

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
ENV-2006-6302-MND-REC1-1A	ENV-2006-6302-MND-REC1-1A	CD-14
PROJECT ADDRESS:		
850 S. Hill Street (840, 844, 846, 848, 850, 852, 856 S. Hill Street and 217, 219, 221, 223, 223 ½, 225 W. 9 th Street)		
APPLICANT/REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Applicant: Garth Erdossy, Maple Multi-Family Land CA, L.P. Representative: Alex Irvine, Craig Lawson & Co., LLC <input type="checkbox"/> New/Changed	(818) 564-4874 (323) 599-7699	alex@irvineassoc.com
APPELLANT/REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Appellant 1: Alex Hertzberg, Society for the Preservation of Downtown Los Angeles Representative: The Silverstein Law Firm, APC Appellant 2: Sheila Swanson, Eastern Columbia Homeowners Association Representative: Luna & Glushon	Appellant 1: (626) 449-4200 Appellant 2: (818) 907-8755	Appellant 1: dan@robertsilversteinlaw.com Appellant 2: rglushon@lunaglushon.com ; kkropp@lunaglushon.com
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Jenna Monterrosa	(213) 978-1377	Jenna.monterrosa@lacity.org
APPROVED PROJECT DESCRIPTION:		
<p>The modification of a previously approved project to allow the construction of a 27-story (approximately 320-feet above grade), mixed-use residential project with 305 dwelling units and 6,171 square-feet of ground floor commercial space with a total of 336 vehicular and 342 bicycle parking spaces. The modified project includes development of approximately 257,569 square feet of floor area with a proposed floor area ratio (FAR) of 7.45:1, based on a Transfer of Floor Area Rights ("TFAR") request.</p>		

COMMISSION ACTION(S) / ZONING ADMINISTRATOR ACTION(S): (CEA's PLEASE CONFIRM)

1. **Found**, based on the independent judgement of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in Mitigated Negative Declaration, No. ENV-2006-6302-MND adopted on January 31, 2007; and pursuant to CEQA Guidelines 15162 and 15164, as supported by the addendum dated April 22, 2016 (**ENV-2006-6302-MND-REC1**), no substantial revisions are required to the Mitigated Declaration; and no subsequent EIR or negative declaration is required for approval of the project.
2. **Denied** the appeals of the Director of Planning's Determination to approve the Transfer of Floor Area and Site Plan Review associated with the Proposed Project.
3. **Adopted** the attached Conditions of Approval as modified by staff and the technical modifications dated October 25, 2016.
4. **Adopted** the attached Findings.
5. **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 through the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
6. **Advised** the Applicant that, pursuant to 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.

ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION:

An appeal filed under California Public Resources Code Section 21151(c) of CEQA, from the determination of the Director of Planning finding that Mitigated Negative Declaration (MND), No. **ENV-2006-6302-MND** adopted January 31, 2007; and pursuant to CEQA Guidelines 15162 and 15164, as supported by the addendum dated April 22, 2016 (**ENV-2006-6302-MND-REC1**), no substantial revisions are required to the Mitigated Declaration; and no subsequent EIR or negative declaration is required for approval of the project to permit a Transfer of Floor Area of less than 50,000 square feet and Site Plan Review for the property located at 850 S. Hill Street (840, 844, 846, 848, 850, 852, 856 S. Hill Street and 217, 219, 221, 223, 223 ½, 225 W. 9th Street) within the Central City Community Plan.

FINAL ENTITLEMENTS NOT ADVANCING:

DIR-2015-2976-TDR-SPR-1A

ITEMS APPEALED:

