only one block from the Project site, and the I-110 freeway, which is 2.5 miles from the Project site. ⁴⁶ The Project will also attract visitors, during both the construction and operational phases, which will increase traffic and emissions, further impacting the air quality in the area. A range of diesel-fueled construction machinery and vehicles will be utilized during Project construction.

VOCs and NOx are particularly harmful pollutants, each of which can produce devastating health effects, both in the short term and after chronic exposure. Inhalation of VOCs and NOx can cause severe health problems including asthma, skin irritation, respiratory illness, aggravation of respiratory illness, increased susceptibility to infections, cancer, and death. Sensitive receptors, including young children and the elderly, are more susceptible to the effects of these pollutants, and there is increased risk for asthma and other pulmonary diseases in these populations. The Reef site is located within 305 feet of three schools and in close proximity to hundreds of residential units, where the impacts of the Project will be felt most strongly. In addition, the community in which the Project is proposed is made up mostly of low-income residents of color. Many of these residents already face poor health, high levels of stress, and limited access to adequate, affordable health services. It is critical that the Project incorporates mitigation measures to address the increased pollution and emissions at the sensitive receptors surrounding the Project, and in the community at large.

Although the DEIR repeatedly refers to the building phase of the Project as "short-term," construction will take at least 60 months, or five years, a period of time that for air quality and health risk purposes is long enough to cause severe pollution-related health

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⁴⁵ Tania Dukic, et al., "Effects of Electronic Billboards on Driver Distraction," *Traffic Injury Prevention*, July 8, 2012.

⁴⁶ DEIR, p. II-4, p. IV.C-9.

problems. Further, the DEIR states that Project development is expected to occur between 2016 and 2035.⁴⁷ The mitigation measures proposed for the construction phase of the Project are entirely inadequate and fail to address the impacts of the Project on the surrounding population, and the characterization of impacts as temporary is misleading. While the Project does incorporate building features that protect the projected residents, employees, and visitors to the development, all of the mitigation measures focus solely on the future Reef population and there is not a single measure dedicated to protecting residents of the surrounding area from the increase in pollutants that the Project will directly cause.

The mitigation measures for air quality and health risk in the DEIR do not address the impacts to the community and area surrounding the Project, in violation of CEQA. The DEIR must fully mitigate potential air quality impacts for both future Project residents and current residents of the surrounding community, who will bear the brunt of the air quality and health risks during construction and the life of the Project. This is particularly important given the sensitive receptors in the area, which are located in extremely close proximity to the Project. .

VI. The DEIR's Analysis of Impacts to Cultural Resources is Flawed and the DEIR Improperly Defers Study and Mitigation of Project Impacts

The DEIR's analysis of the Project's potential impacts on cultural resources contains several flaws, including improper deferral of mitigation and a failure to analyze impacts with sufficient specificity. For example, the DEIR concludes that the height of the two towers proposed as part of the Project are "considerably taller than surrounding development," but that potential impacts to historic resources derived from the scale of the Project are mitigated by "the open space on the site, the variety of size and massing proposed for the new construction, and the isolation of the tower elements to the north and south of the Project Site." However, the DEIR goes on to explain that the Project may utilize the Design Guidelines, which "allow for, among other things, the relocation of buildings within the site..." The DEIR simultaneously relies on the specific proposed configuration of Project buildings to conclude there will be no significant impacts to historic resources due to the scale of the Project, while going on to state that the Project will have flexibility in the ultimate location of these buildings. This does not ensure that all potential impacts have been included in the EIR and mitigated to the maximum feasible extent.

Similarly, the DEIR improperly defers study and mitigation of potential impacts to historic resources from the proposed signage for the Project. The DEIR concludes that the proposed signage "would not constitute an impact with respect to the immediate surroundings of potential historic resources in the Project vicinity," because all signage

⁴⁷ DEIR, p. IV.L-10.

⁴⁸ DEIR, p. IV.E-18.

⁴⁹ DEIR, p. IV.E-19.

will be subject to the proposed Reef Project Sign District.⁵⁰ However, the proposed sign district for the Project has not yet been approved, let alone finalized, and must go through a separate public hearing process, where specific aspects of the sign district will be decided. As stated in the DEIR, "the Reef Project Sign District would establish the maximum square footage of signs, provide for commercial advertising standards, and establish illumination and animation standards to properly limit and regulate the proposed integral electronic displays."⁵¹ However, none of these aspects of the sign district have been finalized, and therefore the DEIR's reliance on these limitations to conclude that Project signage will not constitute an impact to historic resources is an inappropriate deferral. Under CEQA, the City must require "that measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures;"⁵² this is not the case with the proposed Reef Project Sign District, which has not been finalized, let alone adopted.

VII. The DEIR's Transportation Analysis is Flawed and Lacks Adequate Mitigation Measures

Traffic in Los Angeles is particularly severe, and creates substantial stress and difficulties for commuters and travelers throughout the region. The Project, as proposed, will create 1,428 residential units, 21 live-work units, a 208 room hotel, as well as retail stores, swimming pools, a fitness center, a grocery store, restaurants, and a gallery. The current Reef building will be altered to include a new restaurant and event space. Over 5,000 parking spots will be provided for residents, employees and visitors. In addition, the Project objectives clearly indicate that the Project is being built in order to "attract top notch events," "create an urban center...complimentary to...ongoing growth," "promote[] the creation of a vibrant and dynamic 24-hour activity center," "provide site access and sufficient parking," "provide an integrated mixed-use project," and "to provide flexibility to respond to changes in demand and urban growth patterns." Impacts caused by the Project's increased traffic must be adequately mitigated.

Construction of the Project would take place over at least 60 months. On average, there would be 125 construction workers at the site each day, and up to 500 workers at peak construction times. For the first three months of construction, the equivalent of 360 car trips **per hour** would enter and exit the Site. During this time, no mitigation measures would be implemented, as the DEIR indicates that mitigation measures would be phased in later in the Project life. This is wholly inappropriate, as CEQA requires all feasible mitigation measures to be included in order to mitigate a project's impacts to a less than significant level, regardless of whether those impacts are short-term or long-term. As a

⁵² Cal. Pub. Res. Code § 21081.6(b); see also California Clean Energy Committee v. City of Woodland (2014), 225 Cal.App.4th 173.

⁵³ DEIR, p. II-40.

⁵⁰ DEIR, p. IV.E-18.

⁵¹ Ibid.

⁵⁴ DEIR, p. IV.N-19.

⁵⁵ Cal. Pub. Res. Code § 21081

result, current South LA residents will face significant unmitigated traffic increases, and consequent longer commutes, as well as encumbrances to walking in their neighborhood.

The DEIR predicts that the Project will increase traffic to and from the Site during peak hours by more than 1200%. More than 900 trips will be generated during the morning peak hour and over 1,200 will be generated during the evening peak hour. However, it is likely that these figures underestimate the true increase in traffic that the Project will cause. The DEIR based part of its transportation analysis on a "recent Downtown Los Angeles Demographic Study," which indicated that 56% of Downtown residents work in downtown and that downtown residents desired more stores and restaurants to which they could walk. ⁵⁶ Again, this statement and basis for analysis is flawed and misleading. Downtown is a separate area, which houses an entirely different demographic than South LA. ⁵⁷

Because the Project will increase traffic and congestion dramatically, the implementation of adequate mitigation measures is critical. The mitigation measures proposed in the DEIR are inadequate. The first four measures are merely compliance measures, required by City standards. Improvement measures are appreciated, but considering the increase in traffic that the Project will bring, both directly and indirectly, they are insufficient to reduce Project impacts to a less than significant level. Similarly, vehicle trip reduction measures do not guarantee a reduction in motor vehicle travel, particularly because of the lifestyle of the demographic which is expected to inhabit the Development. The Project should include measures to fully mitigate its impacts on transportation, including traffic relief measures and measures to provide increased access to transit and additional transportation options for residents.

In California, extremely low-income households living near transit are less than half as likely as higher income households to own a car, and drive less than half as many miles as higher-income households. Low-income households living near transit are also more likely than their higher-income neighbors to utilize such transit. ⁵⁸ Locally, approximately 75% of Metro's transit ridership is composed of households dependent on transit whose income is less than \$25,000 per year ⁵⁹. Despite this reality, the DEIR does not include a proper analysis of the effects of the Project's demographics on the Project's transportation impacts, and fails to include related mitigation measures such as incorporating an affordable housing component into the Project.

⁻⁵⁷ DCBID Downtown LA Demographic Study (2013) (available at: http://www.downtownla.com/survey/2013/results/DTLA-Demo-Study-2013.pdf).

⁵⁶ DEIR, p. IV.N-23.

⁵⁸ California Housing Partnership Strategy & Transform, "Why Creating and Preserving Affordable Homes Near Transit Is a Highly Effective Climate Protection Strategy" (2014), p. 3. *Available at:* http://www.transformca.org/transform-report/why-creating-and-preserving-affordable-homes-near-transit-highly-effective-climate.

⁵⁹ L.A. Hous. Dep't & Reconnecting Am., "Preservation in Transit-Oriented Districts: A Study on the Need, Priorities, and Tools in Protecting Assisted and Unassisted Housing in the City of Los Angeles" (2012). Available at:

http://reconnectingamerica.org/assets/PDFs/20120524LAHDTODPreservationFinal.pdf.

VIII. The DEIR's Noise Analysis is Flawed and Fails to Incorporate Adequate Mitigation Measures for Noise Impacts

Project construction is expected to last at least five years. Although the DEIR repeatedly refers to this time period as "temporary," at least five years of construction noise can result in severe impacts, particularly for nearby sensitive receptors; furthermore, the DEIR states that Project development is expected to occur between 2016 and 2035. 60. The DEIR identified five sensitive receptors, four of which are within less than 310 feet of the Project site. In addition, three of the sensitive receptors are schools, all of which will be in session throughout the construction and operation of the Project.

Further, the DEIR ignores evidence that noise impacts may be more extensive than it concludes. The DEIR contains information, for example, regarding the potential noise generation of equipment to be utilized during Project construction, but chooses to estimate that generation at a lower level which it contends is more representative of average construction activity, due to the fact that construction equipment does not always run at full power. However, this creative calculus runs afoul of CEQA, which requires analysis of both short-term and long-term impacts, including "spikes" in noise generation from construction equipment which may be operating at full power, however temporarily.

IX. The Land Use and Planning Section Is Severely Inadequate, In Violation of CEQA, and Must Be Recirculated

CEQA requires that a DEIR "discuss any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans." In order to determine whether there are inconsistencies, the CEQA Guidelines provide questions that should be analyzed, including whether the project would conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. The Project DEIR fails to account for significant inconsistencies and discrepancies between the Project and current land use plans and policies, and requested zoning permits.

The DEIR does not evaluate the Project's many conflicts with existing zoning requirements and fails to provide *any analysis whatsoever* of the Project's consistency (or lack thereof) with a number of highly relevant General Plan policies. Likewise, the DEIR does not evaluate the Project's compatibility with the City's Industrial Land Use Policy (ILUP), and fails to identify significant inconsistencies with the ILUP's Community Benefits requirements. Where the DEIR does purport to discuss the Project's consistency with General Plan policies and programs, much of the analysis is circular, conclusory and wholly inadequate for a meaningful review. The DEIR also fails to include an adequate

⁶¹ DEIR, p. IV.K-18.

⁶⁰ DEIR, p. IV.L-10.

⁶² Cal. Code Regs. tit. 14 § 15125(d).

⁶³ Cal. Code Regs. tit. 14, Appendix G, X(b).

evaluation of the Project's consistency with the Draft Southeast Los Angeles Community Plan and Community Plan Implementation Overlay (CPIO). Further, the DEIR fails to address the SUD Sign District's inconsistency with the Southeast Los Angeles's Community Plan's goals and objectives. This inadequate analysis must be corrected along with meaningful mitigation measures relating to the significant impacts associated with land use consistency in order to satisfy CEQA.

The DEIR Fails to Address the Project's Consistency with Existing Zoning Requirements and City Plans and Regulations

The DEIR's land use analysis unjustifiably assumes that the Project will be constructed in a manner that is patently inconsistent with existing zoning requirements and numerous current land use plans and policies that apply to the Project Site. Specifically, the Project involves the construction of a mixed-use development with 1,444 housing units on a site that is currently zoned for limited manufacturing. The DEIR briefly acknowledges that as proposed, the Project "would not be consistent with the existing General Plan land use designation and zoning of the Project site."64 However, this is presented merely as the explanation behind the Project's request for an extensive list of discretionary land use approvals. Rather than evaluating the existing land use inconsistency and analyzing the on-the-ground impacts that the proposed land use changes will have on the community, the DEIR simply concludes "the zone change would result in the entire parcel being singularly zoned for the mix of uses that [sic] proposed for the mixed-use development."65 This circular logic severely undermines environmental review.

The DEIR completely removes Project's proposed land use changes from any meaningful scrutiny. The DEIR repeatedly implies that existing land use regulations are inappropriate and suggests that once the current regulations are amended to permit the Project, then all of the Project's land use impacts will somehow be resolved. In other words, the DEIR proceeds from the flawed assumption that the Project should dictate land use laws, not the other way around. By assuming that the approval of the Project's numerous discretionary land use entitlement requests are a foregone conclusion, 66 the DEIR fails to comply with the CEQA requirement that the EIR identify the significant environmental effects of the project based on "the existing physical conditions in the affected area."67

⁶⁴ DEIR, p. IV.J-70.

⁶⁶ The Los Angeles Municipal Code clearly states the General Plan Amendments – including those limited to a specific property – must be initiated by the City Council, the City Planning Commission, or the Director of Planning; not the applicant. LAMC 11.5.6.B; Los Angeles City Charter Section 555. It appears that this process was initiated in May, 2014, by Councilmember Price. However this motion is still pending in Planning and Land Use Management Committee, and has not been approved by Council as required by the Code and Charter. See Council File 14-0620. Without such approval, the DEIR analysis is premature. ⁶⁷ Cal. Code Regs. tit. 14, § 15125(e); § 15126.2.

b. The DEIR Fails to Evaluate the Project's Inconsistency with Relevant General Plan Policies

The City of Los Angeles CEQA Thresholds Guide provides five factors for consideration in determining significant impacts related to land use consistency including "whether the proposal is inconsistent with the General Plan or adopted environmental goals or policies contained in other applicable plans." Despite these clear directives, the DEIR fails to adequately evaluate consistency with many relevant General Plan policies, goals and objectives.

While DEIR Tables IV.J-3, IV.J-4, IV.J-5, and IV.J-7 selectively consider *some* policies, the corresponding "evaluation" provides only a perfunctory analysis and includes many conclusory statements of consistency without providing adequate evidence or analysis to support. Moreover the DEIR inexplicably *neglects altogether* to evaluate numerous other General Plan policies that are essential to understanding the Project's environmental impacts. ⁶⁸ Perhaps unsurprisingly, the Project as proposed is in fact <u>inconsistent</u> with many of these General Plan policies that go unanalyzed in the DEIR. As a result, a complete and accurate analysis of consistency with the General Plan, as well as mitigation measures to address potential significant impacts relating to land use inconsistency, should be conducted.

c. The DEIR fails to evaluate the Project's consistency with the City's Industrial Land Use Preservation Policy (ILUP) and the ILUP Community Benefits Requirements

The Project site is located in the M1-2-O zone and has a General Plan land use designation of Limited Manufacturing with Oil District Overlay and Height District 2. While Height District 2 permits an FAR of 6:1, the M1 zone does not permit the uses proposed by the Project. To aid the proposed development of 1,444 residential units, 90,000 square feet of retail uses, 46,000 square feet of restaurant/bar uses, a 208-key hotel; 18,000 square-foot gallery, and 8,000 square-foot yoga/fitness studio and approximately 2,733 parking spaces, the Applicant is requesting a General Plan Amendment to change the designation to Community Commercial, and a corresponding zone change from M1-2 to C4-2.

Ten years ago, an onslaught of industrial-to-residential conversions -- just like the one requested here -- caused a rapid loss of job-supporting industrial land throughout the city. In response, the Department of City Planning (DCP) and Community Redevelopment Agency embarked on the Industrial Land Use Policy project (the "ILUP"). Consequently, a comprehensive study evaluated the viability of the City's industrial districts and created four distinct typologies of existing industrial zoned land, ranging from districts that

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⁶⁸ The relevant General Plan policies that go unanalyzed in the DEIR include, but are not limited to Housing Element Objective 1.2, Policies 1.1.2, 1.2.2, 1.2.8, 2.2.3, 2.5.1, and Programs 8, 54, 73, 99 and 101; Health Element Policy 1.7 and Program 86, Southeast Los Angeles Community Plan Policies 1.5-2 and 11-2.3; Framework Element Policies 3.14.6 and 4.2.1.

should be preserved to parcels that are appropriate for conversion. ⁶⁹ The ILUP project culminated in a 2008 memorandum to DCP staff ("Staff Directive"). ⁷⁰ This policy document includes very specific direction and guidance regarding the evaluation of entitlement applications for proposed developments on industrial zoned land. <u>The ILUP</u>, and this Staff Directive in particular, outline the process and procedures that DCP staff must now follow when evaluating the general plan amendment and zone change requested for this Project.

The ILUP is a touchstone of city land use policy and unquestionably applies to this Project. And yet, the DEIR Land Use and Planning section fails to even mention this policy, let alone adequately evaluate the Project's consistency with it. This is a significant oversight. Given the dramatic transformation of industrial land to support residential use that is being proposed for this Project, the DEIR must evaluate the project's consistency with the city's ILUP. Without this analysis, the DEIR fails to meet CEQA's requirement of consistency with City plans and policies.⁷¹

The ILUP also calls for the inclusion of certain meaningful Community Benefits as part of any land use change on this property. Although omitted entirely from the DEIR analysis, this requirement for meaningful community benefits is actually reiterated throughout the City's Industrial Land Use Policy. For example, the ILUP Staff Directive calls for City Planning staff to "recommend approval of applications for changes of use or zone provided Community Benefits are incorporated ..."

The Staff Directive then instructs: "[w]hen considering approval of projects within "Industrial Mixed Use" and "Transition" Districts, staff recommendations should include Community Benefits set forth below."

The ILUP Staff Directive outlines specific Community Benefits, including the provision of Affordable Housing.

Because it lacks any acknowledgment of the ILUP's clear directive for community benefits, the DEIR is incomplete.⁷⁵ This failure to adequately evaluate the Project's inconsistency with the ILUP should be corrected through a recirculated DEIR. In considering mitigation measures, the DEIR should refer to the ILUP Community Benefits

⁷⁵ See, e.g., City of Los Angeles CEQA Thresholds Guide, H.1. A determination of significance regarding land use consistency should be made considering the following factors: "Whether the proposal is inconsistent with the adopted land use/density designation in the Community Plan, redevelopment plan or specific plan for the site; and "Whether the proposal is inconsistent with the General Plan or adopted environmental goals or policies contained in other applicable plans." Here, the Project is clearly inconsistent with the Site's existing industrial goals or and use regulations, and is also inconsistent with the

inconsistent with the Site's existing industrial zoning and use regulations, and is also inconsistent with the City's existing policy framework that is intended to inform land use planning for industrial zoned property.

⁶⁹ Department of City Planning and Community Redevelopment Agency of the City of Los Angeles, "Los Angeles' Industrial Land: Sustaining a Dynamic City Economy,"

⁷⁰ Los Angeles Industrial Land Use Policy, Staff Direction Memorandum Regarding Industrial Land Use and Potential Conversion to Residential or Other Uses [hereafter, "Staff Directive."] http://planning.lacity.org/Code Studies/LanduseProj/Industrial Files/StaffDirections.pdf

⁷¹ See, e.g., City of Los Angeles CEQA Thresholds Guide, H.1.

⁷² Staff Directive, 5.

⁷³ *Id.* at 8.

⁷⁴ *Id*.

requirements and recommend proper mechanisms to effectuate appropriate community benefits.

d. The DEIR Does Not Adequately Evaluate the Project's Consistency with the Draft Southeast Los Angeles Community Plan

The Department of City Planning is currently in the process of updating the Southeast Los Angeles Community Plan. The most recent draft of the plan was revised and released in October 2014, with a corresponding draft of the Community Plan Implementation Overlay (CPIO).⁷⁶

The DEIR highlights that under the current draft of the Community Plan, the Project Site would be designated for Community Commercial Use. While claiming consistency with the Plan's vision for a mixed-use TOD district along the Blue Line, the DEIR only briefly acknowledges the Project's inconsistency with the Draft Plan's density provisions. The DEIR neglects to mention that the Project as proposed is also fundamentally inconsistent with many of the Draft Plan's policies and objectives.

