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October 28, 2016

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**Case Nos.: CPC-2014-1771-GPA-VZC-SN-VCU-MCUP-ZV-1A; CPC-2014-1772-DA; and
VTT-72914-2A**

Council File Nos.: 16-1058, 16-1058-S2, 16-1058-S3

Project Address: 1900 S. Broadway

Planning staff respectfully requests your consideration of the following technical modifications to the recommendation for Case Nos. CPC-2014-1771-GPA-VZC-SN-VCU-MCUP-ZV-1A and VTT-72914-2A. On August 11, 2016, the City Planning Commission considered Case No. CPC-2014-1771-GPA-VZC-SN-VCU-MCUP-ZV for the development of a mixed-use project including 1,444 residential dwelling 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. At that hearing, the City Planning Commission approved the proposed project, including the General Plan Amendment, Zone Change, Supplemental Use Sign District, Conditional Use for a Major Development Project, Master Conditional Use for the Sale of Alcoholic Beverages, a Master Conditional Use to allow Live Entertainment and Patron Dancing, Special Permission for the Reduction of Off-Street Parking, Variance to allow a Reduction of On-Site Trees, Variance to allow Alternative Bicycle Stall Siting, Site Plan Review, a Development Agreement, and Denied in Part and Granted in Part the Appeal of VTT-72914. The City Planning Commission further conditioned the project as follows:

- Require 5 percent of the total on-site rental units be set aside for Low Income Households;
- Increased the payment to the CD 9 Affordable Housing Trust Fund from 12 million to 15 million dollars;
- Prohibited digital signage on the towers and supergraphics;
- Limited Project Identity signage to one on the north residential tower and two on the existing Reef building;
- Removal of rooftop helipads as permitted by Code;
- Screening of rooftop equipment;
- To allow street vendors to sell goods on-site as permitted by Code;

- To provide a publically accessible area on-site for the use of the public for a community garden; and
- To show bike share locations on the site plan.

The following technical corrections are requested for your consideration to adequately reflect the project as approved by the City Planning Commission. This language is consistent with the actions by City Planning Commission on August 11, 2016. Please note that ~~strikeouts~~ represent language for removal and that which is underlined is to be added.

CPC-2014-1771-GPA-VZC-SN-VCU-MCUP-ZV; VTT-72914; and CPC-2014-1772-DA

(Q) QUALIFIED CONDITIONS OF APPROVAL, Condition No. Q-27 of CPC-2014-1771-GPA-VZC-SN-VCU-MCUP-ZV; Condition No. 28 of VTT-72914-1A; and Condition 1 of Exhibit D of CPC-2014-1772-DA

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.

Further, specifically during the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant), approved by the Department of City Planning, who shall be responsible for monitoring implementation of project design features and mitigation measures during construction activities consistent with the monitoring phase and frequency set forth in this MMP. The Construction Monitor shall also prepare documentation of the Applicant's compliance with the project design features and mitigation measures during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be included as part of the Applicant's Annual Compliance Report. The Construction Monitor shall be obligated to immediately report to the Enforcement Agency any non-compliance with the mitigation measures and project design features within two businesses days if the Applicant does not correct the non-compliance within a reasonable time of notification to the Applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

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.

(Q) QUALIFIED CONDITIONS OF APPROVAL, Condition No. Q-28 of CPC-2014-1771-GPA-VZC-SN-VCU-MCUP-ZV; Condition No. 29 of VTT-72914-1A; and Condition 2 of Exhibit D of CPC-2014-1772-DA

PDF-AQ-1. The Project will use Tier 3 off-road construction equipment. During plan check, the Project representative shall make available to the Lead Agency and the South Coast Air Quality Management District a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of construction activities for the Project. The inventory shall include the horsepower rating, engine production year, and certification of the specified Tier standard. A copy of each unit's certified tier specification, Best Available Control Technology documentation, and California Air Resources Board or Air Quality Management District operating permit shall be available on-site at the time of mobilization of each applicable unit of equipment, to allow the Construction Monitor to compare the on-site equipment with the inventory and certified Tier specification and operating permit.

Monitoring Phase: Construction
Enforcement Agency: ~~Department of Building and Safety~~ South Coast Air Quality Management District
Monitoring Agency: Department of City Planning; ~~Department of Building and Safety~~
Monitoring Frequency: Construction bid document verification and periodic field inspections during construction
Action Indicating Compliance: Construction bid document sign off; Compliance Certification report 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 City Planning; 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-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. During construction activities, the Contractor shall document the security measures and the documentation shall be made available to the Construction Monitor. 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;

- o Provide adequate lighting of parking structures, elevators, and lobbies to reduce areas of concealment;
- o 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;
- o Design public spaces to be easily patrolled and accessed by safety personnel;
- o Design entrances to, and exits from buildings, open spaces around buildings, and pedestrian walkways to be open and in view of surrounding sites; and
- o 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 Compliance: LAPD sign off on reviewed plans; issuance of building permits

PDF-UT-1. 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.

- o High Efficiency Toilets with flush volume of 1.0 gallons of water per flush
- o Kitchen Faucets with flow rate of 1.5 gallons per minute or less
- o High Efficiency Clothes Washers (Residential) – water factor of 4.0 or less.
- o Waterless Urinals
- o Showerheads with flow rate of 1.5 gallons per minute or less
- o Rotating Sprinkler Nozzles for Landscape Irrigation – 0.5 gallons per minute
- o Drought Tolerant Plants – 70% of total landscaping
- o High Efficiency Clothes Washers (Commercial) – water factor of 4.5 or less
- o Cooling Tower Conductivity Controllers or Cooling Tower pH Conductivity Controllers
- o Water-Saving Pool Filter
- o Leak Detection System for swimming pools and Jacuzzi
- o Drip/ Subsurface Irrigation (Micro-Irrigation)
- o Micro-Spray
- o Proper Hydro-zoning/ (groups plants with similar water requirements together)
- o Zoned Irrigation
- o Water Conserving turf (3,325 square feet of turf with 0.7 plant factor)

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

PDF-UT-2. 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 City Planning; Department of Building and Safety

Monitoring Agency: Department of City Planning; Department of Building and Safety

Monitoring Frequency: Once, prior to issuance of building permits

Action Indicating Compliance: Issuance of building permits

Sign District Finding “a”, Page F-16 of CPC-2014-1771-GPA-VZC-SN-VCU-MCUP-ZV

- Project Design Features PDF-AES-1 through PDF-AES-5 and Mitigation Measure ~~MM-AES-1~~ MM-AES-1 from the Environmental Impact Report are included as “Conditions” for the approval of all signs; and

CEQA Findings, Page F-90 of CPC-2014-1771-GPA-VZC-SN-VCU-MCUP-ZV; CEQA Findings, Page F-36 of CPC-2014-1772-DA; CEQA Findings, Page 85 of VTT-72914-1A

The City finds that Project Design Feature ~~PDF-TR-2~~ PDF-TR-1, 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.

Sign District Ordinance, Page iii

TABLES

Table 1-1	Vertical Sign Zones
Table 8-1	Maximum Individual Sign Area
Table 8-2	Permitted Refresh Rate For Digital Displays And Integral Digital Displays
Table 8-3	Permitted Hours Of Operation For Digital Displays And Integral Digital Displays

Sign District Ordinance, Pages 17-18

- 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.

Sincerely,



Sarah Molina Pearson
City Planner