ENV-2006-6302-MND-REC1

ATTACHMENTS:	REVISED:	ENVIRONMENTAL CLEARANCE:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination	<input type="checkbox"/>	<input type="checkbox"/> Categorical Exemption	<input type="checkbox"/>
<input type="checkbox"/> Findings of Fact	<input type="checkbox"/>	<input type="checkbox"/> Negative Declaration	<input type="checkbox"/>
<input type="checkbox"/> Staff Recommendation Report	<input type="checkbox"/>	<input checked="" type="checkbox"/> Mitigated Negative Declaration	<input type="checkbox"/>
<input type="checkbox"/> Conditions of Approval	<input type="checkbox"/>	<input type="checkbox"/> Environmental Impact Report	<input type="checkbox"/>
<input type="checkbox"/> Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Mitigation Monitoring Program	<input type="checkbox"/>
<input type="checkbox"/> Zone Change Map	<input type="checkbox"/>	<input type="checkbox"/> Other _____	<input type="checkbox"/>
<input type="checkbox"/> GPA Resolution	<input type="checkbox"/>		
<input type="checkbox"/> Land Use Map	<input type="checkbox"/>		
<input type="checkbox"/> Exhibit A - Site Plan	<input type="checkbox"/>		
<input type="checkbox"/> Mailing List	<input type="checkbox"/>		
<input type="checkbox"/> Land Use	<input type="checkbox"/>		
<input type="checkbox"/> Other _____	<input type="checkbox"/>		

NOTES / INSTRUCTION(S):**FISCAL IMPACT STATEMENT:** **Yes** **No**

*If determination states administrative costs are recovered through fees, indicate "Yes".

PLANNING COMMISSION: **City Planning Commission (CPC)** **Cultural Heritage Commission (CHC)** **Central Area Planning Commission** **East LA Area Planning Commission** **Harbor Area Planning Commission** **North Valley Area Planning Commission** **South LA Area Planning Commission** **South Valley Area Planning Commission** **West LA Area Planning Commission****PLANNING COMMISSION HEARING DATE:**

October 25, 2016

COMMISSION VOTE:

3 - 0

LAST DAY TO APPEAL:

N/A for Environmental Clearance

APPEALED:

November 29, 2016

TRANSMITTED BY:Jenna Monterrosa
Reviewed by R. Wiles**TRANSMITTAL DATE:**

December 20, 2016



CENTRAL AREA PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

****CORRECTED¹ LETTER OF DETERMINATION****

MAILING DATE: DEC 20 2016

CASE: DIR-2015-2976-TDR-SPR-1A
CEQA: ENV-2006-6302-MND-REC-1
Plan Area: Central City

Council District: 14 – Huizar

PROJECT SITE: 850 SOUTH HILL STREET
(840, 844, 846, 848, 850, 852, 856 SOUTH HILL STREET;
217, 219, 221, 223, 223 ½, 225 WEST 9TH STREET)

Applicant: Garth Erdossy, Maple Multi-Family Land CA, L.P.
Representative: Alex Irvine, Craig Lawson & Co., LLC

Appellants: Alex Hertzberg, Society for the Preservation of Downtown Los Angeles
Sheila Swanson, Eastern Columbia Homeowners Association

At its meeting of **October 25, 2016**, the **Central Area Planning Commission** took the following actions related to the following project:

The modification of a previously approved project to allow the construction of a 27-story (approximately 320-feet above grade), mixed-use residential project with 305 dwelling units and 6,171 square-feet of ground floor commercial space with a total of 336 vehicular and 342 bicycle parking spaces. The modified project includes development of approximately 257,569 square-foot of floor area with a proposed floor area ratio (FAR) of 7.45:1, based on a Transfer of Floor Area Rights (“TFAR”) request.

1. **FIND**, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in Mitigated Negative Declaration, No. **ENV-2006-6302-MND** adopted on ****January 31, 2007**; and pursuant to CEQA Guidelines 15162 and 15164, as supported by the addendum dated April 22, 2016, no substantial revisions are required to the Mitigated Declaration; and no subsequent EIR or negative declaration is required for approval of the project.
2. **DENY** the appeals of the Director of Planning’s Determination to approve the Transfer of Floor Area and Site Plan Review associated with the proposed project.
3. **SUSTAIN** the decision of the Director of Planning.
4. **ADOPT** the attached Conditions of Approval as modified by staff and the technical modifications dated October 25, 2016.
5. **ADOPT** the attached Findings.

¹ The above-referenced technical correction is not discretionary, therefore, issuance of this corrected letter of determination does not re-open, extend, or require a new appeal period.

Central Area Planning Commission
Corrected Determination Letter
DIR-2015-2976-TDR-SPR-1A

6. **ADVISE** the applicant that, pursuant to the State Fish and Wildlife Code Section 711.4, a Fish and Wildlife 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.