The DEIR indicates that the project will have a FAR of at or just below 6:1. It is the intent of the CPIO to allow density above 1.5 FAR on the Project Site <u>for projects that provide affordable housing.</u> In addition, consistent with the structure of the City's Density Bonus Ordinance and the Downtown Housing Incentive (and in keeping with Housing Element policy), the Draft CPIO would allow a parking reduction only for residential projects that include affordable housing. Because the Project as proposed would have a floor area ratio at 6:1 and enjoy parking reductions without including any affordable housing, it is inconsistent with the provisions of the Draft Southeast Los Angeles CPIO.

In addition to the affordable housing provisions in the CPIO, the Draft Community Plan also contains a number of broader goals and policies that are potentially inconsistent with the Project and go unaddressed in the DEIR. For example:

- Policy LU5.6 "Prioritize housing that is affordable to a broad cross-section of income levels and that provides the ability to live near work."
- Policy LU13.3 "Prioritize new housing for the transit-dependent community and discourage upscale luxury housing at TODs in Southeast Los Angeles, which has a large transit-user and low income population."
- Policy LU13.4 "Promote and incentivize mixed-income and/or affordable housing in TODs"

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⁷⁶ Available at: https://sites.google.com/site/seastlancp/.

⁷⁷ DEIR, p. IV.J-58-59.

⁷⁸ Draft Southeast Los Angeles Community Plan Implementation Overlay, p. 8.

⁷⁹ Draft Southeast Los Angeles Community Plan Implementation Overlay, p. 38. In addition to mixed income housing incentives, parking reductions are offered as incentives for sit-down restaurants, full service grocery stores and Federally Qualified Health Centers.

- Policy LU16.3 "Encourage job training and local hiring for community residents."
- **Program 34** "Consistent with the goals and policies of the City's Housing Element, the Plan supports the maintenance and enhancement of the existing affordable housing stock for existing residents."
- **Program 63** "Encourage businesses to hire locally, and require local hiring for discretionary projects with Development Agreements to the extent feasible."

These policies and programs call for the City to do more than just indiscriminately greenlight any project that creates mixed-use development in the general vicinity of transit. Rather, the Draft Plan clearly contemplates and advances a more comprehensive vision for transit-oriented development in the Southeast LA Community Plan Area. The Draft Plan calls for TOD projects that include housing opportunities for low-income core riders and contribute economic opportunities to local residents. Lacking an affordability component or detailed programs to ensure jobs for local residents, the Project is inconsistent with the vision laid out in the Draft Community Plan. It also threatens the kind of community destabilization that directly contradicts the goals and objectives outlined above.

The DEIR Land Use & Planning section should acknowledge that the Draft Community Plan and CPIO reflect a current visioning process for the community, and should be evaluated for alignment with the Project. Since inconsistencies are significant, a recirculated Land Use & Planning section should evaluate possible mitigation measures like affordable housing.

e. The DEIR's Dangerously Deficient Supplemental Use District for Signage Land
Use Assessment Leads to False Conclusions and Risks Invalidating the City's
Signage Ordinance

According to the DEIR's Project Description, the REEF looks to introduce 234,067 square feet of electronic signage into an area where virtually none exists. So dominate and overwhelming are the sought environmental alternations, the Project must break the proposed electronic signage onslaught into five sign zones, each broken into three vertical signage subzones. The signage proposed is a dizzying array of offsite advertising stacked 500 feet high, like a massive vertical TV showroom. Not only would these proposed signs negatively impact in the most profound way the quality of life for the residents living, working and going to school just feet away, the signage would pull the attention of every driver along the 10 and 110 freeways away from the road and toward the animated advertising, creating untold hazards for every person obliged to drive in the Project's vicinity.

Despite having devoted nearly half its Project Description (Section II) to describing the proposed Supplemental Use District for Signage, the DEIR mustered an anemic paragraph for the same topic in its Land Use & Planning analysis, of which two sentences address the Project's impacts on signage regulations and policies. Specifically, the

DEIR's Land Use & Planning analysis on the Supplemental Use District (SUD)for Signage obliquely reads:

The potential environmental impacts of The Reef Project SUD are evaluated in this EIR. Therefore, the Project would have less than significant impacts with regards to signage regulations and policies.

This circular assessment gives new meaning to the phrase "environmental window dressing." The DEIR's assessment is as wrong as it is inadequate for the following reasons.

The history and status of our City's signage regulations play a controlling role in the Project's request for a SUD for Signage. Yet the DEIR is utterly silent on both. In fact, the DEIR Land Use & Planning analysis does not even mention which signage ordinance it believes applies to its Project. The DEIR fails to acknowledge that the City is in the process of establishing new sign regulations and that SUD Sign District's applications are, for all intents and purposes, on hold until the new regulations are adopted. This shortcoming is all the more troubling given that the DEIR incorrectly asserts that it "would have less than significant impacts with regard to signage regulations and policies." This statement holds no water under either the current sign ordinance or the revised ordinance recently approved by the City Planning Commission. The public should not be left to guess what sign ordinance the DEIR reviewed, if any.

Additionally, the DEIR ignores significant signage restrictions that form the bedrock of the City's signage policy with respect to aesthetic and public safety. Specifically, the DEIR fails to address the fact that the Project violates the City's ban on signage within 2000 feet of a freeway that would be viewed primarily from a main traveled roadway of a freeway or an on-ramp/off-ramp. Not only does this gaping oversight stand as a powerful indictment of its inadequacy, the DEIR fails to account for how its Project's signage threatens to invalidate the City's hard fought ban of freeway facing signage – an environmental impact of monumental significance. Although emerging victorious in World Wide Rush, LLC et al v. City of Los Angeles, the Ninth Circuit cautioned the City that although the Staples Center and the Fifteenth Street SUD exemptions to the freeway ban did not invalidate the ordinance, additional exceptions could "break the link between Freeway Facing Sign Ban and the City's objectives in traffic and aesthetics." **82*

The Project has all the elements of a sign district that would invalidate the City's ban of freeway facing signs ordinance. Its fully animated billboards would be highly visible from multiple freeways. Thus, the Project threatens the City's continued ability to ban freeway-facing signs, and opens up the entire length of every freeway to signage the City has fought so hard to ban. The City's arguments of blight and improving traffic safety

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⁸⁰ DEIR, p. IV J-72.

⁸¹ Article 4.4, Section 14.4.6 and Section 14.4.5 of draft Signage Ordinance approved by the City Planning Commission.

⁸² World Wide Rush et al., v. City of Los Angeles (9th Cir. 2010) 606 F.3d 676.

available for the Staple Center and Fifteenth Street SUD are absent. Thus, the Project threatens the City's continued ability to ban freeway facing signs, and opens up the entire length of every freeway to signage the City has fought so hard to ban. The environmental impacts of such a risk are immensely significant. Yet the DEIR fails to acknowledge and analyze this environmental impact. Accordingly the DEIR is inadequate and must be recirculated.

Moreover, the City's current sign ordinance clearly prohibits signage that constitutes a hazard to safe and efficient operation of vehicles upon a street or a freeway. With its proposed over-200,000 square feet of animated signage pulsing over the 10 and 110 freeways, the proposed Project undoubtedly poses a serious hazard to traffic safety. The environmental impacts of such a risk are immensely significant. Consequently, the DEIR's land use analysis is deficient and this chapter must be recirculated to account for all discrepancies, and include all relevant regulations and policies.

X. The DEIR Should Have Included An Environmental Justice Analysis with Corresponding Mitigation Measures

Projects that are likely to have a significant and disproportionate effect on surrounding low-income communities are encouraged to include an environmental justice analysis in their environmental impact reports; further, "specific provisions of CEOA and its Guidelines require that local lead agencies consider how the environmental and public health burdens of a project might specially affect certain communities."84 The Reef Project is proposed to be built in a particularly low-income community of color⁸⁵, where many residents are rent-burdened, work multiple jobs, and have limited access to adequate, affordable health services. The DEIR acknowledges that even after mitigation measures, there will be significant impacts to air quality, noise, traffic and transportation. aesthetics; there are further impacts, such as indirect impacts from gentrification and consequent displacement, which are not analyzed in the DEIR. These Project-related impacts will seriously affect the lives of current South LA residents, a population that is already overburdened with stress, mental and physical health problems, poor air quality, and a lack of means. A Project's particular social and economic effects, while not considered environmental impacts themselves, may be a determining factor in whether a particular physical change cause by the project is considered significant. 86 Therefore, the DEIR should have analyzed the environmental justice impacts of the proposed Project and implemented mitigation measures to reduce the potential harm that may disproportionately result from Project impacts.

 $\underline{\underline{http://maps.latimes.com/neighborhoods/neighborhood/historic-south-central/}.$

⁸³ Sign Ordinance, Los Angeles, Chapter 62 § 91.6205.5.

 ⁸⁴ Office of the California Attorney General, "Environmental Justice at the Local and Regional Level" (2012), p. 3. Available at http://oag.ca.gov/sites/all/files/agweb/pdfs/environment/ej_fact_sheet.pdf.
 85 For example, LA Times reports the Historic South Central median income is \$30,882. See

⁸⁶ Cal. Code Regs. tit. 14 § 15131; Office of the California Attorney General, "Environmental Justice at the Local and Regional Level" (2012), p. 4. Available at http://oag.ca.gov/sites/all/files/agweb/pdfs/environment/ej_fact_sheet.pdf.

XI. The DEIR's Population, Housing and Employment Analysis is Flawed

The DEIR's analysis of potential impacts to Population, Housing and Employment is riddled with inappropriate conclusory and speculative statements. For example, the DEIR states regarding Project construction-related employment that "[i]t is likely that the skilled workers anticipated to work on the Project already reside within the Los Angeles region and would not need to relocate as a result of employment."87 However, the DEIR does not include a listing (or even examples) of what type of skilled positions would be offered in connection with the Project, what other local projects may require the same type of skilled workers, or the number or residence of existing skilled workers located in and around the Project area able to fill Project positions. Similarly, the DEIR's analysis of the projects employment impacts contains minimal analysis of the types of positions generated by the Project's operation and how these compare to the skill level and educational attainment of Project area residents, despite the fact that the health impact report has found a potential imbalance between existing residents and the jobs which may be produced as a result of the Project.⁸⁸ "The environmental impact report (EIR) must contain facts and analysis, not just the bare conclusions of the agency. An EIR must include detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project."89 Despite this, the DEIR does not include such detail, nor does it include any appendices to support its conclusions with regard to Population, Housing, and Employment impacts.

With respect to Project-related housing impacts, the DEIR concludes that because the number of additional units to be constructed as part of the Project "would be within the projections for housing unit growth Citywide and within the Community Plan area," impacts related to housing growth would be less than significant. However, the DEIR relies on a simplistic analysis and inappropriate sources of information in reaching this conclusion. The DEIR notes that the current Housing Element for the City of Los Angeles projects that while Los Angeles is on track to exceed its need for new construction of market rate housing units, it is projected to fall short of its need for the construction of affordable units. Despite this, no consideration is given to the unit mix of the Project or the income levels they would potentially serve. The Project has proposed to build exclusively market-rate or luxury housing, with no affordable housing units or other contributions to affordable housing in the City or the Project area.

The development of housing may have different impacts due to the income levels it proposes to serve. Here, the Project would serve higher-income individuals and households, despite the fact that there is a desperate need citywide for affordable housing and despite the fact that the City is on track to exceed its need for higher-income housing. This could result in a situation where increasing numbers of higher-income individuals

⁸⁷ DEIR, p. IV.L-7.

⁸⁸ Human Impact Partners, "Assessing Health and Equity Impacts of the Reef Development Project in South Central Los Angeles" (October, 2015), p. 34.

⁸⁹ Bakersfield Citizens for Local Control v. City of Bakersfield (2004) 124 Cal. App. 4th 1184, 1197.

⁹⁰ DEIR, p. IV.L-10.

are attracted to the Project area, while existing lower-income Project area residents are left without adequate housing supply. It is crucial that the DEIR include a discussion of the effect of housing price, as well as the number of units, proposed for the Project. This is consistent with CEQA's mandate to examine the economic effects of a project where such effects may produce a corresponding physical impact on the environment⁹².

In addition, the DEIR partly bases its analysis of Project-related housing growth and population impacts on the Draft Southeast Los Angeles Community Plan (Draft Community Plan), because the adopted Southeast Los Angeles Community Plan is outdated and does not cover the period of Project development. However, reliance on the Draft Community Plan is inappropriate, and does not ensure an accurate account of potential Project impacts. The Draft Community Plan has yet to be finalized, and has not gone through the CEQA review and public comment process. Therefore, it is possible that the Draft Community Plan will be revised, and that an analysis based on the current draft could be rendered inaccurate. Further, because the Draft Community Plan's potential environmental impacts have not yet been assessed and mitigated, the Project's impacts falling within the Draft Community Plan's projections does not necessarily lead to the conclusion that Project impacts will be less than significant. Because the Draft Community Plan may be revised, and its impacts have not been mitigated, basing the conclusion that Project impacts would be less than significant on the Draft Community Plan improperly defers mitigation of the Project's potential impacts.

Finally, the DEIR fails to take into account the share of projected Project area growth which would be facilitated by the Project. It is noted that the Project-related population growth represents up to 28.4 percent of projected population growth in the Southeast Community Plan Area through 2035. No consideration is given to what potential impacts may occur from consolidating almost one-third of Community Plan Area growth into a single project, despite the fact that the addition of other projects in the future could push population growth beyond what is projected as a direct result of the Project's absorption of a large share of projected growth. A more robust analysis is required to properly identify, evaluate, and mitigate the Project's potential impacts in the areas of Population, Housing, and Employment.

XII. The DEIR's Cumulative Impacts Analyses are Flawed, in Violation of CEQA

The discussion of "related projects" within the Environmental Setting is inadequate and inappropriately limited. CEQA requires analysis of cumulative impacts, and these are defined as "the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time." A list of "related projects" is used in the EIR's analysis of cumulative impacts under each impact category,

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⁹² Cal. Code Regs. tit. 14 § 15126.2.

⁹³ DEIR, p. IV.L-11.

⁹⁴ Cal. Code Regs. tit. 14 § 15355.

to determine whether the Project will have a cumulatively considerable impact in each of those categories.

The "related projects" which are analyzed together with the Project in order to determine cumulative impacts under each impact category should include all projects which, taken together with the Project, would have the potential for a cumulative impact in *that* category. "A cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts." For example, in determining the Project's potential for cumulative air quality impacts, the EIR should analyze the project together with any projects which may be related by virtue of their potential impacts on Project area air quality.

Despite this, the list of "related projects" developed for the DEIR and utilized to determine cumulative impacts under every impact category was developed solely in consideration of traffic impacts. As stated in the EIR, "[a] list of proposed development projects (the 'related projects') that could affect traffic conditions in the Project area by adding traffic volumes to study area intersections was prepared... [The] related projects are included in the analyses of cumulative impacts provided under each impact category in Section IV (Environmental Impact Analysis) of this EIR."96 It is conceivable that a proposed project that would not affect traffic in the study area would nonetheless produce a cumulative impact on, for example, water quality, when taken together with the Project. The fact that only projects determined to be related to the Project with respect to traffic were analyzed for the purposes of determining the Project's cumulative impacts under each environmental impact category renders the cumulative impacts analyses in every impact category flawed. Cumulative impacts in each environmental impact category should be analyzed in light of the Project's incremental impacts which, when combined with other projects which may have related impacts in that category, may be cumulatively considerable.

XIII. The DEIR Fails to Account for and Mitigate the Project's Impacts to Public Services

a. Fire Protection and Police Protection

Regarding the Project's potential construction-related impacts to fire protection services, the DEIR concludes that Project impacts would be less than significant. This conclusion is partly based on the assertion that "construction impacts are temporary in nature and do not cause lasting effects to impact LAFD fire protection services." However temporary, the EIR is still require to study such impacts and determine their significance. Under CEQA, "effects of [a] project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects." The

⁹⁷ DEIR, p. IV.M.1-5.

⁹⁵ Cal. Code Regs. tit. 14 § 15130.

⁹⁶ DEIR, pp. III-3-4.

⁹⁸ Cal. Code Regs. tit. 14 § 15126.2.

fact that construction impacts may be temporary, therefore, does not justify a conclusion that they will therefore be less than significant. Even a fleeting impact may have great significance. Furthermore, the DEIR's characterization of construction impacts as "temporary"; construction of the Project is expected to last five years, and the DEIR states that Project development is expected to occur between 2016 and 2035. 99 Justifying a conclusion that construction-related impacts to fire protection services will be less than significant based on those impacts "temporary" nature is wholly inappropriate where those impacts will potentially be ongoing for 19 years.

As a basis for its conclusion that impacts to police and fire protection services would be less than significant with respect to both Project construction and operation, the DEIR states in multiple places that lane closures and traffic generated by the Project "would not greatly affect emergency vehicles, the drivers of which normally have a variety of options for avoiding traffic, such as using their sirens to clear a path of travel or driving in the lanes of opposing traffic." This speculation falls short of the level of analysis required by CEQA; an EIR must include sufficient detail to allow the reviewing public an opportunity to examine the methodology used to arrive at such a conclusion. The DEIR contains no discussion of the possibility that the traffic and lane closures generated by the Project could render, for example, "using their sirens to clear a path" a less viable option. The DEIR also fails to consider feasible mitigation measures such as restricting partial lane closures to certain times, restricting construction-related trips to non-peak hours, and limiting the frequency of construction-related trips.

With respect to police protection services specifically, the DEIR fails to sufficiently examine potential impacts to crime and demand for police services. The DEIR states that "the scale of the Project could potentially result in increased demand for police protection services... and impacts would be potentially significant... However, such calls are typical in the existing neighborhoods in the Project area and do not represent unique law enforcement issues specific to the Project."¹⁰¹ The fact that such calls are typical for local law enforcement, however, does not necessarily imply that an increase in the amount of such calls would not result in significant impacts to police services. The DEIR relies on similar speculative statements about the nature of the Project area for its conclusions, noting that "[c]urrently, the Project site is covered with dark surface parking lots that could attract crime," that the Project's "increase in population and nighttime activity could lower street crime," and pointing out crime-reducing features which the Project "could include." 102 Such speculation could easily be replaced with actual analysis, but the DEIR fails to discuss, for example, actual current numbers of police calls to the Project site as compared with anticipated calls after Project construction, and fails to incorporate specific crime-reducing Project design features as mitigation measures. Furthermore, those mitigation measures which are included should be more specific in order to ensure proper mitigation; for example, while on-site security personnel are required, no mention is made of the number of guards required or at what hours they are required to be present.

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⁹⁹ DEIR, p. IV.L-10.

¹⁰⁰ DEIR, pp. IV.M.1-5-7, IV.M.2-6

¹⁰¹ DEIR, p. IV.M.2-4.

¹⁰² DEIR, p. IV.M.2-4-5.

b. Parks and Recreation

The community surrounding the Project area has 0.42 acres of neighborhood and community park acreage per 1,000 people, which is dramatically lower than the City's standard ratio of four acres per 1,000 people. The DEIR should require measures such as additional open space and recreation opportunities for current residents, given the already limited resources in the area, in order to ensure Project impacts to parks and recreation do not exacerbate the current situation.

The DEIR concludes the Project will not have significant impacts to parks and recreation, but this conclusion is partly based on the fact that the Project's common open space "includes areas that would be fully open to the public." No attempt is made, however, to guarantee that the public will actually access and use the facilities provided, and the majority of Project open spaces are comprised of "passive" open space. Project design features should be included which advertise the availability of Project open space to the public, direct the public to resources available to them, and which foster an environment of open and inclusive use of the open space by all members of the community. Further, such open spaces should accommodate the specific open space and recreational needs of the local community, such as including active recreation opportunities.

XIV. The DEIR Should Have Chosen the Environmentally Superior Alternative to the Project, As Required by CEQA

CEQA clearly indicates that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which would substantially lessen the significant environmental effects of such projects." The DEIR analyzed five alternative projects, and found that the Reduced Height/Reduced Signage alternative would be environmentally superior to the Project, and "would meet most of the objectives of the Project, to the same degree as the Project." The DEIR concludes that the Reduced Height/Reduced Signage alternative would avoid the significant and unavoidable impacts of the Project with regard to visual quality, light and glare, and cumulative traffic noise, and it would decrease the air quality, freeway health risk, and transportation impacts. Because this alternative is feasible and would substantially lessen the environmental effects of the Project, CEQA requires that it be adopted instead of the proposed project. Public agencies are prohibited by CEQA from approving the Project as currently proposed.

XV. Conclusion

In conclusion, we believe that the DEIR is flawed, and fails to account for a number of significant impacts and corresponding mitigation measures. The DEIR must be revised to fully correct the deficiencies outlined herein, and must be recirculated with an extended public comment period to provide for meaningful public review of the Project. Incorporated into these comments by reference are the health impact study for the Project

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¹⁰³ Cal. Code Regs. tit. 14 § 15021(a)(2).

prepared by Human Impact Partners and attached to this letter¹⁰⁴, and the entire record for the Project, including the written and oral record of all hearings and submissions.