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: Delgado
Seconded: Chung Kim
Ayes: Oh
Absent: Chermirinsky

Vote: 3 - 0

This action is not further appealable and is effective upon the mailing of this notice .



Renee Glasco, Commission Executive Assistant I
Central Area Planning Commission

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

Attachments: Findings, Conditions of Approval

c: Notification List
Jenna Monterrosa
Nicholas Hendricks

MODIFIED CONDITIONS OF APPROVAL

A. ENTITLEMENT CONDITIONS

The approval is subject to the following terms and conditions:

1. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan and elevations labeled Exhibit "A" included in the subject case file. Minor deviations which result in a total floor area that is less than 257,569 square feet may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
2. **Use.** The project shall be limited to a mixed-use building with up to 305 residential units and up to 6,171 square feet of commercial floor area.
3. **Floor Area.** Development on the subject property shall be limited to a 7.45:1 Floor Area Ratio (FAR), or a total floor area of up to 257,569 square feet. No deviations which result in more than 257,569 square feet of development shall be permitted.
4. **Height.** The building height shall not exceed 320 feet, which shall be measured according to the Los Angeles Municipal Code. Any structures on the roof, such as air conditioning units and other equipment shall be fully screened from view of any abutting properties.
5. **Parking.** On-site parking shall be provided in compliance with the commercial and residential parking requirements of the LAMC.
6. **Bicycle Parking.** On-site bicycle parking shall be provided in compliance with the commercial and residential parking requirements of the LAMC.
7. **Landscaping.** All open areas not used for buildings, driveways, parking areas, recreational facilities, or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect.
8. **On-Site Trees.**
 - a. Based on 305 proposed dwelling units, the project shall provide 76 on-site trees, pursuant to Section 12.21-G.2(a)(3) of the Los Angeles Municipal Code, or one (1) 24" box tree per every four (4) units, whichever is greater.
 - b. In the event that the 76 trees cannot be accommodated on the project site, the applicant shall make arrangements with City Plants to have the trees planted off-site. The first priority for the location of off-site plantings shall be within the Central City Community Plan Area. If trees cannot be planted within the Central City Community Plan Area, the location shall be determined by City Plants.
 - c. The applicant shall provide funds to City Plants equivalent to those necessary for the trees, concrete cut, planting, and five years of watering and maintenance for each tree. An agreement with City Plants demonstrating compliance with this condition shall be furnished at the time of Building Permit Clearance. Contact City Plants, at (213) 473-9950 to execute the agreement.

- d. In the event that the number of residential units is reduced, the minimum number of 76 trees to be planted on-site shall not be reduced. However, the number of trees to be planted off-site shall be recalculated per LAMC requirements.
9. **Exterior Lighting.** Exterior lighting for the building shall comply with Downtown Design Guide Section 8.F.
 - a. **Outdoor lighting shall be designed and installed with shielding, such that the light source does not illuminate any adjacent properties, the public right-of-way, or the above night skies.**
 10. **Maintenance.** The subject property (including any trash storage areas, associated parking facilities, sidewalks, driveways, yard areas, parkways, and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.
 11. **Public Benefit Payment.** The Project is subject to and shall pay a Public Benefit Payment in conformance with Section 14.5.9 of the Los Angeles Municipal Code (LAMC). Based on the appraised value of \$19,000,000.00, the applicant shall provide a Public Benefit Payment in the amount of \$1,830,671.10. Consistent with the TFAR Ordinance, at least 50 percent of the Public Benefit Payment shall consist of a cash payment by the applicant to the Public Benefit Payment Trust Fund and up to 50 percent (or \$915,335.55) of the Public Benefit Payment may be paid as a Direct Provision of Public Benefits.
 - a. The Applicant shall pay the required Public Benefit Payment, less the cost of the Direct Provision of Public Benefits, in cash to the Public Benefit Trust Fund, pursuant to the terms of Transfer of Floor Area Rights Ordinance No. 181,574, Article 4.5 of the LAMC. The Public Benefit Payment proof of cash payment and direct provision of public benefits is required upon the earliest occurrence of either:
 - i. The issuance of the building permit for the Project; or
 - ii. Twenty-four months after the final approval of the Transfer and expiration of any appeals or appeal period should the Applicant not make the required payments within the specified time the subject approval shall expire, unless extended by the Director of Planning in writing.
 - b. The Public Benefit Payment shall be pro-rated to the amount of TFAR being acquired in the event that maximum amount of TFAR approved is not required. During clearance, the final appraised value may be subject to verification prior to payment of the Public Benefit Payment.
 12. **Prior to the issuance of a building permit, the designs for the proposed new building adjacent to historical resources shall be reviewed, commented on and approved for conformance with Secretary's Standards. Design review shall be performed by a preservation architect meeting the Secretary of the Interior's Professional Qualifications Standards in historic architecture and in consultation with the Department of City Planning's Office of Historic Resources and Expedited Processing Section. The preservation architect shall be an impartial third party, different than any preservation architect who may have reviewed the project previously, chosen by the Department of City Planning, and paid for by the Applicant. Any recommended modifications to the project design shall be in substantial conformance to the approved architectural plans analyzed in the Addendum to the adopted MND and**

attached to this approval as Exhibit A, and shall be administratively reviewed and accepted by the Department of City Planning prior to issuance of a building permit for the new building.

Recommended modifications shall be incorporated in the design prior to issuance of building permits for the new building.

- a. The qualified preservation architect shall hold a valid license to practice architecture in the State of California and have a minimum of 10 years specific experience rehabilitating historic buildings and applying the Secretary's Standards to such projects. In consultation with the Department of City Planning's Office of Historic Resources and Expedited Processing Section, the qualified preservation architect will assess design of the proposed new building for its compatibility in mass, materials, relationship of solids to voids, scale and color with immediately adjacent identified historical resources and with the character of its surroundings. "The relationship of buildings to each other, setbacks... views, driveways and walkways and street trees together create the character of a district or neighborhood." Without imitating the features of historic buildings, the design for adjacent contemporary buildings should: use similar or complimentary materials, repeat and/or respect the heights of floors, rhythms and depths of bays, use compatible window/door openings and types, and correspond to roof heights and shapes, all of which will help maintain the existing character of the area. A letter summarizing the qualified preservation architect's findings shall be submitted to the Department of City Planning's Office of Historic Resources and Expedited Processing Section to establish the proposed project's conformance with the Secretary's Standards and compatibility with historical resources prior to issuance of any building permit for the proposed project.
 - b. Any approved design edits shall be stamped and included in the subject case file and serve as a supplemental to the herein approved Exhibit "A." In no case may the design edits result in a building containing more than 257,569 square feet of development.
13. **Downtown Design Guidelines.** The proposed project as depicted in Exhibit "A" shall comply with the following Downtown Design Standards:
- a. Sidewalks and Setbacks.
 - i. A building may project over the required sidewalk easement above a height of 40' and below a depth of 5' to accommodate street trees. Projections, which are permitted in the public ROW by the Municipal Code, such as signs, canopies and awnings, are permitted over the required easement, subject to the same approvals.
 - b. Ground Floor Treatment.
 - i. The project shall provide ground floor retail space to a depth of at least 25 feet from the façade and include an average 14'-0" floor-to-ceiling height.
 - ii. The primary entrance to each street level tenant space that has its frontage along a public street shall be provided from that street.