Thank you for your consideration. Please contact Alexander Harnden (Legal Aid Foundation of Los Angeles) at (213) 640-3851, or Joseph Donlin (Strategic Actions for a Just Economy), at (213) 745-9961, with any questions or requests.

Sincerely,

The Blazers
CDTech
Esperanza Community Housing
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LA Black Worker Center
Natural Resources Defense Council
Physicians for Social Responsibility Los Angeles

PVJOBS

St. Agnes Church St. Francis Center

St. John's Well Child & Family Center

St. Mark's Lutheran Church

Strategic Actions for a Just Economy

T.R.U.S.T. South LA United University Church

Human Impact Partners, "Assessing Health and Equity Impacts of the Reef Development Project in South Central Los Angeles" (October, 2015).

ATTACHMENT

Human Impact Partners

"Assessing Health and Equity Impacts of the Reef Development Project in South Central Los Angeles"

October, 2015

Assessing Health and Equity Impacts of the Proposed Reef Development Project in South Central Los Angeles









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EXECUTIVE SUMMARY

INTRODUCTION

The Reef Development Project plans for the total renovation and expansion of a commercial area in South Central Los Angeles — an area that is located in the Southeast Los Angeles Community Plan Area and the City's 9th Council District. The project would cover 9.7 acres, and would include a 208-room hotel, two high-rise condominium towers, 528 mid-rise residential units, and 21 low-rise live/work residential units.

This research project, informed by a Health Impact Assessment framework, was conducted to provide empirical data on the potential health and equity impacts that the proposed Reef Development Project could have on the South Central Los Angeles community, and to propose recommendations to the developers and the City. The study was conducted with the additional goal to engage and empower community members, including neighborhood residents and stakeholders, to participate in the development process.

Key Finding: The Reef Development Project will place thousands of South Central Los Angeles residents at high or very high risk of financial strain or displacement.

FINDINGS

Gentrification often results when developments like the Reef Development Project occur in neighborhoods like South Central. Gentrification can lead to financial strain and **indirect displacement** — a kind of displacement that occurs when residents and businesses are gradually priced out of the area and must involuntarily leave.

An estimated 4,445 renters who live within ½ mile of the proposed Reef Development Project are already experiencing housing cost burdens and could be at high or very high risk of financial strain or displacement as a result of the development. An additional 39,311 renters who live between ½ mile and 2 miles of the project could be at moderate risk. Overall, 52% of the nearly 84,000 residents living within 2 miles of the project could be at risk of financial strain or displacement as a result of the Reef Development Project.

Some focus group participants from the area anticipate they may become homeless.

"I keep thinking, 'What am I going to do if this doesn't work out? Where am I going to go? Am I going to see my neighbors again? Where am I going to find this kind of community again? Going to have to start over. Going to be homeless, without a family."

— Anayetzy

WHY THIS MATTERS TO HEALTH

Community residents who experience financial strain and/or displacement may experience a wide variety of chronic stress-related physical and mental illnesses, including anxiety, depression, hypertension, heart disease, obesity, diabetes, and sleep disorders. Additional constraints on health-protecting resources and exposures to health-damaging environments such as substandard and overcrowded housing could further contribute to a variety of negative health outcomes. Disruption of social networks can lead to additional health challenges, including exposure to fragmented social environments that have higher rates of violence and sexually transmitted diseases.

Multi-generational traumas can result from serial forced displacement resulting in a condition called "root shock". Black and Latin@ residents who located to South Central Los Angeles to escape racial and political discrimination and violence brought with them the memories and traumas of previous displacements, which could be exacerbated by this project.

THE CONTEXT

Displacement and financial pressures from the Reef Development Project will happen within the context of ongoing challenges with housing affordability and homelessness that are happening in the area.

- Los Angeles lost 65% of state and federal funding for affordable housing between 2009 and 2014
- Over half a million affordable rental homes are needed in the city
- Lack of affordable housing is the main cause of homelessness in the U.S.
- Los Angeles has the largest homeless population of any urban area in the U.S.

Most South Central Los Angeles households are occupied by renters and nearly half of residents are in poverty. On average, neighborhood residents earn half the household income as the City as a whole. Many businesses do not have leases for their business spaces, or have leases that will expire soon.

	South Central	City of Los Angeles
Average household income*	\$36,830	\$77,000
Residents in poverty*	45%	22%
Renters*	79%	62%
Median monthly rent for 1 bdrm apt**	\$1000	\$1830
> 1 person per room (overcrowded)*	41%	14%
Workers who took transit to work*	26%	11%
Workers who drove alone to work*	49%	67%

^{* 2009-2013} American Community Survey

Residents are already struggling intensely to afford housing, and are engaging in a variety of methods to address this problem: by making difficult choices on what necessities to do without, by living in overcrowded and substandard housing, and by looking for additional sources of income.

Despite these challenges, residents and small business owners in the neighborhood have developed strong social ties and a sense of attachment to the area, and they want to stay. Many of the residents and businesses in South Central have been in the neighborhood for 10-20 years or more.

Residents of the neighborhood came to South Central seeking economic opportunity, and built a thriving community. Over time, however, the city began to engage in a variety of different policies that led to increased segregation, concentrated poverty, and limited opportunity. This was followed by prolonged civic disinvestment that has perpetuated poverty and segregation to this day.

RECOMMENDED ACTIONS

The developers of the Reef Development Project and the City of Los Angeles have a unique opportunity to develop this property in a way that reduces the potential to further traumatize and harm the physical and mental health of current residents through increased financial strain and displacement.

Rather than continuing the legacy of racism and segregation through the replacement of current residents with those who hold more economic and political power, the developers and the City have an opportunity to engage in a cutting-edge trauma-informed approach to community development. Trauma Informed Community Building (TICB) is a new innovative approach to development that recognizes the existing community as assets and uses these assets as the building blocks for the future. Developers and the City of Los Angeles should work together to ensure that the Reef Development Project is developed using the four guiding principles of TICB: 1) Do no harm, 2) Acceptance, 3) Community empowerment, and 4) Reflective process. Findings from this study show that the community already has assets such as social cohesion among community members and among small business owners and the community. The development should be structured in a way that honors and enhances these assets.

The project should be developed in collaboration with community members to ensure that economic opportunities and affordable housing options are incorporated into the plan. As Benjamin Torres, President and CEO of CDTech states, "South LA residents aren't trying to keep outsiders out of their backyards; they just want a fair opportunity to be able to stay." In addition to these overarching recommendations to take a TICB approach and to develop the project with community members, we also recommend a number of specific actions for the developers to implement directly and/or though a community benefits agreement, and also for the City to consider.

^{**} Zumper.com, Sept. 2015



"If they're going to go forward with [the Reef development], ... take us into account and [have] opportunities for us. Don't leave us out. Don't discriminate against us. We're human beings and we have needs. We are not living for free. We are paying our rent with the sweat from our brows. Right now, we aren't making it. We aren't even living day-to-day. I want this to be considered. But they're not going to take us into account. They're pushing us to the brink."

— Natividad



"We gotta remember that this used to be a healthy community. We gotta work on rebuilding up what we used to have." — Cynthia

ABOUT THIS REPORT

This study is based on a Health Impact Assessment (HIA) framework. HIA is a public engagement and decision-support tool that can be used to assess project plans and make recommendations to improve health outcomes associated with those plans. The fundamental goal of HIA is to ensure that health and health inequities are considered in decision-making processes using an objective and scientific approach, and engaging stakeholders in the process.

The following methods were employed in this project:

- Review of the scientific (peer-reviewed) and grey (non peer-reviewed) literature;
- Analysis of existing data sources, such as the American Community Survey and from the Los Angeles County Department of Public Health;
- Focus groups with residents of South Central Los Angeles; and
- Interviews with small business owners, the principal of a local school, a researcher from the University of Southern California, and a pastor from a local church.

This project was conducted by Human Impact Partners of Oakland, CA in partnership with Esperanza Community Housing Corporation and Strategic Actions for a Just Economy. Further guidance, direction, content, and framing was provided by advisory committee members from: Community Development Technologies, TRUST South LA, Physicians for Social Responsibility – Los Angeles, Natural Resources Defense Council, Public Counsel, St. Francis Center, Advancement Project, All People's Community Center, Los Angeles County Public Health Department, Occidental College, and a community advocate/column writer.

This project was supported by funding from The California Endowment.

Human Impact Partners works to transform the policies and places people need to live healthy lives by increasing the consideration of health and equity in decision-making.

For more about Human Impact Partners or to access the full report and sources cited in this summary, visit: www.humanimpact.org.

RECOMMENDATIONS



Produce and Protect Affordable Housing:

Affordable housing should be provided, with a diverse strategy of both producing new on- and off-site units and preserving old units. An emphasis should be put on providing housing for families, and a significant portion of housing should be set aside for extremely low income people.



Through Developer

New on-site units at levels of affordability that reach very low income and extremely low income residents.

Example: On-site housing: 25% of units affordable to very low income households.

Total rental apartments for renters: 15% for residents with very low incomes (those who make less than 50% of the area median income) and 10% for residents with extremely low incomes (those who make less than 30% of the area median income).



Through Developer & Community Benefits Agreement

Funds for acquiring land and building new off-site units.

Funds to preserve and rehab existing units.

Example: \$20,000,000 paid to City Affordable Housing Trust Fund or community benefits fund for affordable housing.



City

Target new investments and policies to achieve new off-site affordable units.

Preserve old/existing affordable units.



Prevent Displacement:

Programs should be put in place to prevent the displacement of local residents from their homes. Measures should include staffing for renter advocacy and organizing initiatives, funds for tenant associations and emergency rental assistance, enforcement of existing renter protections,

and the establishment of new renter protections in the surrounding neighborhoods.

To achieve neighborhood stabilization goals, resources should prioritize residents who are most vulnerable to displacement in the areas closest to the project site.



Through Developer & Community Benefits Agreement

Funds for staffing tenant organizing/advocacy and legal services initiatives.

Funds for tenant associations and emergency rental assistance.



City

Funds for tenant associations and emergency rent relief.

Enforcement of existing renter protections.

Establish enforceable "anti-displacement/no net loss" zones within a 1-mile radius of the project site. Create a community-City partnership to monitor and collaborate around anti-displacement efforts.



House and Protect the Homeless:

Funding should be provided to house and protect the homeless in the area. In addition to producing/financing permanent supportive housing, their rights to rest and to maintain possessions in encampments must be protected and they should be provided with facilities and case management services.



Through Developer

Provide on-site rent-free facilities for case management services. Maintain rent-free status for 20 years.



Through Developer & Community Benefits Agreement

Funds for permanent supportive housing for chronically homeless residents.

Funds for case management services.



City

Provide facilities and case management services.

Enforce/enact policies to protect the rights of the homeless.



Create Good Jobs and Career Pathways for Local Residents:

A Community Jobs Training and Placement program should be created to provide jobs for local residents, including construction jobs created by the development and permanent jobs with the businesses located on site after construction.

Funding should be provided for workforce development and job pipelines. Local high schools should be partners in developing career pathways for students, and the community should have an ongoing role in monitoring jobs programs.



Through Developer

Examples:

Construction jobs for the development: 40% local hiring, with 20% for disadvantaged residents including those who are homeless or aged-out foster youth.

Future retail jobs: 50% local hiring, with 30% for disadvantaged residents.

Maintenance jobs: 100% local residents and require a living wage.



Through Developer & Community Benefits Agreement

Establish a policy through the CBA for community-based monitoring and enforcement of local and targeted hiring policies. Provide funding to support this activity.

Funds for workforce development and job pipelines, including community-based training and placement programs.

Example: \$300,000 to community benefits fund to support Jobs Coordinator and the creation of a Community Jobs Training and Placement program.



City

Funds for workforce development and job pipelines to supplement project-related funds.

Leverage existing City services to bolster Community Jobs Training and Placement program.



Support Small Businesses:

Small businesses, both on- and off-site, should be supported with funding, support, and technical assistance. Care should be taken to support existing community-serving small businesses in the neighborhood. Innovative models that enhance economic security for residents vulnerable to displacement – such as cooperative businesses run by local residents – should be supported.



Through Developer

Example: Create incubator space for local and community-based small businesses.

Provide a percentage of retail space at discounted rent levels for community-serving businesses that are culturally and economically accessible to local residents.



Through Developer & Community Benefits Agreement

Funds for support and technical assistance for both on-site and off-site small businesses.

Example: 10% of retail space for communityserving businesses at discounted rent.

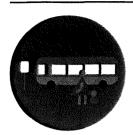
\$300,000 for small business support fund.



City

Support and technical assistance for both on-site and off-site small businesses.

Establish programs/policies to protect off-site businesses from displacement due to rising rents.



Maintain Public Transit Use by Local Residents:

Access to public transit should be maintained for those who most utilize it and depend upon it – the current residents of the neighborhood. Utilize actions listed above for housing and economic development to avoid replacing current transit-users living in a transit-oriented neighborhood with new residents who will be less likely to use transit.



Through Developer

Provide monthly transit passes to tenants living in affordable housing units on site.



Through Developer & Community Benefits Agreement

Funds to provide monthly transit passes to tenants living in affordable housing units off site.



City

Maximize City, County and transit agency services for low-income transit riders in the area.



Protect the Safety and Security of the Community:

The safety and security of the community should be protected. Police should be available to protect the residents of the area, but at the same time, programs should be put in place to make sure that neighborhood residents, including homeless residents, are not criminalized or targeted by police or other security staff.



Through Developer

Create event programming on site to raise awareness and build capacity among community members and security professionals around anti-criminalization practices.

Rules and regulations should be put in place so that low-income residents are not discriminated against, by management or other residents, within the development.



Through Developer & Community Benefits Agreement

Programs should be put in place to make sure that neighborhood residents are not criminalized or targeted by security staff.

Establish a community board overseeing the policies and practices of on-site and off-site security.



City

Work in collaboration with the on-site community oversight board to extend the anti-criminalization policies and practices to include City and County police forces.

Police should be available to protect the residents of the area, but at the same time, programs should be put in place to make sure that neighborhood residents are not criminalized or targeted by police or other security staff.



Provide Green Space for Neighborhood Residents:

Green space created by new development should be made public and open to neighborhood residents, with space planned for community gardens and local produce sales. Funding should be provided to create and improve off site parks and to carry on active programming for children and families.



Through Developer

Green space created by the development should be made public and open to neighborhood residents, with space planned for community gardens and local produce sales.



Through Developer & Community Benefits Agreement

Funding should be provided to create and improve off site parks and to carry on active programming for children and families.



City

Funding should be provided to create and improve off site parks and to carry on active programming for children and families.

ABOUT THIS STUDY

GOALS AND PURPOSE

The purpose of this report is to provide empirical data on the potential health and equity impacts that the proposed Reef Development Project (also called the "Reef Project") could have on the South Central Los Angeles community and to propose recommendations to developers and the City to address those impacts. An additional goal is to engage and empower community members, including neighborhood residents, and stakeholders to participate in the development process.

FRAMEWORK

This study is based on a Health Impact Assessment (HIA) framework. HIA is a public engagement and decision-support tool that can be used to assess policy proposals and make recommendations to improve health outcomes associated with those proposals. The fundamental goal of an HIA is to ensure that health and health inequities are considered in decision-making processes using an objective and scientific approach, and engaging stakeholders in the process.

METHODS

This report focuses on understanding the effects of the proposed development on gentrification, financial strain, and displacement. We employed the following methods:

- Review of the scientific (peer-reviewed) and grey (non peer-reviewed) literature;
- Analysis of existing data sources, such as the American Community Survey (2009-2013) and data from the Los Angeles County Department of Public Health (2011);
- Focus groups with 41 residents of the South Central Los Angeles neighborhood; and
- Interviews with six subject matter experts, including small business owners, the principal of a local school, a researcher from the University of Southern California, and a pastor from a local church.

The data collection area for what is referred to as South Central for this study was established through consultation with community partners that work in the area. Partners from Esperanza and SAJE identified census tracts to use, and a contact from the Office of Health Assessment and Epidemiology at the Los Angeles County Department of Public Health identified the community planning area most closely aligned with the collection of their health data.

Additional data was obtained, analyzed, and utilized from a survey of South Central neighborhood residents conducted by SAJE in 2015 and a survey of small business owners conducted by CDTech in 2015.

See Appendices A-C for more information on the HIA, stakeholder engagement, and methods used.

The report will be submitted in response to the Draft Environmental Impact Report that was released on September 17, 2015.

OUR PERSPECTIVE ON HEALTH

This project brings a public health and equity perspective to the decisions about the Reef Development Project in South Central. Given this, it is important to understand what is meant by "health" in this report. We use the World Health Organization's definition: "Health is a state of complete physical, mental, and social well-being and not merely the absence of disease or infirmity."

While health is influenced by our genes and the personal choices we make, over 50% of our health and well-being is determined by social and environmental conditions, such as where we live, whether we have a job, and larger social and political forces like racism and sexism.² The public health community calls these the social determinants of health, or the circumstances in which people are born, grow up, live, learn, work, and age and the systems in place to deal with illness. These circumstances are shaped by a wider set of economic and social policies, and there are many opportunities for such policies to promote health and build healthy communities.³

In this context, we recognize that the social and economic factors that influence housing conditions, gentrification and displacement could also influence the health and equity impacts of new development on the residents currently residing in the community. Therefore, this report includes a discussion of the social and economic factors that determine our health.

HISTORICAL CONTEXT OF SOUTH CENTRAL LOS ANGELES

The City of Los Angeles, which was once a part of Mexico, has always included Latin@i residents. In more recent history, the neighborhood of South Central Los Angeles has reflected changing demographics and city landscapes. For at least the last 80 years, residents of South Central have primarily been people of color who relocated to the neighborhood to seek economic opportunity and to escape discrimination and violence in other areas.

Los Angeles became a major destination for African Americans during the 1940s, with the increase in demand for wartime manufacturing jobs drawing people away from areas of discrimination and violence in other parts of the U.S.4 The African American population in Los Angeles leaped from 75,000 in 1940 to 650,000 in 1965.5 Leading up to WWII, South Central developed into the most predominant of several concentrated African American regions in Los Angeles, home to primarily middleclass homeowners. South Central was one of the only parts of Los Angeles where African Americans could own property, owing to the existence of racially restrictive covenants on property in most of the city.6 After race-based zoning was found unconstitutional in 1917, these covenants, enforced by law, became one of the primary mechanisms to produce segregation.4

African American residents developed South Central into an active community, with thriving businesses, including many jazz and R&B clubs.⁶ Pastor Epps, who leads the Second Baptist Church, located in South Central Los Angeles approximately one mile southeast of the Reef project area, describes the context of when his church was built and what the African American community was like at the time, and for the decades to follow.

"[Second Baptist Church was] organized in 1885 — it is the oldest black Baptist church in LA, uninterrupted for the last 130 years.... [The current] location was built in 1926 by noted black architect Paul Williams... It is a cultural landmark and it is designated by the Department of the Interior as a historic site... When the property was purchased and the building was erected, this was the hub of the black community. The only hotel where black entertainers could stay when they came to the City was nearby, there was a black newspaper in the area... People would walk to church... there was involvement in civil rights, and MLK spoke here..."

- Pastor Epps, Second Baptist Church

White residents, fueled by fears about declining property values and enticed by public subsidies available for suburban homeownership, began to move to suburban areas farther away from the urban core in a migration pattern that became known as "white flight".7,4 The shift in population resulted in a further concentration of low-income people of color in increasingly disinvested urban centers, with African American residents making up the majority population of South Los Angeles", and Latin@s concentrating primarily throughout East Los Angeles cities.8 As a result, inner-cities like South Central came to represent areas of isolation for low-income communities of color in neighborhoods that lacked viable economic and social opportunities and services that are "critical for full participation" in society.9

Though the U.S. Supreme Court struck the right to enact restrictive covenants on real estate based on race in 1948, allowing African Americans some movement into the more suburban areas of Los Angeles, public and private entities continued to segregate people of color in the inner cities of South and East Los Angeles.8 The U.S. postwar period and the decades to follow were infused with programs that relied on practices such as redlining and slum clearance to 'clean up' disinvested urban neighborhoods.10 These urban renewal programs were and are widely criticized for being fundamentally discriminatory against low-income people and people of color, as so many of these programs revolved around the razing of low-income residential areas to construct residential, retail, entertainment, and office spaces that were unaffordable to existing residents.10 These

Latin@ is used throughout this report to represent Latino/ Latina

[&]quot;For the purposes of this report, the terms South Central Los Angeles and South Los Angeles are considered to reflect the same general area, though South Los Angeles may incorporate more area than the study area defined as South Central.