- iii. One building entrance shall be located on Hill Street. Such entrance shall provide access to the building's main lobby and shall be kept unlocked during business hours.
 - iv. Wall openings on the ground floor, including storefront windows and doors, shall comprise at least 75 percent of a building's street level façade along Hill and 9th Streets.
 - v. The project shall provide clear glass for all wall openings along Hill and 9th Streets. Dark tinted, reflective, or opaque glazing is not permitted for any required wall opening along both street level facades.
 - vi. Ground-floor window and door glazing shall be transparent and non-reflective.
 - vii. The project's electrical transformers, mechanical equipment, and other equipment shall not be located along the project's ground floor along Hill or 9th Streets.
- c. Parking and Access.
- i. No more than the minimum Municipal Code required parking shall be provided on-site, unless provided for public use.
 - ii. Except for the ground level frontage required for access, no parking or loading shall be visible on the ground floor of any building façade that faces Hill or 9th Streets.
 - iii. Parking, loading, or circulation located above the ground floor shall be integrated into the design of the building façade.
 - iv. Drop-off activities for residential and commercial uses shall be provided within the off-street parking facilities using the parking access.
 - v. Parking and loading access shall be located a minimum of 25 feet from a primary building entrance, pedestrian paseo, or public outdoor gathering area.
 - vi. Where a vehicular exit from a parking structure is located within 5 feet of the back of sidewalk, a visual/audible alarm shall be installed to warn pedestrians and cyclists of exiting vehicles.
 - vii. **The Proposed Project's parking podium's southern and eastern facing façades shall be completely enclosed and feature a green wall. The podium of the proposed project, as it wraps the Eastern Columbia Building's utility yard, shall be completely enclosed and include a green wall.**
 - viii. **Mirrors shall be installed mirrors at the Project's garage entrances for pedestrian safety.**
- d. Massing and Street Wall.

- i. The project shall maintain an identifiable break between the building’s ground floor commercial uses, podium parking levels, and the residential floors. This break may consist of a change in material, change in fenestration, or similar means.

e. On-Site Open Space.

- i. The project shall provide a total combined public and private open space as shown on the following table:

<u>Require Open Space</u>	<u>S.F. per Unit</u>	<u>Proposed Units</u>	<u>Square feet</u>
< 3 Habitable rooms	100	242	24,200
= 3 Habitable rooms	125	60	7,500
> 3 Habitable rooms	175	<u>3</u>	<u>525</u>
Total Required		3058	32,225

- ii. In the event that the number of dwelling units is reduced, the amount of open space and trees would be revised accordingly to meet the requirements of the Los Angeles Municipal Code.
- iii. At least 50 percent of the trees on-site are canopy trees that shade open spaces, sidewalks, and buildings.

f. Architectural Detail.

- i. The project shall provide well-marked entrances to cue access and use.
- ii. Main building entrances should read differently from retail storefronts, restaurants, and commercial entrances.
- iii. Different architectural treatment on the ground floor façade than on the upper floors shall be required and feature high quality materials that add scale, texture and variety at the pedestrian level.
- iv. Exterior lighting shall be shielded to reduce glare and eliminate light being cast into the night sky.

g. Streetscape Improvements.

- i. Street trees shall be spaced not more than an average of 25 feet on center and shall comply with Downtown Design Guide Section 9.F, to the satisfaction of the Bureau of Street Services, Urban Forestry Division. At least 50 percent of the provided trees shall be canopy trees in conformance with Downtown Design Guide Section 7.
- ii. The developer shall install street lights to the satisfaction of the Bureau of Street Lighting.
- iii. The applicant shall execute a Maintenance Agreement with the City by which the developer or Lead Public Agency agrees to maintain the streetscape improvements and accepts liability for them.

14. **On-Site Landscape Conditions.** The project shall comply with the Landscape Plan in Exhibit "A" as follows:
- a. Amenity decks on the 7th and 27th floors shall include attractively landscaped passive outdoor areas; including but not limited to lounge areas, communal tables, fire pits, a dog lawn and washing station, and pool and spa areas that enhance the outdoor experience of the development.
 - b. All planters containing trees shall be constructed at a minimum depth of 48 inches.
 - c. All rooftop equipment and appurtenances shall be screened from public view using landscaping or shall be architecturally integrated into the design of the building.

B. Environmental Conditions

15. **Aesthetics.** The Applicant shall ensure, through appropriate postings and daily visual inspections, that no graffiti and unauthorized materials are posted on any temporary construction barriers, pedestrian walkways, or other structures, and that any such temporary barriers and walkways shall be maintained in a visually attractive manner throughout the construction period.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction; Construction

Monitoring Frequency: Once, at plan check for Project, then ongoing during construction

Action Indicating Compliance: Issuance of Certificate of Occupancy of Use of Land (Construction)

16. **Air Quality.**
- a. Water or a stabilizing agent shall be applied to exposed surfaces in sufficient quantity to prevent generation of dust plumes.
 - b. Track-out shall not extend 25 feet or more from an active operation, and track-out shall be removed at the conclusion of each workday.
 - c. A wheel washing system shall be installed and used to remove bulk material from tires and vehicle undercarriages before vehicles exit the project site.
 - d. All haul trucks hauling soil, sand, and other loose materials shall maintain at least six inches of freeboard in accordance with California Vehicle Code Section 23114.
 - e. All haul trucks hauling soil, sand, and other loose materials shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).
 - f. Traffic speeds on unpaved roads shall be limited to 15 miles per hour.
 - g. Operations on unpaved surfaces shall be suspended when winds exceed 25 miles per hour.
 - h. Heavy-equipment operations shall be suspended during first and second stage smog alerts.