HISTORICAL CONTEXT OF SOUTH CENTRAL LOS ANGELES

unaffordable amenities were developed amidst inner city public housing dwellings that were not maintained and did not meet the housing demand that was left as a result of slum clearance and the razing of blighted areas. This "persistent civic neglect, compounded by the postwar outmigration of much of the community's middle and upper middle classes" further developed South Central into an area of concentrated poverty and social isolation for its predominantly African American population.¹¹

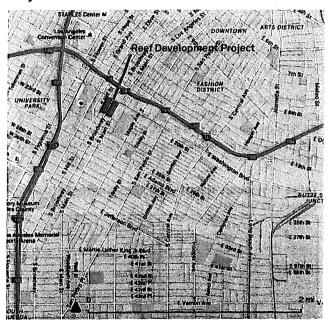
The 1965 Watts uprising occurred in South Central over a span of nearly one week. The uprising was in response to an incident of police brutality that took place in the Watts neighborhood on the night of August 11. The McCone Commission, however, released a report that focused on other factors that led to the uprising such as the "spiral of failure" that Los Angeles and other urban zones in the U.S. were producing.5 The report referred to the lack of adequate education and employment opportunities in neighborhoods like Watts and other areas in South Central that led to a spiral of frustrations, stress, violent outbreaks, and a lack of social success or mobility for those who lived in such disinvested and disadvantaged areas. The report addressed the "de facto segregation in the urban core," and the difference in life outcomes that segregation produces for low-income people of color in relation to their wealthier White counterparts. 5 Another response to the Watts uprising was the outmigration of some African Americans to more eastern parts of the county like Compton, which was at the time a suburban, middle class area.4 This then sparked the migration of Latin@ residents into South Central, which took place gradually over the next couple of decades.8

Nearly thirty years later, the pattern repeated. The area experienced continued extreme economic inequality and racial tension due to persistent civic disinvestment. Another act of police brutality – this time the beating of Rodney King and the complete acquittal of all LAPD officers involved in the incident – was met with the 1992 Los Angeles uprising. Author Joy DeGruy explained that these actions could be a manifestation of "post traumatic slave syndrome" when people experience hopelessness, depression, and anger as a result of multigenerational trauma and oppression, coupled with a lack of opportunity to heal or access resources available in society.

In the 1980s, South Central once again became a neighborhood where people of color relocated to seek economic opportunity and to escape discrimination and violence in other areas. As African Americans moved away from the inner cities to developing suburban areas like Riverside and Palmdale,14 South Central became a primary destination for incoming Latin@ immigrants seeking refuge from domestic political violence that was largely a result of U.S. intervention.15 South Central transformed from a demographic comprised of 20% Latin@ in 1980 to nearly 40% Latin@ in 1990.12 These migrants were in search of affordable housing and work, which they could only find in manufacturing and low-wage service jobs—the two industries most accessible in South Central. Therefore, Latin@ residents came to represent the majority of the working poor in South Central and other inner cities of Los Angeles. 11 Today, South Central is home to a resident population that is over 80% Latin@,16 primarily representing families originating from México and Central America. Los Angeles' history of discriminatory zoning that led to segregation, along with prolonged civic disinvestment in its urban core, has had deep and sustained impacts on the current state of poverty and social isolation in South Central Los Angeles.13 Consequently, the City of Los Angeles—and the South Central neighborhood, in particular—continues to be an area of racial and ethnic tension and inequality. that perpetuates residential segregation and poverty concentration, specifically for low-income people of color.7,9,17

The Reef Project plans for the total renovation and expansion of the existing Reef building which is located in the City's 9th Council District in a commercial area in South Central Los Angeles. Currently the Reef is a 12-story building with 860,000 square feet of space located at 1933 S. Broadway (see Figure 1). It houses LA Mart, a showroom for premium "gift, home furniture, and lifestyle lines," Maker City LA, a co-working space with access to shared media and design tools, and the Magic Box, an event venue. 18

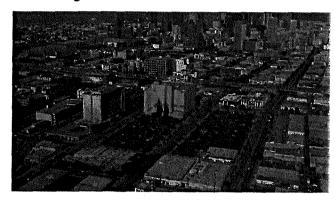
Figure 1: Location of proposed Reef Development Project



The expanded Reef Project proposes modifications to the existing Reef building, along with construction of 1.7 million square feet of new development on space currently occupied by surface parking lots and a warehouse, which would be demolished. As described in the Initial Study for environmental review, the proposed mixed-use development would contain multiple buildings ranging from 85 to 420 feet in height, and a wide variety of uses, including residential, commercial, retail/restaurant, hotel, grocery store, public open space, and at least 2,733 off-street parking spaces. In total the Project would cover 9.7 acres, and would include a 208-room hotel, two high-rise condominium towers, 528 mid-rise residential

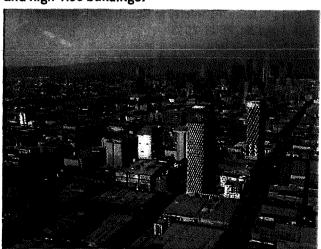
units, and 21 low-rise live/work residential units.¹⁹ According to a local real estate blog, the development of the Reef Project has the potential to bring an "Arts-District-style reboot" to the neighborhood.²⁰

Figure 2: Location of the proposed Reef Development Project. Currently zoned industrial, the project will require numerous public entitlements, including a general plan amendment and zone change.



To help understand the larger social context that the Reef project is taking place in – and the needs of the immediate community – in this section we describe who lives in the area and their health status; transit and housing characteristics of residents; and homelessness, disinvestment, and policing.

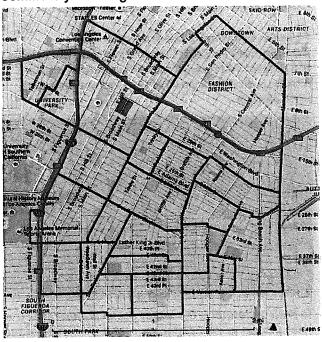
Figure 3: A rendering of the proposed Reef Development Project, showing a mix of low-rise and high-rise buildings.



DEMOGRAPHICS

Demographics for the area surrounding the project are based on the census tracts shown in Figure 4. Collectively, these census Tracts comprise the area know as South Central.

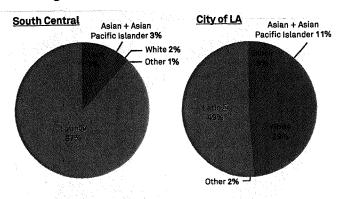
Figure 4: Project area census tracts and Southeast Community Planning Area



Reef Development Project
South Central Study Area Census Tracts

South Central has a significantly higher population of Latin@ residents (87%) as compared to Los Angeles as a whole (49%) (Figure 5).

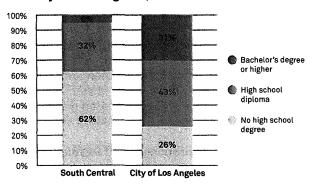
Figure 5: Race/Ethnicity in South Central and City of Los Angeles, 2009-2013



Source: U.S. Census, American Community Survey 2009-2013

Educational attainment is lower in South Central than in Los Angeles, with 62% of residents having no high school diploma and only 6% with a Bachelor's degree (Figure 6).

Figure 6: Educational Attainment in South Central and City of Los Angeles, 2009–2013



Source: U.S. Census, American Community Survey 2009-2013

South Central residents also earn less than half of their Los Angeles counterparts. From 2009-2013 the mean household income in South Central was about \$36,830 as compared to \$77,000 in Los Angeles. Respondents to the survey conducted by SAJE reported very low incomes, with 45% of the 131 respondents reporting making under \$10,000 a year (Table 1).

Table 1: Incomes Reported by Respondents to SAJE survey (N = 131)

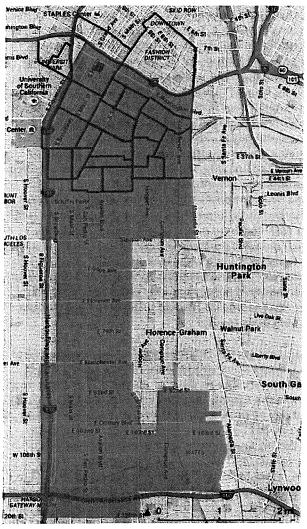
Annual income	Percent of responses		
Less than \$10,000	45%		
\$10,001-\$20,000	40%		
\$20,000-\$30,000	15%		

Poverty rates are also high in the South Central: 45% of residents were in poverty compared to 22% in Los Angeles from 2009-2013.

HEALTH STATUS

The Los Angeles County Health Survey, conducted in 2011 by the County Department of Public Health, provides data on the health status of South Central residents. ²¹ Health outcomes are reported for the Southeast Community Planning Area (CPA) and compared to the County of Los Angeles (rather than the City.) The Southeast CPA covers a considerably larger area than the census tracts used to report demographic data, and also does not include several of the northern tracts, as shown below in Figure 7.

Figure 7: Southeast Community Planning Area (CPA) in relation to South Central census tracts



Reef Development Project
Project Area Census Tracts
Southeast CPA

Table 2 describes the health of residents in the Southeast CPA and the County for several common measures of well-being. While there are little differences for chronic diseases such as diabetes and hypertension, a much higher percentage of adults report that their health is "fair" or "poor" (rather than "excellent," "very good," or "good") in the Southeast CPA than in the County as a whole. Self rated health status is widely considered to be a good predictor of illness and death.²²

Indeed the death rate is also significantly higher for the Southeast CPA than in the County, with 698 deaths per 100,000 people as compared to 581 deaths.

Table 2: Health Indicators for the Southeast Community Planning Area and Los Angeles County

	Southeast CPA	Los Angeles County	Year
Adults diagnosed with diabetes	8.3%*	9.5%	2011
Adults diagnosed with hypertension	24.6%	24.0%	2011
Adults reporting "fair" or "poor" health status	34.5%	20.7%	2011
Death Rate per 100,000 people	698	581	2012
* Estimate is statistically unstable			

TRANSIT AND COMMUTING

The 2014 Southeast Los Angeles Community Plan states that mixed-use areas, especially those developed in public transit rich neighborhoods, are designed to produce a "community where people can shop, live and work with reduced reliance on the automobile." The neighborhood is served by the Metro Blue Line, the most heavily used light rail line in Los Angeles, with the Line station located one block from the site.

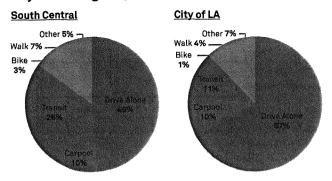


"I like that everything is accessible and everything is around me. Laundromat, stores... I don't need a car, I can walk everywhere... the buses are accessible." — Verónica

"I don't even have a car. I walk everywhere. Fortunately things are close by." — Flavia

Census data confirms that residents of South Central are much more likely to take transit, and less likely to drive alone when commuting to work than residents of Los Angeles as a whole. As shown in Figure 8, 26% of workers in South Central took transit to work, as compared to 11% in the City as a whole. These data do not capture how residents travel for other purposes, such as running errands, although residents in focus groups discussed their reliance on walking and transit for a variety of trip types.

Figure 8: Commute Mode in South Central and the City of Los Angeles, 2009-2013



Source: U.S. Census, American Community Survey 2009-2013

HOUSING

Renter households dominate South Central, to a much greater extent than the City of Los Angeles. From 2009-2013, 79% of occupied housing units in South Central were home to renters, compared to 62% in Los Angeles. Among the households surveyed by SAJE, 93% rented their homes, and many respondents reported having lived in their homes for many years.

Table 3 shows that of the 104 respondents, more than half have lived in their homes for over 10 years. The average length of residency in the neighborhood for focus group participants was 21 years.

Table 3: Years Living in Home Reported by Respondents to SAJE survey (N = 104)

Years living in home	Percent of respondents		
<2 years	17%		
5-10 years	34%		
10-15 years	14%		
15-20 years	14%		
>20 years	21%		

Zumper, a rental real estate market trend and real estate listing company, reports that rents in the City of Los Angeles reached an all time high in September of 2015. Median asking rent for one-bedroom apartments in Los Angeles was \$1,830.25 In comparison, median rent for a one-bedroom in South Central was \$1,000, one of the lowest neighborhood rents in the City. Respondents to the SAJE survey reported lower rents: an average monthly rent of \$852, for a variety of apartment sizes. This is likely a reflection of the fact that many respondents live in rent stabilized apartments, and have been living in these apartments for many years.

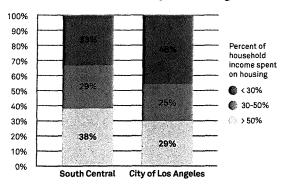
HOUSING AFFORDABILITY

Housing affordability is generally defined by how much income a household pays towards their housing costs (e.g. rent or mortgage, utilities, etc.) According to the U.S. Department of Housing and Urban Development (HUD), households are considered housing "cost burdened" if over 30% of their income is used to pay for housing, and extremely cost burdened if over 50% of income goes to housing.26 Generally housing is referred to as affordable if a household pays under 30% of their income towards housing costs, whether they live in market rate or subsidized housing. While these definitions are used in public policy contexts, they have serious limitations. This definition does not account for differences in household composition (e.g. single adults vs. families with children) and also does not consider how much money a household has left over after paying for housing.27 For a wealthy household, paying 30% or more of income towards housing could leave them with plenty of money to cover other needs, while a very low income household is likely to have trouble making ends meet.27

In early 2015, the Southern California Association of Non-Profit Housing estimated that a family would need to earn \$34 an hour, or almost \$72,000 per year, to rent the average apartment in Los Angeles County and pay no more than 30% of their income. While the city of Los Angeles recently voted to bring its minimum wage up to \$15 over the next five years, the current minimum wage is \$9 an hour. At this rate, it would require about 3.75 full-time minimum wage jobs to pay for the average Los Angeles County apartment.

Los Angeles is the 9th most expensive rental market in the country.²⁹ As rents have been rising, renter household income has been declining: after adjusting for inflation, rents in Los Angeles County increased 27% from 2000 to 2013, while median renter incomes declined by 7%.30 In order to meet the needs of the lowest income households, over half a million affordable rental homes are needed. Due to cuts in state and federal funds, Los Angeles lost 65% of funding for affordable housing between 2009 and 2014.30 In South Central the majority of households experience housing cost burdens, and many face extreme cost burdens, a reflection of both low incomes and rising housing costs. Figure 9 shows that 38% of households pay over half their income towards housing costs in South Central, compared with 19% in Los Angeles.

Figure 9: Percent of Cost-Burdened Households in South Central and the City of Los Angeles, 2009-2013



Source: U.S. Census, American Community Survey 2009-2013

Focus group participants report that people in the neighborhood are already struggling to pay for housing.



"I regularly have to ask to borrow money to cover rent, otherwise I don't pay other bills ... I usually ask friends, relatives, acquaintances." — Ana

"Rent is totally out of this world... The rent for a single is \$800. When you're only bringing home ... minimum wage, it's a rat race. Constantly chasing our tails." — Yolanda

"I look at what home costs are now, even rental prices, its nearly impossible for a person to work in the community and purchase a home, especially for young people. And a lot of the homes are ... so expensive." – Angélica



"Sometimes it takes two or three months to pay rent, but they know that the income isn't stable. They don't come knocking on our door or anything because they know that when we have money we will pay it. We're not not paying because we don't want to. But either way, the worry is there. I feel terrible. Sometimes, when I see them I rush inside because I'm embarrassed. But I've been here for 35 years and they know I'll pay." — Antonia

HOMELESSNESS

Los Angeles County has the largest homeless population of all urban areas in the U.S., with a disproportionately large percentage of the population remaining unsheltered. The City of Los Angeles estimated that 52% of their City's recorded need for shelter went unmet in 2014. Though Los Angeles officials state that they expect the overall homeless population to "decrease moderately" in the next year, they also expect that the emergency resources that they have to provide shelter to homeless individuals and families will "decrease substantially."

In 2015, 25,686 people were counted as homeless in the City of Los Angeles, which represents a 12% increase since 2013.³³ Council District 9 has the second largest Council District homeless population in the City, counted at 2,395 people. Council District 9 includes both the Reef Development Project area and Skid Row (an area said to contain nearly 3% of the County's homeless population, while only making up .0001% of its land area).³⁴ Seventy percent of those who are homeless in Los Angeles County remain unsheltered and makeshift shelters (e.g. tents and vehicles) have increased by 85% in the past four years.³³ The standard monthly public cost for homeless individuals is \$2,879, a cost five-times greater than their counterparts who have received housing.³¹

PROLONGED CIVIC DISINVESTMENT

People who live in the neighborhood report experiences that represent prolonged and sustained civic disinvestment in South Central, indicating that the historical context is still relevant today.



"The city's out there giving out all these parking tickets. As long as they're getting their ticket money out of South Central, it's alright. The City's perpetuating the whole thing. They don't make sure that people are doing their jobs and picking up the trash. Its institutional racism, and its directed at South Central." – Wallace

"They need to sweep the streets, especially around the commercial places, for there to be more lights, more security. They need to paint all the tagged streets. Our neighborhood looks terrible... We do pay our taxes, but they don't do anything." — Georgina

"They tell us that we can call a phone number and they'll come pick that old sofa you don't need, but if 2-3 weeks pass and no one picks up the sofa? We need an answer to our calls, we need to make sure those services are there." – Patricia

POLICING/SECURITY

The issue of policing and security in the neighborhood is complex, with many residents mentioning that they would like a greater sense of security in the neighborhood, and at the same time acknowledging that sometimes the greatest threat they feel in the neighborhood comes from the police. Some reflect on how they have seen a greater police presence in the neighborhood now that higher income groups have started to move in.

"They don't police these streets enough."

- Carthon

"I do like to see that other people are moving in here in the neighborhood because you do see more protection, safety, more police patrolling."

- Salvador

"I'm worried about getting harassed and shot. And that's by the police. Every time I pass the corner store, I'm thinking, 'Don't shoot.'" — Wallace



"If we recall how downtown LA looked 20-30 years ago... now it's completely different... there's more security, perhaps because the capitalists have the funds to improve security and we don't have that." – Julio

THE EFFECTS OF THE REEF DEVELOPMENT PROJECT ON GENTRIFICATION, FINANCIAL STRAIN, AND DISPLACEMENT

Reef Development Project in South Central Los Angeles



- Financial strain and displacement of current residents
- Increases in physical and mental illness

Based on the current Reef Development Project proposal, data about the current context of South Central where the development is proposed to occur, and the research on the relationships between gentrification, financial strain, and displacement that is detailed in the chapters that follow, we predict that the Reef Development Project would have the effects that are described below.

INCREASE IN FINANCIAL STRAIN AND DISPLACEMENT OF CURRENT RESIDENTS

Large developments like the Reef project in neighborhoods like South Central often result in gentrification, which can drive housing costs up, and add to the financial strain of those in the area. Residents are already struggling immensely to afford housing, and are engaging in a variety of methods to address this problem, by making difficult choices about what necessities to do without, by living in overcrowded and substandard housing, and by looking for additional sources of income.

Despite these challenges, people in the neighborhood have developed strong social ties and a sense of attachment to the area. Business owners have also developed strong ties to their customers. Gentrification driven by the Reef Project could lead residents and businesses to be displaced as they are priced out of the area. Many of the residents of South Central have likely experienced serial forced displacement, perhaps even through multiple generations. This experience can have a cumulative impact resulting in a condition called root shock that is a source of trauma. Recent research indicates that intergenerational trauma can have such significant health impacts that it can alter genes to make them more susceptible to stress in subsequent generations.

When focus group participants were asked what they thought about developments like the Reef Project, some reflected on the context discussed above.



"There has to be an impact, whatever it is. Of course there's gonna be a lot of changes. And it would be great if those changes happened in a way that was going to help the neighborhood, like creating jobs for example. But it doesn't usually happen that way... makes you feel like they don't care." — Francisco



"It's frustrating when you see people move in and just drop the cash. It's privilege." — Anayetzy

In order to assess vulnerability to rising housing costs and displacement, we calculated the number of cost-burdened renter households living in proximity to the Reef Project. Specifically, we looked at households located within ¼ mile, ½ mile, 1 mile and 2 miles of the development, in South Central, as shown in Figure 10.

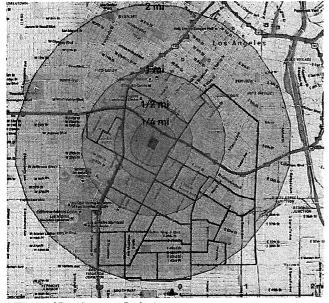
We found that an estimated 4,445 renters who live within ½ mile of the proposed Reef Development Project are already experiencing housing cost burdens and could be at high or very high risk of financial strain or displacement as a result of the development. An additional 39,311 renters who live between ½ mile and 2 miles of the project could be at moderate risk. Overall, 52% of the nearly 84,000 residents living within 2 miles of the project could be at risk of financial strain or displacement as a result of the Reef Development Project. (See Table 4).

THE EFFECTS OF THE REEF DEVELOPMENT PROJECT ON GENTRIFICATION, FINANCIAL STRAIN, AND DISPLACEMENT

Table 4: Rent-burdened households in proximity to the Reef Development Project

Likelihood of property value increase	Reef tracts in buffer	All cost burdened renter households	All people in cost burdened renter households	Risk Level for finan- cial strain and/or displacement	Total people per risk category	
Very high	1/4 mile	403	1,294	Very High	1,294	
High	1/4 - 1/2 mile	976	3,151	High	3,151	
Moderate	1/2 - 1 mile	3,469	12,799	Moderate	39,311	
Moderate	1 - 2 miles	6,172	26,512	Moderate		
Total					43,756	

Figure 10: Buffer Zones Surrounding the Reef Project



Reef Development Project
South Central Study Area Census Tracts

Another category of people who could be vulnerable to displacement are those who live in currently deed-restricted housing that is at risk of converting to market-rate units because of expiring subsidies. We analyzed data provided by the California Housing Partnership Corporation³⁵ on subsidized affordable housing and identified 1,068 units in South Central funded through federal and state programs. This does not include public housing or any housing that may have been funded exclusively through local programs. Of these units, 152 are potentially at risk of converting to market-rate within the next 10 years. For-profit owners of currently subsidized units are likely to have greater incentives for converting those units to market-rate as rents appreciate.

This study has demonstrated the significant housing affordability challenges that residents in South Central

are already facing, and the increased pressures residents will face as a result of the Reef project.

Project sponsors, however, do not see it as their responsibility to respond to these challenges. The Reef Development Project plan currently contains "no mention of affordable housing for this low-income neighborhood." Furthermore, the Draft Environmental Impact Report (DEIR) states the following: "... Because no residential units currently exist on-site, development of the Project would not remove existing housing; thus, no housing would be displaced. Therefore, impacts related to housing growth and housing displacement would be less than significant," (p. IV.L-10). The DEIR also states, "The Project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere," (p. IV.A-9).

This approach to measuring displacement is woefully inadequate. Given the extensive research indicating how the process of indirect displacement occurs through financial strain and lack of affordable housing options, the project cannot only look at its effects on direct displacement — even if that is in compliance with the local law. With thousands of people at risk of displacement due to this project — and the historical context of development, segregation, and trauma experienced by the community — project sponsors have a responsibility to examine how their project can mitigate its potential effects through the provision of affordable housing in response to the existing need and through displacement prevention strategies.

Many residents have already engaged in many different strategies to help them afford housing at current prices. When asked where they would move if they could no longer afford to stay, many people said they could not think of another place.

THE EFFECTS OF THE REEF DEVELOPMENT PROJECT ON GENTRIFICATION, FINANCIAL STRAIN. AND DISPLACEMENT

"We've gone to look at houses in Lancaster. How far are we gonna go? We get so far to the point where it just makes no sense. It would take me 2 hours to get home, 2 hours to get back, and it just makes no sense." — Angélica

"They're pushing everyone out to Palmdale, Lancaster—I don't know about the rest of you but I'm not going to San Bernardino. I grew up in the hood." — Yolanda



"There's really no place to go. If we move, we have to pay for two months of rent plus that same month's rent, so there's no other option of where to go." —Margarita

Some said they would move out of the City.

"I would move out of LA to another city." - Ana

"I would move from the area." - Juana

And some anticipated they would become homeless.

"I can't work because nobody will be with [my son, who is sick]. I live off of SSI. Medical doesn't cover diabetes medication. It comes out of pocket. My son is 3 years old. If the rent goes up and this continues I'm gonna be homeless." — Berenice

"I keep thinking, 'What am I gonna do if this doesn't work out? Where am I gonna go? Am I gonna see my neighbors again? Where am I gonna find this kind of community again? Gonna have to start over. Gonna be homeless, without a family." — Anayetzy

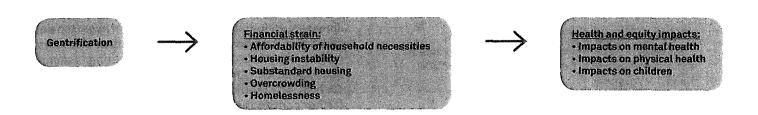
"You ask where are we going? A lot of us say: the streets." — Yolanda

INCREASES IN PHYSICAL AND MENTAL ILLNESS

Community residents who experience financial strain and/or displacement may experience a wide variety of chronic stress-related physical and mental illnesses, including anxiety, depression, hypertension. heart disease, obesity, diabetes, and sleep disorders. Additional constraints on health-protecting resources and exposures to health-damaging environments such as substandard and overcrowded housing could further contribute to a variety of negative health outcomes, including hunger, inadequate childhood nutrition, and poor childhood growth, higher risks for respiratory diseases, infectious disease, lead poisoning, injuries, and mortality. Disruption of social networks through forced serial displacement and root shock can lead to additional health challenges including exposure to fragmented social environments that have higher rates of violence and sexually transmitted diseases. Multi-generational traumas of this nature can potentially influence the genetic makeup of future generations, leaving them more physiologically susceptible to the impacts of stress.

This study demonstrates that communities surrounding the proposed project are vulnerable to financial strain and displacement and associated adverse impacts to physical health and mental health. While these relationships are well documented, Reef project sponsors do not consider the indirect effects of the project on physical and mental health in the DEIR.

The following chapters provider greater detail on the relationship between gentrification, financial strain, and displacement, followed by recommendations for the developer and the City to mitigate the predicted harmful effects just discussed.



The following chapter summarizes research that explains the relationship between gentrification and financial strain, and the relationship between financial strain and health.

GENTRIFICATION

This history of South Central Los Angeles has resulted in prolonged public and private disinvestment from infrastructure, social services, and economic opportunities. Gentrification is a process that often begins at this place - when an urban neighborhood has experienced long periods of public and private disinvestment. Vacant or underutilized land and relatively low housing costs may exist in an area that still has some desirable qualities, such as access to job centers or transportation.38,39 This produces a rent gap, or "an economic gap between actual and potential land values in a given location."39 One driver of gentrification is when developers purchase inexpensive land in disinvested areas and then use the land to construct new, higher-quality amenities. This leads to increased value of the newly developed property and the surrounding properties in the neighborhood. 39,40 These new amenities - which often do not respond to the immediate needs of the local community - whether they are retail-related, residential, educational, or other occupational developments, have the potential to attract an influx of new consumers, workers, and residents.39,41,40

Gentrification can refer to shifts in the socio-economic, physical, and cultural characteristics of an area, but generally entails a shift to wealthier residents, workers, and/or consumers.⁴⁰ With this introduction comes the potential for displacement of existing residents, workers, and/or consumers.⁴² Original residents can be directly or indirectly pushed out of their neighborhoods as a result of the rising costs of living, growing cultural irrelevance, illegal practices by residential and commercial property

owners, and/or the forcible removal from or destruction of original housing that can result from redevelopment and revitalization projects.^{41,43}

GENTRIFICATION AND FINANCIAL STRAIN

A core part of gentrification is that it puts upward pressure on property values and housing costs and, as a result, housing becomes even less affordable for lower income residents. 39,40 Increases in property values and policies that benefit land and homeowners can benefit property owners and increase property tax revenues within a city. However, low-income renters, who make up the majority of South Central households, may instead experience rising rents that lead to greater cost burdens. Urban economists argue that luxury residential development that attracts wealthy residents to an area can spur other property owners to disinvest from more affordable properties, converting them to higher-end and higher-priced units.

Megaprojects such as the Reef Development Project and other large-scale mixed-use revitalization projects in urban areas have been found to increase surrounding property values, even before actual construction begins. Researchers have shown increased property values in proximity to the Atlanta Beltline, which includes both transit, greenway, and residential and commercial development; Baltimore's Inner Harbor redevelopment;44 and in proximity to large scale mixed-use redevelopment in downtown Oakland.45 These analyses have generally found that property values increase the most in the immediate vicinity of revitalizations projects, for example within 1/8 - 1/4 of a mile, but that price premiums can extend for up to two miles. 46 Economic analyses in Portland, Oregon have also shown that upscale retail amenities, including grocery stores and coffee shops, are associated with housing price premiums.47

Once financial strain occurs, it can start to influence a variety of determinants of health by contributing to: reduced ability to afford other household necessities, housing instability, living in substandard housing, overcrowding, and homelessness.

<u>Financial Strain and Affordability of Household</u> Necessities

When a person or household undergoes financial strain due to an increased housing cost burden, they are forced to sacrifice other vital necessities. Housing—shelter—is one of the most basic human needs for survival. Therefore, when faced with unaffordable housing costs that leave an individual with an inadequate amount of income left to allocate to the cost of other needs, lower income people must make difficult trade-offs for themselves and their families.⁴⁸

Focus group participants confirmed that when people in the neighborhood do not have enough money for everything they need, they have to make difficult choices.



"My older son gets two pairs of shoes for the entire year, my daughter also gets two pairs of shoes a year. The little one, when he gets home, he takes off his shoes, puts on the old ones and goes out to play." — Lourdes

"What are our options? Stop paying the bills, borrow money, don't purchase our kids' school uniform, or the supplies that teachers ask us to get them when school is about to begin?... I need internet for my job, but I have to make the choice between paying for internet or my children's uniform..." — Patricia

"My daughter ... wanted ... ballet lessons, ballet is her dream, but I can't give her that. I can't even provide clothes." — Juana

Financial Strain and Housing Instability

Unsustainable housing cost burdens and a lack of affordable housing can lead low-income households to move more often, through what researchers have called "churning moves," frequent moves to similar or lower quality housing. 49 Housing instability often leads to additional housing problems for families, who may temporarily double up or experience periods of homelessness. 50 Less extreme types of instability, such as getting behind on rent, mortgage, or utility payments, can also lead to stress and lower levels of well being. 50

Financial Strain and Substandard Housing

When quality housing is made unaffordable and thus, inaccessible to lower income people, residents (and in particular, low-income people of color) are forced to inhabit substandard housing at a disproportionately high level. ⁵¹ The California Health and Civil Code defines housing as substandard or 'uninhabitable' if it lacks working utilities, if the housing infrastructure and fixtures are in disrepair, or if the dwelling lacks maintenance to the extent that it provides unsanitary and unsafe living conditions.

Thirty percent of the respondents in the SAJE resident survey (47/155) mentioned problems with housing conditions.

83% - roaches

38% - holes

34% - defective plumbing

32% - mold

26% - rats

17% - humid walls

17% - defective electrical wiring

Other problems mentioned:
Damaged floor and walls
Peeling paint

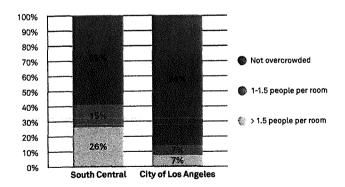
Financial Strain and Overcrowding

When an individual or family has difficulty paying the cost of rent, they may decide to move into housing that is smaller and more affordable, but not adequately large enough to accommodate the size of their household. In other instances of overcrowding, multiple families decide to live together to combine incomes to help afford the cost of rent.

Overcrowding or 'housing consolidation' is a perpetual issue in Los Angeles. The Los Angeles Department of Housing and Urban Development defines crowding as any living quarters consisting of more than two persons per bedroom or more than one person per room. ⁵² Immigrant households experience the greatest rate of overcrowding in Los Angeles. ¹⁷ Based on these HUD criteria, 54% of those who responded to the 2015 SAJE survey are living in overcrowded living conditions, with 29% of the households surveyed renting rooms within apartments.

Overcrowding is especially prevalent in South Central. A Los Angeles Times analysis of 2008-2012 census data found that zip code 90011, which aligns closely with the census tracts used for the area defined as South Central, had the highest rate of overcrowding in the entire United States. Figure 11 shows that in South Central, 26% of households were severely overcrowded, with over 1.5 people per room.⁵³

Figure 11: Percent of Households Experiencing Overcrowding in South Central and the City of Los Angeles, 2009-2013



Source: U.S. Census, American Community Survey 2009-2013

Focus group participants shared personal experiences of people in the neighborhood living with others in overcrowded conditions to be able to afford housing.

"I pay about 40% of my personal income and split bills with the other person. It's not stable since I'm a day laborer and my income also fluctuates." - Moisés

"In our apartments we're piled on top of each other—imagine, two families have to live under one roof and split the rent. With my 5 children, I put them in the bedroom and their dad and I sleep in the living room." — Lourdes

"I used to live with three other people at the apartment, we used to split the rent. But one day they just left and I stayed there alone with no help. That same month, the landlord raised the rent. At one point I lived with other families in the same apartment to share rent." – Juana

People in the neighborhood also take on multiple jobs or look for other sources of income to help pay for housing and other bills.

"I recycle stuff like bottles and cans." - Maria

"I found myself recycling cans, and I realize that everyone does that, so there's not even cans anymore." — Berenice

"I rented out a property that I have in the back, have considered renting rooms out, anything I can possibly do to make extra income with taking on new jobs and taking in strangers to my home." - Cynthia

"I gotta make extra money just to get the eggs that I want. People are trying more and more ways to make some extra income. We ain't got no choice but to try it cause we're suffering down here."

—Yolanda

Some people in the neighborhood also do without certain necessities in order to make ends meet.

"I limit my food consumption and what I earn is for rent and food." – María R.



"After food and rent, we had \$20. Then we had to wash clothes, so I washed them by hand." — Berenice

Financial Strain and Homelessness

One of the most extreme results of financial strain is homelessness. Research in New York has found that increases in homelessness are associated with the rapid rise in housing costs in gentrifying neighborhoods.54 Homelessness is directly tied to what the National Law Center on Homelessness and Poverty has called an 'affordable housing crisis,' in which the demand for affordable housing far outweighs the supply.55 For example, the 2008 U.S. housing market provided approximately 37 affordable units for every 100 households in need.55 Across the 25 cities cited in the Conference of Mayors 2014 Report on Homelessness, 83% of the cities reported a lack of affordable housing as a driver of homelessness.32 This same report estimated that 22 percent of the need for emergency shelter went unmet.32

The quality of life for those who are able to receive emergency shelter is quite low. Officials remark that in order to accommodate a growing demand for emergency shelter services, shelter management resorts to "increasing the number of persons or families that can sleep in a single room; consistently having clients sleep on overflow cots, in chairs, in hallways, or using other subpar sleeping arrangements; and distributing vouchers for hotel or motel stays because shelter beds were not available."32 Therefore, emergency shelter environments also cause some of the same negative health impacts as those discussed in our section on substandard housing, such as overcrowding and more.

HEALTH AND EQUITY IMPACTS OF FINANCIAL STRAIN

Studies show that housing is a major social determinant of health for individuals and communities.56 Access to housing that is secure, habitable, and affordable has far-reaching positive health impacts for family and public health. 56-58 Affordable housing helps to free up family resources that can then go toward health promoting needs like nutritious foods and healthcare services.56 When quality housing is stable, households experience a greater sense of control, security, and sense of attachment, all of which leads to positive mental health outcomes especially in terms of reducing overall stress level for adults and children. 56,58 Access to affordable, quality housing also means that households are less exposed to physical hazards and toxins and are thus at a lower risk of disease and injury. 56,59 The reverse of all of these things can also be true. Reduced ability to afford other household necessities, housing instability, living in substandard housing, overcrowding, and homelessness are all determinants of poor health that can be caused by the financial strain of gentrification. These health determinants can have negative impacts on mental and physical health for adults, and can also specifically impact children.

Mental Health Impacts

The pressures of making involuntary concessions on vital necessities create a living situation filled with stress for struggling households. Housing instability having to change residence multiple times without the ability to settle into one home for an extended period - also perpetuates high stress levels in adults and children. Substandard housing can further impact stress and anxiety levels as a result of uninhabitable living conditions. This stress has a direct impact on overall health, including mental health problems such as anxiety and depression. 60,57 61 62

Focus group participants provided personal descriptions of the stress and depression that can result from chronic financial strain of unaffordable housing,

"In my case, my husband had two heart attacks. Now with this situation, neither of us sleep. That's called depression, that's what I've been told. My hair is also falling out... How are we going to continue? Well, burning the midnight oil trying to think how we're going to get out of this situation."

- Natividad



"It's hard, I feel impotent and I get depressed. I don't know where I would go if rent increased. I feel terrible because I can't meet the basic needs of the children and family. I'm also very sad... The other thing about stress is that it increases my sense of desperation. I also tend to overeat when I'm feeling this way. Right now I just ate, in a little bit I'll want to eat again. My eye twitches and my hands tremble and I always want to cry." - Juana

Physical Health Impacts

The financial strain of unaffordable housing causes lower income people to make trade-offs regarding such things as food and healthcare needs, insurance, and other activities and resources that support

their physical and psychological health.^{57,60,63,48} These trade-offs negatively impact physical health in the form of cheaper, less nutritious foods, infrequent or no healthcare, the inability to afford activities that serve as emotional and physical outlets. There are significant associations between high housing costs and hunger, inadequate childhood nutrition, and poor childhood growth.^{64,65,66}

Overcrowding can lead to higher risks of mortality, infectious disease, poor child development and school performance, poorer self-rated health, increased stress, noise, and fires, poor mental health, developmental delay, heart disease, and even short stature. ^{67,51,68,69} People with housing instability have poorer access to health care and higher rates of acute health care utilization than other populations with stable housing. ⁷⁰

When a housing unit is substandard it may be infested with pests and mold, it may contain lead poisoning hazards and other hazardous materials and have poor quality air filtration systems. Also, dependence on substandard facilities and household utilities that are meant to provide such crucial needs as water and air filtration negatively impacts physical health and childhood development. Mold, for example, is linked to cases of asthma, pneumonia, and other respiratory diseases.51,60 Lead poisoning can cause brain damage, and behavioral disorders such as hyperactivity and heightened aggression, plus other learning disabilities, all of which can go relatively undiagnosed and untreated.60 In addition to respiratory disease and neurological and behavioral disorders, much research connects substandard housing features to high incidence of malnutrition, slow or impeded physical development, and physical injury. 58,60 Studies also link poor housing quality to a host of neurological, behavioral, and psychological deficiencies, as well as infectious and chronic disease. 51,59,60

Each of the impacts above can lead to chronic stress, leaving residents vulnerable to a variety of stress-related physical health problems, in addition to the mental health challenges mentioned above. Research suggests that chronic stress is strongly linked to the development of hypertension and other chronic diseases, and may cause physical problems including cardiovascular phenomena, such as hypertension; metabolic disorders, such as obesity, type-2 diabetes, and cardiovascular disease; osteopenia and osteoporosis; and sleep disorders, such as insomnia or excessive daytime sleepiness.^{61,62}

Focus group participants shared how stress and limited choices have been harming their physical health too.

"Definitely, all this impacts health tremendously... it does cause worry and stress, one can't even concentrate 100% on their children or work. There are too many worries on the mind. But the emotional impacts also affect the physical health... So this does affect the emotional health, physical health, and even family relations. They're stressed, they're worried, they don't have that patience, so all this affect family relations." — Patricia

"When I was a little kid and the mortgage started going up, my mom's idea was, 'Well, just cook beans and rice for as long as we have to.'
Nowadays, eggs are so expensive and milk is so expensive. I just wonder — what kind of diet/nutrition do you have? ... You don't eat." — Pat

Impacts on Children

The long work hours that parents must put in to pay for rent often result in limited transportation options for students to get to school.⁷¹ Teenagers may have to work to supplement family income. Overcrowded homes can over stimulate children and lead to withdrawal, psychological distress, decreased motivation, patterns of helplessness, and behavioral problems.⁷²

Focus group participants shared how their children and other children in the neighborhood feel the effects as well.



"It has harmed my kids. My-husband-earns very little, so my kids have even said they want to get out of school so they can work and they can help us with bills and rent. My husband tells [them] to keep studying, but they see how pressured we feel so they want to leave school so they can help us work and pay for expenses." — Ruth

"The mental stress that people go through, that's pretty tangible. It will affect how you are with people. It hurts me so much when I see a parent smack a kid on the bus cause they don't move fast enough...they need a break." — Pat

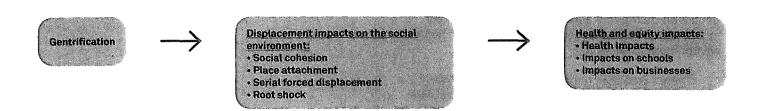
Housing instability and inconsistent living environment negatively impact childhood environment, and this includes one's school environment. When a child undergoes repeated changes in living location and conditions, they are often less able to form connections with their peers and teachers, and less likely to feel connected with their neighborhood and home environment in general.⁷³

"There's also the change of school for children. I saw it when I changed my kids' schools. They were stressed. They arrived at a school where they didn't really know anyone. They're finally getting adjusted, so to have to move again doesn't sound like a good idea. It's stressful for them and it's stressful for us. We have to worry if there'll be good teachers, a safe school, everything." — Maria Elena



"It's more stressful to move, especially for the kids, they already know their teachers and they have their friends." – Oscar

"We've seen transiency, families are coming in and out..." – Martín Gómez, Principal of Santee Education Complex



The following chapter summarizes research that explains the relationship between gentrification and displacement, and the relationship between displacement and health.