Enforcement Agency: SCAQMD; Los Angeles Department of Building and

Safety**Monitoring Agency: Los Angeles Department of Building and Safety****Monitoring Period: Preconstruction and construction****Monitoring Frequency: Periodic field inspections during construction****Action Indicating Compliance: Field inspection sign-off; Compliance certification report by project contractor**

17. **Biological Resources.** The proposed landscaping plan shall meet all the general goals of the Landscaping Ordinance, including a tree planning scheme that will provide sufficient shade to reduce heat attenuation around buildings. Drip irrigation will be used wherever appropriate, and highly durable, drought tolerant species will be used to the maximum extent feasible.

Enforcement Agency: Los Angeles Department of City Planning (plan review); Los Angeles Department of Building and Safety (operation)**Monitoring Agency: Los Angeles Department of City Planning (plan review); Los Angeles Department of Building and Safety (operation and maintenance)****Monitoring Phase: Pre-construction; Construction****Monitoring Frequency: Once, at plan check for Project; Once, during field inspection****Action Indicating Compliance: Plan approval and issuance of applicable building permit (Preconstruction); Issuance of Certificate of Occupancy of Use of Land (Construction)**

18. **Cultural Resources.**

- a. Prior to commencement of construction of the new building, a qualified structural engineer shall survey the existing foundations and other structural aspects of immediately adjacent historic buildings and provide a shoring design to protect the Eastern Columbia and May Company buildings from potential damage. Pot holing or other destructive testing of the below grade conditions on the project site and immediately adjacent historic buildings may be necessary to establish baseline conditions and prepare the shoring design. If feasible, project, and in particular shoring, design shall avoid pile driving within 25 feet of the existing immediately adjacent historic buildings. The shoring design shall specify threshold limits for vibration causing activities consistent with the ATS report.
- b. The qualified structural engineer shall hold a valid license to practice structural engineering in the State of California and have a minimum of 10 years specific experience rehabilitating historic buildings and applying the Secretary's Standards to such projects. The qualified structural engineer shall submit a pre-construction survey letter establishing baseline conditions to be monitored during construction to the lead agency and to the mitigation monitor prior to issuance of any foundation only or building permit for the proposed project.
- c. The qualified structural engineer shall monitor vibration during the pile driving or other vibration-causing construction activities to ensure that the impact threshold established in the ATS report and shoring design is not exceeded. If feasible, alternative means of setting piles such as predrilled holes or hydraulic pile driving shall be employed to avoid exceeding the impact threshold established in the ATS report.
- d. At the conclusion of vibration causing activities, the qualified structural engineer shall issue a follow-on letter describing damage, if any, to immediately adjacent

historic buildings and recommendations for any repair, as may be necessary, in conformance with the Secretary's Standards. Repairs to immediately adjacent historic buildings shall be undertaken, or performance bonds securing the same, and completed in conformance with all applicable codes including the California Historical Building Code (Part 8 of Title 24) prior to issuance of any temporary or permanent certificate of occupancy for the new building.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once, prior to issuance of building permit, then ongoing during construction

Action Indicating Compliance: Issuance of Certificate of Occupancy or Land Use Permit