GENTRIFICATION AND DISPLACEMENT

One of the most damaging effects of gentrification is displacement. For the purposes of this report, we use the definition of displacement developed by Causa Justa:: Just Cause (CJJC), a grassroots organization working toward housing and racial justice. CJJC defines displacement as "the out-migration of low-income people and people of color from their existing homes and neighborhoods due to social, economic, or environmental conditions that make their neighborhoods uninhabitable or unaffordable".15

As was mentioned previously, research on the relationship between gentrification and displacement has so far been mixed.⁴¹ In other words, not all research showed a relationship between gentrification and displacement. However, this research has also been constrained, with many studies limited by scope, available data and brief time horizons for analysis.⁴¹ Findings did consistently show that the financial strain of rising rents predicted displacement, and policy tools that helped protect residents from these rising costs, such as rent stabilization and public housing programs, helped to limit displacement.^{72,41}

Some researchers have suggested that one reason current gentrification research might not consistently show a relationship between gentrification and displacement could be that current residents might try harder to stay in the neighborhood when they begin to benefit from the new amenities that are brought to the area, even as rent prices increase. However, these authors also suggested that higher rent burdens are ultimately unlikely to be sustainable and might still lead to displacement, and current

studies have not used a long enough timeframe to capture this delayed effect.

When gentrification does lead to displacement, it can happen directly or indirectly.41 Direct physical displacement can occur when an individual's home or an entire community is demolished or converted to another use and not adequately replaced following public or private redevelopment projects.43 Commercial space can also be directly, physically displaced by chain stores and new building developments. Los Angeles has a vast history of this type of forced individual and community relocation, including the clearance of the Chavez Ravine neighborhood in the 1950s to develop a public housing project that was never fully built. This clearance forcibly displaced an entire community of over one thousand mostly Mexican-American farmers and their families from Chavez Ravine and made way for the construction of the Los Angeles Dodgers Stadium in 1962.75

Indirect displacement occurs when property values and rent costs rise to unaffordable levels and residents and business owners are forced to leave.43 The same can be said for indirect commercial displacement, including the impacts of losing customer base and product relevancy, coupled with the inability to compete with newer developments. 42,43 Since the Reef Development Project and other projects in South Central Los Angeles have the potential to attract a wealthier set of residents to the neighborhood. landlords may experience a growing incentive to evict low-income renters from their homes in order to rent to higher-income residents with the ability to pay more. 15,39 Evictions are "landlord-initiated forced moves from rental property" that most heavily impact the urban poor as a result of an inability to pay rent.76 Evictions can also include varying levels of landlord harassment.15

Displacement can also occur gradually as a process of replacement, driven by a systematic "process of housing turnover and succession".77 As wealthier residents gradually replace existing residents, who are often lower-income people of color, previously accessible neighborhoods can become exclusionary.77 One consistent finding across studies of gentrification is the finding that when neighborhoods gentrified, the people who were moving in were "wealthier, whiter, and of higher educational attainment", and those who were moving out were more likely to be "renters. poorer, and people of color".42 In turn, developers and planners construct amenities that speak to the preferences of the socially and economically empowered. Therefore, the introduction of wealthier residents to a community can place lower income people into new places of disadvantage and community exclusion.78

Changing neighborhood demographics and landscapes may lead existing residents to relocate as a consequence of the disintegration of social networks and cultural relevance that leads to community disconnectedness and alienation.¹⁵ Though this sort of relocation may appear to result from the resident's choice to move to a new area, it is ultimately an involuntary displacement that is the result of changes that were outside of that resident's control.⁴¹



"If we can't pay, who is going to come and live here? Well, those that have the money and can pay those prices. So then it does impact the neighborhood, it's going to look different because it'll only be benefitting those who have economic power. Meanwhile those of us who can't pay that will have to leave, so we're socially-marginalized, and it gets worse each time and it affects us a lot." – Patricia

DISPLACEMENT IMPACTS ON THE SOCIAL ENVIRONMENT

Displacement has damaging impacts on the social environment of existing residents and business owners by negatively impacting the protective factors of social cohesion and place attachment that the community has developed. When a single event of displacement is experienced within the context of serial forced displacement, the impact can have even stronger negative impacts, producing a type of trauma known as "root shock".

Social cohesion

'Social cohesion' refers to systems of social support and familiarity and knowledge sharing.⁷⁹ Social cohesion develops with the protection and fostering of the connections that one forms when living in a neighborhood that supplies needed resources and community networks. This is what leads to the production of social norms and senses of community responsibility. It is what allows people to connect to their lived environment in a way that promotes a sense of belonging.⁷⁹

People currently living in the South Central neighborhood know each other and feel connected to each other – there is an established social cohesion of neighborhood residents.



"Where I live, all the neighbors know each other. We work for the same community." — Flavia

"I try to help people as much as I can. When neighbors ask me if I can pick up their kids from school... I tell them of course... I've lived there for 20 years and all the neighbors treat me like family." — Ruth

"I got to meet my neighbors.... I got sick, my appendix burst, and my neighbor checked in on me... if it wasn't for my neighbor looking out for me I could have died... The sense of neighborhood—looking out for each other—that's a sense of community... Community is important." – Pat



"I feel connected cause I've done work in the community... We planned a clean up on MLK Day... we had to ... knock on every door ... call the City, got stuff from business owners for the event. It was a huge success. It was nice doing it. ... It's rewarding when you go out and talk with the community... It's all about us, we are the community. We got to talk to each other." – Yolanda

Social cohesion—the ability to combine networks of capital—can serve as a method for poverty alleviation, since it allows for the bridging and linking of critical resources in a community.⁸⁰ It is often the more economically disadvantaged communities that benefit most from connection to place and the resource-sharing that it provides because of what their low socioeconomic status denies them.⁸¹ Research shows that gentrification "threatens the sustainability of community networks" and of the capital relations that lower-income, excluded groups often depend on.⁸²

"It's ironic — we have so many needs, we barely make ends meet, we are stressed and worried, without good health or incomplete health... but the places where we live are the places where we have ties. It's the place where if I'm low on rent I can ask my neighbor, I can ask my sister-in-law who lives near me, or if I don't have enough for groceries, I have a 20-year relationship with people there and I can suck it up and ask if I can take items on credit and pay them next Friday when I get my check. And because they've known me for a long time, they'll let this happen. But when people move to other places ... you're uprooting a large part of your life. Even if everything isn't perfect, at least there's a network of support." — Patricia

Place Attachment

Place attachment involves bonds between people and places of value, such as social and physical environments. Blace attachments are fostered by regular and habitual encounters with these people and places of value, through activities such as seasonal celebrations and daily routines. Residential place attachments can produce group identity, feelings of pride, stability, familiarity, security, and a general

sense of well-being. 83 Place attachment theory argues that when people feel a sense of attachment and connection to their community, they are more likely to interact with their community in a positive way. 84

Respondents to the SAJE community survey described the attributes they enjoy about their community, and why they want to stay — essentially describing the reasons they feel attached to this community.

Seventy-eight percent of respondents (121/155) responded to the question, "What do you love about your community?"

30% calm 10% schools 27% neighbors 7% I know it /

14% transit lived here a long time

14% commercial space 7% safe

11% close to everything

Thirty-five percent of respondents (54/155) responded to the question, "Why do you want to stay in the neighborhood?"

57% affordability 32% access to public 39% schools transit 33% close to employment 13% culture of the 33% security neighborhood

"Other" responses included: "Difficult to find another option", and "Future of neighborhood".

Serial Forced Displacement

Serial forced displacement refers to the repeated, involuntary removal of groups from their community.85 Policies and processes like urban renewal, segregation and disinvestment supported by state-sanctioned redlining, and ongoing gentrification have contributed to serial forced displacement in U.S.85 Additional policies might include international trade and immigration policies that contribute to forced migration for economic and safety reasons, as well as policies that repeatedly displace homeless populations. Studies have shown that the cumulative impacts of these types of policies, and the repeated experiences of displacement that ensue, have had progressively more negative impacts on social organization and support. 86,87 Some researchers argue that policies that consistently result in serial forced displacement have produced "a persistent de facto internal refugee population" of African Americans in the U.S.85

Forty-seven percent of survey respondents from the SAJE resident survey (73/155) provided information on why they had moved from their previous residence, suggesting that many residents came to this residence after already having been displaced from their previous location.

26% Expensive (neighborhood/rent)

25% Living conditions

18% Security (building/neighborhood)

14% Eviction

*16% of write-in options also mentioned size, which could indicate living conditions/overcrowding

Root Shock

When this sense of attachment is lost through the process of gentrification and displacement, an individual may enter a state of trauma known as 'root shock.' Root shock is a state defined as "the traumatic stress reaction to the destruction of all or part of one's emotional ecosystem".88 It results from the loss of one's known world; it is the result of the disintegration of one's sense of community and attachment to place, and it is a loss of the social cohesion that such an attachment to place provides. Some of the individual impacts that result from such a loss are a decrease in community trust, a lesser sense of neighborhood responsibility and support, and increased levels of stress-related disease. On the community level, we often see a disruption of longstanding social networks and a conversion of the overall social landscape, usually to one that is less cohesive and feels less safe for community members.88



"Me, I go all over the city for resources...-I go over there and be homeless. I move around a lot. Cause when you comfortable in one place, you start looking forward to what you've been getting, and when they stop giving, you feel like they don't wanna be bothered with you. So, me, I just move on." — Carthon

HEALTH AND EQUITY IMPACTS OF DISPLACEMENT

When social cohesion and place attachment are negatively impacted through displacement, and especially when the added impacts of serial forced displacement lead to the traumatic state of root shock, a variety of negative health impacts can occur. Displacement can also result in negative impacts for schools.

Health Impacts

Individuals who are burdened with involuntary displacement may experience the high costs of relocation and longer commutes, they may lose their jobs and their healthcare services, and they may relocate to lower quality housing in an area with more violence, all of which could cause chronic stress, which negatively impacts individuals' mental and physical health.^{15,89}

"It's suffocating. Kind of like holding my breath. When are they gonna sell this building out from under our feet?" — Angélica

"If they sell, even if we don't want to move we'll have to move." – Margarita



I used to live in La Puente. I had to commute here... the time it takes to commute is exhausting... the cost of transportation and the time it takes adds up, and the ties with neighbors are not tight because it's just work back to home, it's monotonous, there's not time for anything else. — Moisés

Social cohesion is what works against things such as distrust and anonymity that can produce a perception (and a potential reality) of a lack of safety in one's neighborhood. With a perceived lack of safety may come social isolation and a decrease in physical activity. A Studies have linked neighborhoods with less social cohesion to higher rates of smoking and depression. Disruption of social cohesion and support networks, disintegration of place attachment, and the negative effects of root shock, can exacerbate stress-induced disease mentioned in the last chapter, ranging from depression to heart attack. 15,63,88,61,62

These negative impacts also fall most heavily on low-income people of color due to a lack of socioeconomic empowerment.^{7,15,63}



"I don't wanna go to a place I don't know. The sense of family and community is important to me, as a single person." — Pat

"The problem is that I don't know what I'll do if they sell the building. I'm used to this area, I have my customers. Everything is nearby. It hurts me to say that I would have to move, my heart is here...I don't even know where I would move to."

- small business owner

Repeated serial displacement has been shown to cause a cycle of fragmentation for the displaced, which is primarily characterized by the disintegration of social networks, the high stress levels of housing instability and weak social ties, and the physical and mental manifestations of that stress.85 It can cause people to move to neighborhoods with higher rates of substance abuse and sexually transmitted disease and crime, leading to a sort of social disintegration and a forming of an individualist mentality, apart from the community.85 New research also suggests that people who have experienced intergenerational traumas, such as the populations of color residing in South Central that have experienced serial forced displacement across generations, may experience changes in gene structures that make future generations more susceptible to the impacts of stress.91,92

Impacts on Schools

Santee Education Complex a school located one block from the Reef Development Project that is populated by students from South Central. An interview with Dr. Martín Gómez, the principal of this school, revealed the following insights about the potential impacts of the development on his school and the students he serves.

"The homes in our areas will... become higher priced, which our parents are not going to be able to afford... as a school, we may see a decline in enrollment. So...35 kids is one teacher, that's 35 families, and I definitely see at least 35 families being displaced. And we're going to lose teachers and we're going to lose staff. We're going to lose support...because with the loss in those resources, how are we supposed to support students the way we have? We want to continue increasing our AP pass rates, our graduation rates. We'll go back to being a typical inner city school with 40 kids in a classroom instead of 30."

"I know from experience in San Francisco, that the gentrifying parents don't send their kids to public schools...they're going to send their kids to a private school."

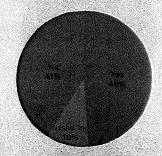
THE SMALL BUSINESSES OF SOUTH CENTRAL LOS ANGELES: A SIMILAR STORY

In 2015, CDTech conducted a survey of small businesses in the South Central Los Angeles neighborhood. The findings reveal a similar pattern of financial strain and displacement for small businesses in South Central. Highlights from the CDTech report are quoted directly in the boxes below. Please see Appendix D for the full report.

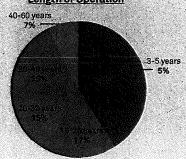
LONGEVITY OF SMALL BUSINESSES IN SOUTH CENTRAL

The small business establishments in the surveyed project referred to as the "Reef", represent the diverse population and historical contexts of the neighborhood's many uses. The variety of affordable goods and services they offer are reflections of the ethnic makeup and economic needs of neighborhood residents. Most small business owners in the area live in the community or used to.

Owners Who Live in the Community



Length of Operation



Fifty-nine percent of the businesses surveyed have been in operation at that location for over 10 years. Of the businesses that have been in operation for 20 to 30 years, 89% of the owners live in the community.

SOCIAL COHESION AMONG SMALL BUSINESSES AND THE SOUTH CENTRAL COMMUNITY

Small business owners also have a strong sense of social cohesion with residents and customers in the area.

A mobile locksmith has parked in the same spot at Washington Plaza down Washington from the Reef since 1991. Its current owner, son of the original owner, is very proud to be from the area and employ all local community members. He said he wouldn't have it any other way, and understands how important it is for local people to have local employment opportunities.

A few businesses shared that their commitment to their loyal customers is worth the sacrifice it might take to keep their prices accessible; they identify with the people they serve, each other's cultural and economic conditions, and the sense of community they have built together.

"We go out of our way to make our products accessible to the people who live here."

"We're all here for a reason. We left our countries for a reason... I think it's important that my customers know me... I don't know their names, they've never told me their names... but I know their faces. They just come in to get their waters, which is what they need the most since they work in the factories."

"I know families that have been in my neighborhood probably for my whole life... People come by, sit and watch games. It's pretty natural, nobody plans it, it can be pretty social in there."

THE SMALL BUSINESSES OF SOUTH CENTRAL LOS ANGELES: A SIMILAR STORY

IMPACTS OF GENTRIFICATION AND DISPLACEMENT ON SMALL BUSINESSES

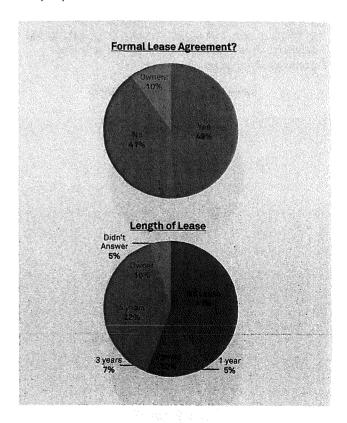
A potential result of urban redevelopment and re-investment projects is the direct or indirect commercial displacement of existing businesses, primarily those that are small and family-run or in the industrial/manufacturing sector.⁴³ This has to do with redevelopment's impacts on property values, amenities, consumer-base, and job development. Due to the transformative effects that development projects have on community landscapes and demographics, they can cause certain existing businesses to become obsolete or less relevant to their consumer-base.

The project construction process alone can harm surrounding businesses by disrupting services and, at times, creating a physical blockade between businesses and their users, restricting over-all accessibility and interaction. Hese arch indicates that small businesses can serve as the primary sources of employment for surrounding, immediate neighborhoods. However, there exists much concern that the increased desirability of an area—related to changes in the amenities that said area provides—will ultimately raise the cost of rent for small businesses to an unaffordable amount, thus pricing owners out of their existing properties. Hese architectures along the surrounding owners out of their existing properties.

A study conducted in St. Paul, Minnesota found that manufacturing and industrial businesses in particular are often pressured to relocate in instances of rezoning and redevelopment if their business sites are seen as potential profitable spaces for developers.94 Developers are attracted to industrial properties since they are easily converted into space for residential and retail use.97 According to the 2014 Southeast Los Angeles Community Plan, industrial land use makes up 15% of the plan area, and the 2000 census reports that 32% of Southeast Los Angeles employment was in the manufacturing sector.23 A 2010 study conducted by researchers from USC in partnership with the historic Second Baptist Church of South Central Los Angeles, indicated that the top five industries that employ South Central residents are manufacturing, building and household service/ maintenance, retail, repair services, and construction. Each of these five industries belongs to an economic tier that provides relatively low wages to a predominantly less-educated class of workers.17

Industrial and manufacturing jobs commonly make up the employment opportunities that pay the highest wages and provide the most jobs for populations of lower educational attainment, usually immigrant communities or members of marginalized racial groups.97,94 New developments such as the Reef Project look to create a large number of new jobs in the development area. However, rather than creating jobs that are attainable for the existing community, this job creation can lead to what is called an "education and jobs mismatch".94 This refers to the phenomenon in which the new jobs being created require a level of educational attainment unmet by local residents. Another outcome of this type of new job creation is that the newly created jobs that do accept employees with lower levels of educational attainment are commonly lower paying jobs--often in the service and accommodation industries--that offer fewer benefits to their workers.

"The jobs are not for those of us in the community, it's for those who have papers [documented people]." — Erendira



THE EFFECTS OF GENTRIFICATION ARE ALREADY HAPPENING FOR MANY SMALL BUSINESSES IN SOUTH CENTRAL

According to the CDTech small business survey from the area, one of the businesses that operated in the neighborhood for 20 years experienced a monthly rent increase from what had been \$1,000 to \$2,000, to \$5,000, all within one month. The business owners had to close their doors immediately. The report also states that many of the landlords and property owners are aware of the proposed development, and are, therefore, only offering short-term leases of between one month and a maximum of 5 years, despite business owners' efforts to try to negotiate for longer terms. Sa

SMALL BUSINESSES IN SOUTH CENTRAL HAVE EXPERIENCED SERIAL FORCED DISPLACEMENT

Small businesses in the neighborhood have also experienced serial forced displacement, according to the CDTech survey.⁹³

Twenty-nine percent of the businesses that have only been in the area 1 to 3 years moved to their current location because they were displaced due to rent increases or evictions when their building sold.



"I had another business on Washington and Western, it was also a bakery... In 1992 the shopping center was burned down during the Rodney King riots ... Everything was destroyed and I was left with nothing, so I had to find another way to make my business. That's when I came here."

- Mama Petra

"The problem is that I don't know what I'll do if they sell the building. I'm used to this area, I have my customers. Everything is nearby. It hurts me to say that I would have to move, my heart is here...I don't even know where I would move to."

- small business owner

HEALTH IMPACTS ON SMALL BUSINESSES IN SOUTH CENTRAL

The CDTech report discusses the potential health impacts that could be experienced if small businesses are displaced.

"If [local small businesses] are displaced—either by rent increases, lease insecurity, or eviction due to shifting property ownership—the loss would impact the health of this community. In turn, the stress experienced to avoid such outcomes greatly impacts the health of the business owners and staff themselves," (p. 23).93

RECOMMENDATIONS

The following chapter provides recommendations for the developer and the City of Los Angeles that would help to mitigate the predicted negative impacts of increased financial strain, displacement, and physical and mental illnesses, and provide additional health-protecting resources for current South Central residents.

TRAUMA-INFORMED AND ASSET-BASED COMMUNITY BUILDING

The developers of the Reef project and the City of Los Angeles have a unique opportunity to develop this property in a way that reduces the potential to further traumatize and harm the physical and mental health of current residents through increased financial strain and displacement.

Rather than continuing the legacy of racism and segregation through the replacement of current residents with those who hold more economic and political power, the developers and the City have an opportunity to become stewards for the health and wellbeing of the South Central community, by engaging in a cutting-edge trauma-informed approach to community development. Trauma Informed Community Building (TICB) is a new innovative approach to development that recognizes the existing community as assets and uses these assets as the building blocks for the future. The goals of TICB are to "de-escalate chaos and stress, build social cohesion, and foster community resiliency over time".98 TICB strategies have been developed that take into account residents' emotional needs and avoid re-traumatization triggers, promoting "community healing as part of housing transformation efforts".98 This can be achieved by ensuring that the project is developed using the four guiding principles of TICB: 1) Do no harm, 2) Acceptance, 3) Community empowerment, and 4) Reflective process. Additional details and strategies for TICB can be found here: http:// bridgehousing.com/PDFs/TICB.Paper5.14.pdf

Findings from this study show that community members already have assets such as social cohesion among community members and among small business owners and the community. The development should be structured in a way that honors and enhances these assets.