- e. To ensure compatibility, designs for the proposed new building adjacent to historical resources shall be reviewed, commented on and approved for conformance with Secretary's Standards by a preservation architect meeting the Secretary of the Interior's Professional Qualifications Standards in historic architecture. Modifications recommended by the preservation architect shall be incorporated in the design prior to issuance of building permits for the new building adjacent to historical resources.
- f. The qualified preservation architect shall hold a valid license to practice architecture in the State of California and have a minimum of 10 years specific experience rehabilitating historic buildings and applying the Secretary's Standards to such projects. The qualified preservation architect will assess design of the proposed new building for its compatibility in mass, materials, relationship of solids to voids, scale and color with immediately adjacent identified historical resources and with the character of its surroundings. "The relationship of buildings to each other, setbacks... views, driveways and walkways and street trees together create the character of a district or neighborhood." Without imitating the features of historic buildings, the design for adjacent contemporary buildings should: use similar or complimentary materials, repeat and/or respect the heights of floors, rhythms and depths of bays, use compatible window/door openings and types, and correspond to roof heights and shapes, all of which will help maintain the existing character of the area. A letter summarizing the qualified preservation architect's findings shall be submitted to the lead agency to establish the proposed project's conformance with the Secretary's Standards and compatibility with historical resources prior to issuance of any building permit for the proposed project.

Enforcement Agency: Los Angeles Department of City Planning

Monitoring Agency: Los Angeles Department of City Planning

Monitoring Phase: Pre-Construction, prior to issuance of a building permit

Monitoring Frequency: Once, prior to issuance of building permit

Action Indicating Compliance: Issuance of building permit

- g. During excavation and grading, if archaeological resources are uncovered, all work in that area shall cease and be diverted so as to allow for a determination of the value of the resource. Construction activities in that area may commence once the uncovered resources are collected by an archaeologist and properly processed.

- Any archaeological remains and/or reports and surveys shall be submitted to the South Central Coastal Information Center, California State University, Fullerton.
- h. The Applicant shall sign a covenant and agreement with the City to allow suspension of construction activities for the recovery or recordation of all archaeological resources prior to the issuance of a building permit.
 - i. During excavation and grading, if paleontological resources are uncovered, all work in that area shall cease and be diverted so as to allow for a determination of the value of the resource. Construction activities in that area may commence once the uncovered resources are collected by a paleontologist and properly processed. Any paleontological remains and/or reports and surveys shall be submitted to the Los Angeles County Natural History Museum.
 - j. The Applicant shall sign a covenant and agreement with the City to allow the suspension of construction activities for the recovery or recordation of all paleontological resources prior to the issuance of a building permit.
 - k. If human remains are discovered within either development parcel, work at the specific construction site shall be suspended, and the City Department of Building and Safety and County Coroner shall be notified. If the remains are determined by the County Coroner to be Native American, the Native American Heritage Commission (HAHC) shall be notified within 24 hours and the guidelines of the NAHC shall be implemented in the treatment and disposition of the remains.
 - l. The Applicant shall sign a covenant and agreement with the City to allow suspension of construction activities for the recovery of all human remains prior to the issuance of a building permit.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once, prior to issuance of building permit, then ongoing during construction

Action Indicating Compliance: Issuance of Certificate of Occupancy or Land Use Permit

19. **Geology and Soils.**

- a. Unless otherwise so specified by the City of Los Angeles, the proposed project shall demonstrate compliance with specific recommendations of the geotechnical engineering report prepared by Geocon West, Inc., dated January 5, 2016, and contained herein as Appendix B, to the satisfaction of the City of Los Angeles Department of Building and Safety, as conditions to issuance of any grading and building permits.
- b. The project shall conform to applicable criteria set forth in the Recommended Lateral Force Requirements and Commentary by the Structural Engineers Association of California.
- c. Seismic design for structures and foundations shall comply with the parameters outlined in the 2013 California Building Code as designated for site-specific soil conditions.
- d. The project shall be designed to conform to the City of Los Angeles Seismic Safety Plan, and additional seismic safety requirements not encompassed by compliance with the Building Code and Grading Ordinance as may be identified by the Department of Building and Safety prior to Plan Check approval.