The project should be developed in collaboration with community members to ensure that economic opportunities and affordable housing options are incorporated into the plan. As Benjamin Torres, President and CEO of CDTech states, "South LA residents aren't trying to keep outsiders out of their backyards; they just want a fair opportunity to be able to stay."99



"If they're going to go forward with [the Reef development], ... take us into account and [have] opportunities for us. Don't leave us out. Don't discriminate against us. We're human beings and we have needs. We are not living for free. We are paying our rent with the sweat from our brows. Right now, we aren't making it. We aren't even living day-to-day. I want this to be considered. But they're not going to take us into account. They're pushing us to the brink." – Natividad

"We gotta remember that this used to be a healthy community. We gotta work on rebuilding up what we used to have." — **Cynthia**

The SAJE resident survey asked respondents what changes they would like to see in the neighborhood. Eighty-one percent responded (126/155). Of those, 64% reported that they would like to see city repairs and cleaning (e.g., trash cleanup, road conditions, traffic lights, more parking options and shade structures, and safe city parks). Thirty-two percent of respondents mentioned safety/security (e.g., violence and gang activity). These responses reflect a desire of community residents for the City to reverse its current pattern of disinvestment and provide civic infrastructure support. In addition, a series of community resident engagement sessions have recently been hosted by the UNIDAD coalition with approximately 50 community members from South Central Los Angeles in attendance over the course of five weeks. As a result of these meetings, community members have identified the following priority areas, which align closely with the findings from this report:

RECOMMENDATIONS

homelessness, displacement prevention, affordable housing, jobs, small business, health and safety, and green space. The following recommendations, which were developed through discussions with the Advisory Committee and informed by other relevant development projects in the area, have the potential to address current community concerns, respond to the health impacts identified in this report, and take advantage of broader regional goals and needs. In addition to these overarching recommendations to take a TICB approach and to develop the project with community members, we also recommend a number of specific actions for the developers to implement directly and/or though a community benefits agreement, and also for the City to consider.



RECOMMENDATION
Produce and Protect
Affordable Housing

The Los Angeles County Department of Public Health (LADPH) has produced multiple documents discussing the relationship between health and housing, and the importance of providing and protecting affordable housing for Los Angeles County residents, including their Community Health Improvement Plan for Los Angeles County 2015-2010¹⁰⁰ and Housing and Health in Los Angeles County (2015).¹⁰¹ In both documents they offer recommendations and/or strategies to protect and increase the availability of affordable housing as a means to "achieve equity and community stability".¹⁰⁰ For example, the LADPH recommends:

"Support plans and policies in Los Angeles County jurisdictions that expand the supply of affordable housing for low-income families and individuals, and protect existing affordable housing that is at risk of conversion to unaffordable market-rate housing," (p.29).¹⁰⁰

The LADPH also recommends that the City align its housing goals with their efforts.¹⁰⁰ Focus group participants also voiced the need for affordable housing in South Central.

"Help us build affordable housing especially for low-income populations and for people who truly need it." — Lourdes

"Affordable housing and job opportunities because that's what we need to afford rent. Rent is too high, it's the hardest thing." — Juana

"I would like to see more housing and rent lowered..." – Verónica

Affordable housing should be provided, with a diverse strategy of both producing new on- and off-site units and preserving old units. An emphasis should be put on providing housing for families, and a significant portion of housing should be set aside for extremely low income people.



Through Developer

New on-site units at levels of affordability that reach very low income and extremely low income residents.

Example: On-site housing: 25% of units affordable to very low income households.

Total affordable apartments for renters: 15% for residents with very low incomes (those who make less than 50% of the area median income) and 10% for residents with extremely low incomes (those who make less than 30% of the area median income).



Through Developer & Community Benefits Agreement

Funds for acquiring land and building new off-site units.

Funds to preserve and rehab existing units.

Example: \$20,000,000 paid to City Affordable Housing Trust Fund or community benefits fund for affordable housing.



City

Target new investments and policies to achieve new off-site affordable units.

Preserve old/existing affordable units.



RECOMMENDATION Prevent Displacement

The Los Angeles Department of City Planning's Plan for a Healthy Los Angeles (2015) "acknowledges the negative health consequences of displacement," (p.15)¹⁰² and offers mitigation strategies to "create opportunities for existing residents to benefit from local revitalization," (p.32). These include supporting local employment opportunities, protecting and expanding affordable housing options for low-income residents, and maintaining culturally relevant resources, including case management, for Los Angeles residents to "access the benefits created by new development and investment in their neighborhoods" (p. 137).¹⁰² This is in alignment with the LADPH recommendation to:

"Support housing, land use, and economic development policies that prioritize anti-displacement as new investment enters an area. This includes, but is not limited to, preserving or replacing affordable housing for low-income community members in all neighborhoods and areas undergoing new development," (p. 29).¹⁰⁰

Programs should be put in place to prevent the displacement of local residents from their homes. Measures should include staffing for renter advocacy and organizing initiatives, funds for tenant associations and emergency rental assistance, enforcement of existing renter protections, and the establishment of new renter protections in the surrounding neighborhoods.

To achieve neighborhood stabilization goals, resources should prioritize residents who are most vulnerable to displacement in the areas closest to the project site.



Through Developer & Community Benefits Agreement

Funds for staffing tenant organizing/advocacy and legal services initiatives.

Funds for tenant associations and emergency rental assistance.



City

Funds for tenant associations and emergency rent relief.

Enforcement of existing renter protections.

Establish enforceable "anti-displacement/no net loss" zones within a 1-mile radius of the project site. Create a community-City partnership to monitor and collaborate around anti-displacement efforts.



RECOMMENDATION House and Protect the Homeless

Maintaining housing and preventing homelessness not only helps protect the health of those who are at risk of homelessness, but also makes good economic sense for the region. The standard monthly public cost for homeless individuals is \$2,879 per individual, a cost five-times greater than their counterparts who have received housing.³¹ Research shows that public spending focused on social services, including housing subsidies, can produce better health outcomes than healthcare services spending.¹⁰³

The LADPH has made a recommendation to:

"Expand efforts to increase access to permanent housing with supportive services for homeless individuals and families to help them maintain stability and self-sufficiency," (p. 29).¹⁰⁰

One of the focus group participants from South Central shared his thoughts on the need for housing for the homeless through the Reef Development Project.

"The thing about it is we got 30,000 homeless people, and we just asking for 30 homes, not even getting that." — Wallace

Funding should be provided to house and protect the homeless in the area. In addition to producing/financing permanent supportive housing, their rights to rest and to maintain possessions in encampments must be protected and they should be provided with facilities and case management services.



Through Developer

Provide on-site rent-free facilities for case management services. Maintain rent-free status for 20 years.



Through Developer & Community Benefits Agreement

Funds for permanent supportive housing for chronically homeless residents.

Funds for case management services.



City

Provide facilities and case management services. Enforce/enact policies to protect the rights of the homeless.



RECOMMENDATION
Create Good Jobs and Career
Pathways for Local Residents:

The Los Angeles Department of City Planning's *Plan* for a Healthy Los Angeles (2015) cites health-supporting policies in the City's General plan, including one framework element policy to: "support efforts to provide all residents with reasonable access to transit infrastructure, employment, and educational and job training opportunities," (p. 145).¹⁰²

Recent research indicates that lower levels of metropolitan income inequality and segregation are related to sustained regional economic growth.¹⁰⁴ Rather than perpetuating and possibly exacerbating existing income inequalities and segregation in the region, the developers and the City have an opportunity to incorporate economic opportunities into the redevelopment process and outcomes through jobs for those in the community at highest risk, including: those in the geographic vicinity of the development who are likely to be impacted by financial strain or displacement directly or through their employers, and people with multiple barriers to employment such as single mothers, previously incarcerated people, and/or "at risk" youth ages 18-24.

There are multiple opportunities for the City and the developer to partner with other groups to achieve these recommendations, including: coordinating job training among County agencies, working with Unions on labor agreements, working with organized labor (building trades) and City Council to coordinate jobs with housing displacement protections, working with the LA Black Worker Center to assist in hiring Black workers, and providing preference for off-site contractual agreements to minority and womanowned businesses, and/or businesses that pay a living wage.

Focus group participants also mentioned the need for jobs to be targeted for those who are currently in the neighborhood.

"More work for those of us who are undocumented. More jobs." - Ruth

"I wish there were more investment in my community... investment in businesses, but for the jobs to be for people that live here... for it to be welcoming to the people regardless of immigration status... We also need job training programs so people can be better prepared and for the education to be of quality." — Patricia

A Community Jobs Training and Placement program should be created to provide jobs for local residents, including construction jobs created by the development and permanent jobs with the businesses located on site after construction.

Funding should be provided for workforce development and job pipelines. Local high schools should be partners in developing career pathways for students, and the community should have an ongoing role in monitoring jobs programs.



Through Developer

Examples:

Construction jobs for the development: 40% local hiring, with 20% for disadvantaged residents including those who are homeless or aged-out foster youth.

Future retail jobs: 50% local hiring, with 30% for disadvantaged residents.

Maintenance jobs: 100% local residents and require a living wage.



Through Developer & Community Benefits Agreement

Establish a policy through the CBA for community-based monitoring and enforcement of local and targeted hiring policies. Provide funding to support this activity.

Funds for workforce development and job pipelines, including community-based training and placement programs.

Example: \$300,000 to community benefits fund to support Jobs Coordinator and the creation of a Community Jobs Training and Placement program.



City

Funds for workforce development and job pipelines to supplement project-related funds.

Leverage existing City services to bolster Community Jobs Training and Placement program.

RECOMMENDATIONS



RECOMMENDATION Support Small Businesses:

The CDTech survey of small businesses in South Central reports that of the businesses surveyed who have at least one employee, 52% hire locally, and an additional 24% have at least some local employees. ⁹³ This means that supporting economic development for local residents through jobs also means supporting local businesses that are currently providing many of those jobs, to make sure they are not displaced.

The report goes on to describe these businesses.

"The small business establishments in the surveyed project area referred to as the 'Reef' represent the diverse population and historical contexts of the neighborhood's many uses. The variety of affordable goods and services they offer are reflections of the ethnic makeup and economic needs of the neighborhood residents. Small businesses are long-term investors in the community — who, in turn, draw their immediate capital from the neighborhood directly, making them a unique element of a neighborhood's DNA.

"At the same time, businesses are under-resourced and at high risk of displacement. Rents continue to rise, and leases shorten; the minority percentage of small businesses who have an actual formal lease agreement, still have no long term stability nor rent control, and all find themselves struggling to advocate for their rights/ability to stay if the owner raises their rent too high, forcibly evicts them, or sells the property," (p. 3).93

Supporting these existing small businesses within the context of the Reef Development Project could be achieved through a few concrete efforts, such as supporting physical improvements like improved signage, using promotional reach to support off-site businesses, and establishing an emergency fund for small businesses.

Focus group participants also had suggestions for economic development in the area.



"Invest in the small business owner and help build them up to the point where they are attractive and customers want them... Help build what is already there and these are the people who are invested in this community. So they are the ones who are going to take care of it." — Cynthia

"Affordable economic development. Have a forgivable loan or a forgivable grant... You have to hire locally, hire neighborhood kids, create co-ops... It can be done. It should be done." — Pat

Small businesses, both on- and off-site, should be supported with funding, support, and technical assistance. Care should be taken to support existing community-serving small businesses in the neighborhood. Innovative models that enhance economic security for residents vulnerable to displacement – such as cooperative businesses run by local residents – should be supported.



Through Developer

Example: Create incubator space for local and community-based small businesses.

Provide a percentage of retail space at discounted rent levels for community-serving businesses that are culturally and economically accessible to local residents.



Through Developer & Community Benefits Agreement

Funds for support and technical assistance for both on-site and off-site small businesses.

Example: 10% of retail space for communityserving businesses at discounted rent.

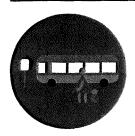
\$300,000 for small business support fund.



City

Support and technical assistance for both on-site and off-site small businesses.

Establish programs/policies to protect off-site businesses from displacement due to rising rents.



RECOMMENDATION
Maintain Public Transit Use
by Local Residents:

The City of Los Angeles Department of City Planning considers public transit to be a key for achieving both environmental and social health and well-being. One of the main goals for the Department of City Planning is to promote a form of sustainable growth that opens access to resources for all Los Angeles residents, particularly for the underserved.¹⁰²

The City's commitment to sustainability is directly associated with its aim to invest in development that is intentionally located along transit corridors and within transit-rich neighborhoods. The City views its public transit system as a primary mechanism for benefiting the environment.

"There's transit oriented development, and this is the last best chance to get affordable housing in that area and protect it... It's not so much what you're displacing with a big development, but what you're giving up by doing a housing development that does not take into account this huge opportunity." — Manuel Pastor, University of Southern California, Professor

Los Angeles' 2009 Long Range Transportation Plan (LRTP) also recognizes the importance of transit in achieving environmental justice. The Transportation Plan promotes transit investment in areas with lower-income populations, as it is lower-income people who are most transit-dependent.¹⁰⁵

Access to public transit should be maintained for those who most utilize it and depend upon it – the current residents of the neighborhood. Utilize actions listed above for housing and economic development to avoid replacing current transit-users living in a transit-oriented neighborhood with new residents who will be less likely to use transit.



Through Developer

Provide monthly transit passes to tenants living in affordable housing units on site.



Through Developer & Community Benefits Agreement

Funds to provide monthly transit passes to tenants living in affordable housing units off site.



City

Maximize City, County and transit agency services for low-income transit riders in the area.



RECOMMENDATION
Protect the Safety and
Security of the Community:

The Los Angeles Department of City Planning's Plan for a Healthy Los Angeles (2015) lists "safe and just neighborhoods" as one of its primary focus areas and states, "Safe neighborhoods are free from violence and crime and are characterized by a trusting, collaborative relationship between law enforcement and residents," (p. 108).102 Data from this study suggest that there is still work to do to achieve protection from crime and also achieve a trusting and collaborative relationship between law enforcement and residents, and that sometimes efforts to achieve the former may come at the expense of the latter. The City has an opportunity to renew these efforts in a meaningful, community-oriented way, through the redevelopment process. The City and the developer can also incorporate additional new efforts to ensure safety and security of the residents, making sure to include private security forces into their considerations.

The safety and security of the community should be protected. Police should be available to protect the residents of the area, but at the same time, programs should be put in place to make sure that neighborhood residents, including homeless residents, are not criminalized or targeted by police or other security staff.



Through Developer

Create event programming on site to raise awareness and build capacity among community members and security professionals around anti-criminalization practices.

Rules and regulations should be put in place so that low-income residents are not discriminated against, by management or other residents, within the development.

RECOMMENDATIONS



Through Developer & Community Benefits Agreement

Programs should be put in place to make sure that neighborhood residents are not criminalized or targeted by security staff.

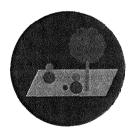
Establish a community board overseeing the policies and practices of on-site and off-site security.



City

Work in collaboration with the on-site community oversight board to extend the anti-criminalization policies and practices to include City and County police forces.

Police should be available to protect the residents of the area, but at the same time, programs should be put in place to make sure that neighborhood residents are not criminalized or targeted by police or other security staff.



RECOMMENDATION
Provide Green Space for
Neighborhood Residents:

The Los Angeles Department of City Planning's *Plan* for a Healthy Los Angeles (2015) also features "bountiful parks and open spaces" as one of its overarching goals to achieve a healthy City.¹⁰² The guidance document specifically states:

"Abundant and accessible parks and beautified open spaces are fundamental components of healthy neighborhoods... As a top health priority, the Plan for a Healthy Los Angeles strives to improve access to existing parks and open spaces and prioritizing new parks in the most underserved neighborhoods." (p. 53).¹⁰²

The City already has a process to do this, through the Quimby fee system, though this process is currently being revised. Based on these goals from the City, it would be expected that Quimby fees collected from the development should be spent on constructing and/or maintaining parks within poor areas of South Central.

The focus group participants reported an interest in more parks.

"I wish there were more parks for the kids." - Ruth

"More parks, a big, big one. We just have one." – Maria

"There aren't enough parks, on the contrary, they want to close them." – Ana

"I would like programs [at the parks] like we used to have." — Lourdes

Green space created by new development should be made public and open to neighborhood residents, with space planned for community gardens and local produce sales. Funding should be provided to create and improve off site parks and to carry on active programming for children and families.



Through Developer

Green space created by the development should be made public and open to neighborhood residents, with space planned for community gardens and local produce sales.



Through Developer & Community Benefits Agreement

Funding should be provided to create and improve off site parks and to carry on active programming for children and families.



City

Funding should be provided to create and improve off site parks and to carry on active programming for children and families.

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105. 2009 Final Long Range Transportation Plan. Metro; 2009. http://media.metro.net/projects_studies/images/final-2009-LRTP.pdf. Accessed October 15, 2015. Human Impact Partners is a national non-profit working to transform the policies and places people need to live healthy lives by increasing the consideration of health and equity in decision-making. Through research, advocacy, and capacity-building, we bring the power of public health science to campaigns and movements for a just society.

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Assessing Health and Equity Impacts of the Proposed Reef Development Project in South Central Los Angeles:

Appendices





United Neighbors in Defense Against Displacement

UNIDAD . UNITY

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Appendix A. HIA Process and Methodology

HIA Process

HIA is a flexible process that typically involves six steps:

- 1. Screening involves determining whether or not an HIA is warranted and would be useful in the decision-making process.
- 2. Scoping collaboratively determines which health impacts to evaluate, the methods for analysis, and the workplan for completing the assessment.
- 3. Assessment includes gathering existing conditions data and predicting future health impacts using qualitative and quantitative methods.
- 4. Developing recommendations engages partners by prioritizing evidence-based proposals to mitigate negative and elevate positive health outcomes of the proposal.
- 5. Reporting communicates findings.
- 6. Monitoring evaluates the effects of an HIA on the decision and its implementation as well as on health determinants and health status.

Stakeholder engagement

Stakeholder engagement, including participation of community members who are directly impacted by the development, is a vital part of HIA. We engaged stakeholders primarily through participation in the Advisory Committee and through data collection.

Advisory Committee

The Advisory Committee consisted of representatives of member organizations in the UNIDAD Coalition and additional members, who are listed on the acknowledgements page of this report.

The advisory committee met by phone in July 2015 and in-person in Los Angeles in October 2015. The Advisory Committee advised HIA researchers on where to find specific data and research, organizing focus groups, how to communicate findings, the political context of the proposed development, review of the draft findings and the draft report, and regarding recommendations. The Advisory Committee represented the primary channel through which affected community members were engaged. The Advisory Committee also played a key role in disseminating the HIA findings and recommendations.

Data Collection

The need to gather data and research for HIA is one way to begin or start a discussion about the impacts a policy has on health. We engaged stakeholders for the following data collection tasks:

Focus Groups. Esperanza, SAJE, CDTech, TRUST South LA, and the St. Francis
 Center helped to organize the focus groups with residents of South Central Los

- Angeles and with homeless and food back clients from the area who are served by the St. Francis Center.
- Subject Matter Expert Interviews. Interviewees provided valuable context on the
 experiences of small business owners in South Central Los Angeles; the
 perspective of a representative of a school system in the area; the perspective of
 a church leader for a church that was originally established to serve the African
 American population in the area, but has since expanded to also provide services
 to the Latin@ population; and a researcher who is well-versed in the
 demographic, built environment, gentrification, and immigrant rights issues that
 are specific to Los Angeles.

Methods

The following methods were employed to describe existing conditions and make impact predictions related to residents and businesses of the South Central Los Angeles community. Human Impact Partners:

- Review of the scientific (peer-reviewed) and grey (non peer-reviewed) literature;
- Data collection from existing sources, such as the American Community Survey, and data from the Los Angeles County Department of Public Health;
- · Focus groups with residents of the South Central Los Angeles neighborhood; and
- Subject matter expert interviews with small business owners, the principal of a local school, a researcher from the University of Southern California, and a pastor from a local church.

The data collection area used to define South Central Los Angeles was established through consultation with community partners that work in the area. Partners from Esperanza and SAJE identified census tracts to use, and a contact from the Los Angeles County Department of Public Health identified the community planning area most closely aligned with the collection of their data.

Additional data was obtained, analyzed, and utilized from a survey of South Central neighborhood residents conducted by SAJE and a survey of small business owners conducted by CDTech.

Literature Review

For the literature review we gathered empirical evidence using databases such as Google Scholar, general Internet searches, and other public health and sociological databases. Grey literature included reports produced by organizations and institutions such as Causa Justa, the Los Angeles County Department of Public Health, PolicyLink, the Robert Wood Johnson Foundation, the University of Southern California, the U.S. Department of Housing and Urban Development, the National Low Income Housing Coalition, the California Housing Partnership Corporation, the U.S. Conference of Mayors, the Los Angeles Homeless Services Authority, ChangeLab Solutions, and others.

Focus Groups

Five separate focus groups in Los Angeles consisted of a total of forty-one participants. Please see Appendix B for more information on the focus group methodology, including recruitment methods and discussion guides. Typed and recorded notes were taken during the focus groups and all participants granted permission to use quotes gathered for this report.

Interviews with Subject Matter Experts

Six interviews were conducted with subject matter experts (see page 3 for listing) with three small business owners in the area, the principal of Santee Education Complex located very near the proposed Reef Development location, a researcher from the University of Southern California Sociology department, and a pastor from the 2nd Baptist Church.

Advisory committee members identified subject matter experts to interview. Interviews with small business owners were coordinated and co-facilitated by a representative from CDTech. For other interviews, Human Impact Partners staff sent an email and/or contacted the person by phone explaining the project and requesting an interview. All interviews were conducted in person except for the interview with Pastor Epps, which was conducted over the phone. Please see Appendix C for an example interview guides. Typed notes were taken during the interviews and all interviewees granted permission to use quotes gathered for this report.

Predicting the of Effects of the Reef Development Project on Gentrification, Financial Strain, and Displacement

When calculating the number of people at risk for financial strain and displacement as a result of the gentrification that would occur with the Reef Development Project, the buffer zones were selected based on an analysis of rising property values for homes in a low-income neighborhood adjacent to the planned Atlanta Beltline, which provides evidence for the way that a large scale project could impact property values in a low income neighborhood. This analysis showed that property values increased the most when they were within 1/8 to 1/4 mile from the Beltline, and properties that were within ½ to ½ mile from the Beltline also increased significantly. Smaller increases in property values were also experienced for properties between ½ mile and 2 miles from the redevelopment. The study also demonstrated that property value increases coincided with media coverage of the Beltline, years before actual construction.

The people most likely to be negatively impacted by increased property values are renters, particularly those who are already burdened by housing costs. The number of cost-burdened renter households within each buffer zone was calculated by census tract, based on whether the majority of a tract fell within the zone. Only census tracts identified as within the South Central study area were included (see the *About the Report* section of this report for more details).

We then estimated the number of people in these households based on the average renter household size in each tract, as shown in Table 4 of the report.

Many of these renters will have some protection against rising rents if they live in deed-restricted affordable housing or rent-stabilized units (and know the rights afforded to them under Los Angeles's Rent Stabilization Ordinance.) The most vulnerable renters will be those who live in units – such as detached single-family homes – that are not rent-stabilized and thus have little recourse if their landlords choose to raise rents.

Strengths and Limitations of this Methodology

We faced several limitations in conducting this assessment. For example, the timeline for conducting this study was only four months in length, so the scope of the project was limited to primarily just the impacts of gentrification on financial strain and displacement, though there are many other potential impacts of redevelopment that could also potentially impact the health and equity of community members. And while we collected qualitative data to describe the experience of living in the South Central Los Angeles community, these findings are not meant to compare residents of South Central Los Angeles to the City of Los Angeles as a whole, or to make claims about statistically significant differences. Also, definitions around the South Central community and the concept of community in general vary depending on differences in lived experience that produce individual and, at times, divergent ways of identifying with one's surroundings. Finally, with any study of how an intervention affects outcomes, there are myriad social changes in the residents who live in this community that also impact the outcomes of interest studied in this report.

Numerous strengths are evident as well. The participation of Advisory Committee members ensured that we included a variety of community perspectives and were able to access community members who might not otherwise have participated in this study. As a result, the voice of the community is strong in this report. Furthermore, their connections to small business owners, service providers, and community resources, provided us with access to meaningful and credible stories that provide additional context to our findings.

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Appendix B. Focus Group Methodology

Five focus groups were conducted on August 25-27, 2015. Focus groups were conducted to answer questions where there were gaps in the literature and existing conditions data, to confirm findings from those sources, and to provide additional localized context and understanding to these topics. Partner organizations Esperanza Community Housing Corp. and SAJE were compensated for their services in recruitment and facilitation, as well as to provide stipends to each focus group participant, to supply food during the meetings, and to address any other barriers to participation through the provision of transportation or parking reimbursement, childcare services, and so on, as needed.

A critical case sampling selection strategy² was used to recruit critical populations where data was currently lacking: English and Spanish-speaking residents of the community directly surrounding the proposed Reef Development Project, including homeless populations and those of extremely low income who utilize community foodbank services.

Several partner organizations – Esperanza, SAJE, CDTech, TRUST South LA, and the St. Francis Center – recruited focus group participants for the five groups – through existing connections with their client base. Recruiters from each organization worked together to populate a spreadsheet of potential participants and establish estimates of potential demographic variables of interest, to attempt as much variation as possible. Such criteria included: primary language, gender, age, race/ethnicity, children living with them, etc.

All five focus groups had at least one or two facilitators and one note-taker. All focus groups had one staff member or consultant from one of the recruiting partner organizations and one or two staff members from Human Impact Partners. All five focus groups were held in Los Angeles. Participants all provided verbal assent to participate after receiving a detailed description of what would occur, how it would be recorded, and how the data would be used. All adult participants were sent the final quotes that were used in the report in advance, with an opportunity to have them deleted or modified if they felt it did not accurately reflect what they said. One focus group participant corrected one word of her quote before it was included, no other focus group participants selected to have their quotes modified in any way or deleted.

Detailed notes were collected at each focus group, in addition to audio recordings, which were used just to clarify specific quotes as needed. Following the guidelines of qualitative researchers Miles and Huberman³, a codebook was created prior to reading the data. The codebook was informed by theoretical constructs, literature review, and preliminary research gathered from stakeholder feedback during the early phases of the HIA process. The data from the focus group notes were then reviewed line by line by Human Impact Partners staff to identify segments of the text that could be coded according to these previously selected themes and categories. In addition, data that did

not fit into these themes and categories were categorized into their own "in vivo" codes, according to Strauss's guidelines on codes that derive from the data itself.⁴ (Codebook is provided after interview guides.) Finally, the data were analyzed by reviewing all codes in the same category to derive and further summarize the codes that most clearly represented those overall concepts. Selected examples of these codes were incorporated into the final HIA report where they offered additional context, depth, validity, or original concepts to the critical concepts in the report.

Focus Group Questions and Probes

For each focus group, we prepared a set of questions to guide the conversation. We also included probes for some questions in case the focus group discussions needed extra direction. See questions on the following pages.

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Focus Group Interview Guide

Warm up Questions:

- 1) What is your name and how long have you lived in South LA?
- 2) What kind of employment do you have or does your partner have?

Financial strain

- 3) What percentage of your income do you spend on your rent or mortgage?
- 4) How does the cost of rent or mortgage affect your ability to pay for other things you need? (Examples your: food, utilities, clothing, transportation, educational resources for children, and other necessities)
- 5) Is it stressful when you can't afford the things you need? What kinds of choices would you have to make if you couldn't afford everything you need?
- 6) How do you think those choices would affect your health?
- 7) How would those choices affect the health of your children and other family members?

Displacement

- 8) If the cost of rent or property taxes went up in your neighborhood, how likely are you to move to a different neighborhood? What neighborhood would you move to and why?
 - a) Do you think you would stay connected with the neighbors you've gotten to know here?
- 9) How would relocating/moving affect life in this neighborhood if people start to leave because they can't afford to live here?
 - a) What would happen to the businesses?
 - b) What would happen to the schools? (Ex: would children have to switch schools, less funding for schools etc)
- 10) How do you think those experiences (being evicted, losing your home, losing connection with friends/neighbors) would affect your stress level? Your health? The health or stress of your children and family?

Concluding questions

- 11) What kinds of changes would you like to see in your community? (ex: community resources, schools, retail, green space, safety, access to healthy foods, access to health resources etc.)
- 12) What makes you proud of your community? What are some of the things you enjoy doing in your community and/or with your family?
- 13) Is there anything else you would like to share regarding our discussion?

Guía para grupo de enfoque

Preguntas iniciales:

- 1) ¿Cómo te llamas y cuanto tiempo tienes viviendo en el sur de Los Angeles?
- 2) ¿En qué trabajas tú o tu pareja?

Problemas Financieros

- 3) ¿Qué porcentaje de tus ingresos gastas para la renta o hipoteca?
- 4) ¿Cómo afecta el costo de la renta o hipoteca tu habilidad de pagar otras necesidades? (Ejemplos: comida, utilidades o facturas de servicios públicos, ropa, transportación, recursos de educación, y otras necesidades)
- 5) ¿Es estresante cuándo no puedes pagar las cosas que necesitas? ¿Qué clase de decisiones tendrías que hacer si no pudieras pagar todas las cosas que necesitas?
- 6) ¿Cómo crees que estas decisiones afectarían tu salud?
- 7) ¿Cómo crees que estas decisiones afectarían la salud de tus hij@s y otros miembros de tu familia?

Desplazamiento

- 8) Si el costo de la renta o impuestos de propiedad suben en tu vecindad, ¿qué tan probable sería que te mudaras a otra vecindad? ¿A qué vecindad te mudarías y por qué?
 - i. ¿Crees que te quedarías en contacto con tus vecinos a quienes has llegado a conocer aquí?
- 9) Si la gente empieza a mudarse o reubicarse porque no pueden pagar el costo de vivir aquí ¿cómo afectaría la vida en esta vecindad?
 - i. ¿Qué le pasaría a los negocios?
 - ii. ¿Qué le pasaría a las escuelas? (Ejemplo: tendrían que cambiar de escuelas los estudiantes, habrían menos fondos para las escuelas etc.)
- 10) ¿Cómo crees que esas experiencias (ser desalojados, perder tu casa, perder conexión con amistades y vecinos) afectaría tu nivel de estrés? ¿tu salud? ¿la salud o estrés de tus hij@s y familia?

Preguntas conclusivas

- 11) ¿Qué clases de cambios te gustaría ver en tu comunidad? (Ejemplo: recursos comunitarios, escuelas, venta de al por menor, parques o espacios verdes, acceso de recurso de salud etc.)
- 12) ¿Qué te orgullece de tu comunidad? ¿Qué actividades disfrutas hacer en tu comunidad y/o con tu familia?
- 13) ¿Hay algo más que te gustaría compartir acerca de nuestra discusión?

Appendix C. Subject Matter Expert Interview Methodology

In addition to focus groups, six subject matter expert interviews were also conducted to provide additional localized context and understanding to the impacts of the proposed Reef Development Project on the South Central Los Angeles community.

Six subject matter expert interviews were conducted (see page 3 for listing) with three small business owners in the area, the principal of Santee Education Complex located very near the proposed Reef Development location, a researcher from the University of Southern California Sociology department, and a pastor from the Second Baptist Church.

Advisory committee members identified subject matter experts to interview. Interviews with small business owners were coordinated and co-facilitated by a representative from CDTech. All other interviews were conducted by Human Impact Partners staff.

Specific interview questions can be found on the following pages.

Subject Matter Expert Interview – small business owners

intro

Explain Reef project and research project

Background on the business

- 1. What did you do before you opened the business?
- 2. Can you tell me about your business? What services/products do you provide? Why (goals: serve community, provide a product/service, profit growth)?
- 3. How many people do you employ and what are your employment practices? (within the community?)
- 4. Who are your customers?
 - a. People from neighborhood? Race/ethnicity, gender, income? (Just describe them)
 - b. Do they live here? Work here? Both?

Neighborhood context for the business

- 5. Do you live in the neighborhood? What was the reason you started your business in this neighborhood? Does it matter to your customers that they know you?
- 6. What is your relationship with other businesses in the area?
 - a. Are relationships based on shared customer base? Shared cultural heritage?
- 7. How is the money from your business invested in the community?
 - a. Any other ways you "give back to community"?
 (sponsorships/donations/informal support)

Changes over time and Displacement

- 8. If the cost of rent went up in your neighborhood, how likely are you to move your business to a different neighborhood (or to close your business)? What neighborhood would you move to and why?
 - a. How does the cost of rent or mortgage affect your ability to pay for other things you need for your business? (Examples your: paying your staff, supplies/products, utilities, etc.)
 - b. What would happen if the residents and clientele in the neighborhood started to change? How would that affect the services/products you offer, the pricing, the staffing of your store, etc.
 - c. Where would current clientele be able to get the resources/services you offer if your business had to move?
- 9. Do you think you would stay connected with the customers and other business owners you've gotten to know here?
- 10. As a business, what are your needs? Are those needs met in the neighborhood?

Concluding questions

- 11. What kinds of changes would you like to see in this neighborhood? (ex: community resources, schools, retail, green space, safety, access to healthy foods, access to health resources etc.) What are the needs of your business?
- 12. What makes you proud to be a business owner in this neighborhood?
- 13. Is there anything else you would like to share that you would like to share regarding our discussion?

Entrevistas de informantes - propietarios de pequeñas empresas

Introducción

Explica el projecto Reefy y el estudio

Antecedentes sobre la empresa

- 1. ¿Qué hacías antes de abrir tu negocio?
- 2. ¿Me puedes contar sobre tu negocio? ¿Qué servicios o productos provees? ¿Por que? (meta de servir a tu comunidad, proveer productos o servicios, ganancias)?
- 3. ¿Cuántas personas trabajan aquí? ¿Viven en esta vecindad tus empleados?
- 4. ¿Quién son tus clientes?
 - a. ¿Son personas que vive en esta vecindad? ¿Trabajan aquí? ¿Los dos?

Contexto de la vecindad para el negocio

- 5. ¿Vives en esta vecindad? ¿Cuál es la razón por la que empezaste tu negocio en esta vecindad? ¿Es importante que tus clientes te conozcan?
- 6. ¿Cómo es tu relación con otros empresarios en la área?
 - a. ¿Tienen una relación por lo que comparten clientes? ¿Por qué comparten una cultura?
- 7. ¿Cómo inviertes en tu comunidad como empresarios?
 - a. De alguna manera devuelves a tu comunidad? Patrocinando, donaciones, apoyo informal

Cambios a través del tiempo y desplazamiento

- 8. Si el costo de la renta para tu negocio sube, ¿qué tan probable seria que mudaras tu negocio a otra vecindad (¿o cerrar tu negocio?). ¿A que vecindad te mudarías y por qué?
 - a. ¿Cómo afecta el costo de la renta de tu negocio tu habilidad de pagar para otras cosas que necesitas para tu negocio? (Ejemplos: pagar a empleados, materiales/producto, gastos etc.)
- ¿Qué pasaría si los residentes y los clientes de la vecindad empiezan a cambiar?
 ¿Cómo afectaría los servicios/productos que ofreces, los precios, los empleados, etc.
 - a. ¿Dónde irían los clientes que tienes para los servicios y recursos que tu negocio ofrece si te tuvieras que mover?
- 10. ¿Crees que te quedarías conectad@ con los clientes y otros empresarios que haz llegado a conocer aquí?

Preguntas conclusivas

- 11. ¿Qué clases de cambios te gustaría ver en tu comunidad? (Ejemplo: recursos comunitarios, escuelas, venta de al por menor, parques o espacios verdes, acceso de recurso de salud etc.) ¿Qué son unas necesidades de tu negocio?
- 12. ¿Qué te orgullece de ser empresario en esta comunidad?
- 13. ¿Hay algo más que te gustaría compartir acerca de nuestra discusión?

Subject Matter Expert interview – Martin Gomez, principal, Tuesday August 25, 2015 9:25-10:15AM Santee Education Complex

Intro - Explain Reef project and research project

Background Questions

- 1. Could you start by telling me a little about your connection to the South LA community? Had you previously worked or lived here?
- 2. Why did you choose the field of education? Have you worked in other school districts? Housing conditions that students live in? Challenges to school/studying?

School Climate

- 3. What percent of students are bussed in from other neighborhoods?
- 4. As an educator, what is your perception of Santee High being 100% free & reduced lunch and having 100% black & brown students—94% Latino, 6% African American.
 - a. How do you think this will impact them when they go off to colleges, where that racial/ethnic composition is not the case?
- 5. How involved are the parents in their children's education? What are some sources of stress for Santee High Students? Their parents?
 - a. What are some impacts on their education status? Impacts on their health? (Asthma, diabetes, dental care) And what are ways they cope with stress?

Neighborhood

- 6. We've heard that South LA has a transient population why do they move? Is it because of affordability of neighborhood? Work-related?
- 7. How much does housing stability in the area impact the students' attendance rates? Or any other challenges they may experience as a result of evictions, etc. How do people view Skid Row and being so close to it? Are there students who are homeless? If so, what percentage?
- 8. How would you describe the level of of social cohesion in the neighborhood if people are more likely to be transient, are there still strong social connections? What supports those social connections? What hurts them?
- 9. Are there any influences of the history of the neighborhood on current conditions? Political history? Cultural history?

Gentrification

- 10. Have you experienced, witnessed, or heard of any impacts of gentrification on the neighborhood in this area or other areas? Explain
- 11. What's your fear if gentrification happens?

12. Do you think there could be opportunities that might result from gentrification or the development?

Concluding questions

- 13. What kinds of changes would you like to see in this community? (ex: community resources, schools, retail, green space, safety, access to healthy foods, access to health resources etc.)
- 14. What makes you proud of this community?
- 15. Is there anything else you would like to share regarding our discussion?

Subject matter expert interview – Manuel Pastor Wednesday August 26, 2015 12-1pm 950 W. Jefferson Blvd., JEF 102, Los Angeles, CA 90089

Intro - Explain Reef project and research project

- Mention focus groups and interviews being conducted in Spanish (he suggested this for USC HIA)
- Mention interviews with local business owners and focus on investment in local economy
- Will not be specifically studying economic impacts due to limited time and funds and need to streamline, but may be able to make some recs based on his thoughts on this topic

Neighborhood

- 1. What have been the socio-demographic and economic trends in south LA?
 - a. How have the demographics shifted? (African American to Latino communities other shifts?)
 - b. How has the economy shifted?
 - i. Manufacturing, small businesses
- 2. You work on Black-Latino relations, is there anything we can learn from that that would be relevant to south LA, given the changing demographics over time?
 - a. Anything on history of displacement, about immigration status, about disempowerment/empowerment, about structural and systemic discrimination?
- 3. Can you speak to social cohesion in south LA?

Gentrification and equity

- 4. In thinking about the planned Reef Project and its potential impacts on the current residents of south LA, what are the potential impacts on equity, the economy/jobs, housing, health, social connections, culture, etc... of this project?
 - a. How might these effects impact the community?
 - b. What are some ways to counter those negative impacts?
 - c. Any positive impacts that might happen?
- 5. What are the opportunities to achieve or enhance social justice through the response to this proposed development? What do developers and community leaders need to know?
- 6. What are some issues around gentrification, population, culture, economy, etc. that people don't understand or don't think to ask about that we should consider?
- 7. What are your thoughts on balancing the needs for people in a particular neighborhood with the needs of a region overall? How can the need for housing at a regional level be balanced with the potential for displacement at a neighborhood scale?

Concluding questions

- 8. What kinds of changes would you like to see in the South LA community? (excommunity resources, schools, retail, green space, safety, access to healthy foods, access to health resources etc.)
- 9. Is there anything else you would like to share regarding our discussion?

Subject matter expert interview - Pastor Epps

Intro Explain Reef project and research project

Background on his church

- 14. What did you do before you began your service at 2nd Baptist Church?
- 15. Can you tell me about your church? How long has it been in this neighborhood? What is the mission of this church?
- 16. Can you tell me about your congregants? Who comes to your church?
 - a. How many people?
 - b. Do they live in the neighborhood?
 - c. Age, race/ethnicity, gender, income? (Just describe them)
 - d. Have they changed over time?

Neighborhood context for the church

- 17. Do you live in the neighborhood? What was the reason you came to this church in this neighborhood?
- 18. What is your relationship with other churches and residents in the area?
 - a. What makes those relationships helpful?
 - b. What makes them challenging?
- 19. How does your church contribute to the neighborhood?
 - b. Any other ways you "give back to community"? (sponsorships/donations/informal support)

Changes over time and Displacement

- 20. If the cost of rent went up in this neighborhood, how would that affect your church and its congregants?
 - a. Would you ever move the church to a different neighborhood because of rising costs? What neighborhood would you move to and why?
 - d. How does the cost of rent or mortgage affect your church? (Examples your: paying your staff, supplies, utilities, etc.)
 - e. What would happen if the residents in the neighborhood started to change? How would that affect your church?
 - f. Where would current congregants be able to go to church if your church had to move?
- 21. Do you think you would stay connected with the residents and other churches you've gotten to know here?
- 22. As a church, what are your needs? Are those needs met in the neighborhood?

Concluding questions

- 23. What kinds of changes would you like to see in this neighborhood? (ex: community resources, schools, retail, green space, safety, access to healthy foods, access to health resources etc.)
- 24. What makes you proud to have this church in this neighborhood?
- 25. Is there anything else you would like to share regarding our discussion?

Appendix D. CDTech Small Business Needs and Opportunities Survey