- e. The structural design of the project shall comply with the seismic standards of the California Building Code according to the seismic zone and construction type (S_c based on Table 16-J of the UBC).
- f. During inclement periods of the year, when rain is threatening (between October 1 and April 15 per Chapter IX, Division 70 of the Los Angeles Municipal Code) an erosion control plan that identifies BMPs shall be implemented to the satisfaction of the City of Los Angeles Department of Building and Safety to minimize potential erosion during construction. The erosion control plan shall be a condition to issuance of any grading permit.
- g. To the extent feasible, grading shall be scheduled for completion prior to the start of the rainy season (between October 1 and April 15 per Chapter IX, Division 70 of the Los Angeles Municipal Code) or detailed temporary erosion control plans shall be implemented in a manner satisfactory to the City of Los Angeles Department of Public Works.
- h. Appropriate erosion control and drainage devices shall be incorporated to the satisfaction of the Department of Building and Safety. Such measures include interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, as well as planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These will shield and bind the soil.
- i. If temporary excavation slopes are to be maintained during the rainy season, it will be necessary to direct all drainage away from the top of the slope. No water shall be allowed to flow uncontrolled over the face of any temporary or permanent slope.
- j. Provisions shall be made for adequate surface drainage away from the areas of excavation as well as protection of excavated areas from flooding. The grading contractor shall control surface water and the transportation of silt and sediment.
- k. The project shall comply with the following Department of Building and Safety requirements (if not already covered by 23), prior to issuance of a grading permit for the project.
 - i. Prior to the issuance of a grading permit by the Department of Building and Safety, the consulting geologist and soils engineer shall review and approve project grading plans. This approval shall be conferred by signature on the plans which clearly indicate the geologist and/or soils engineer have reviewed the plans prepared by the design engineer and that the plans include the recommendations contained in the report.
 - ii. Prior to the commencement of grading activities, a qualified geotechnical engineer and engineering geologist shall be employed for the purpose of observing earthwork procedures and testing fills for conformance to the recommendations of the City Engineer, approved grading plans, applicable grading codes, and the geotechnical report approved to the satisfaction of the Department of Building and Safety.
 - iii. During construction, Grading shall be observed, and reported by the project engineer. Grading shall be performed under the supervision of a licensed engineering geologist and/or soils engineer in accordance with applicable provisions of the Building Code and to the satisfaction of the City Engineer and the Superintendent of Building and Safety.
 - iv. Any recommendations prepared by the consulting geologist and/or soils engineer for correction of geologic hazards, if any, encountered during

grading shall be submitted to the Department of Building and Safety for approval prior to issuance of a Certificate of Occupancy for the project.

- v. Grading and excavation activities shall be undertaken in compliance with all relevant requirements of the California Division of Industrial safety, the Occupational Safety and Health Act of 1970 and the Construction Safety Act.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during construction

Action Indicating Compliance: Issuance of Certificate of Occupancy or Land Use Permit

20. Hazards and Hazardous Materials.

- a. Sub-slab Vent System. A series of perforated vent lines and an associated 2-inch thick gravel blanket must be installed beneath the floor slab of the proposed structure. The perforated vent lines must be connected to solid vent piping that extends through the walls or pipe chases of the building to outlets above the roof line. A permanent dewatering system must be installed if the design high groundwater level for the project is not at least one foot below the lowest vent piping elevation. Groundwater was not encountered during the current site investigation to the maximum depth explored (i.e., 40 feet). The project soils engineer should identify the design groundwater elevation in accordance with LADBS criteria.
- b. Impervious Membrane. A continuous gas membrane is required below the floor slab of the building. This membrane must be sealed against footing, pilings and utilities to form a gas-tight barrier beneath the building.
- c. Utility Trench Dams. A section of impervious backfill consisting of compacted native soil or sand/cement slurry must be installed in utility trenches that extend beneath the perimeter of the building in order to prevent gas from migrating through sand or backfill.
- d. Conduit Seals. Gas tight seals must be installed on all conduits (e.g., electrical, cable, T.V., telephone, etc.) that extend to the interior of the structure. The purpose of these seals is to prevent methane gas from entering the subsurface cracks or discontinuities in the conduits and subsequently migrating to the interior of the building.
- e. The Applicant shall develop and implement an Emergency Procedures Plan, which includes notification to the City of Los Angeles EOO, the Central Division of the Los Angeles Police Department, Los Angeles Fire Department Central Division Headquarters, and Fire Station No. 10 (first call station) of any full or partial lane closures, movement of heavy construction equipment, construction within the 9th Street or Hill Street right-of-ways, or any use of the adjacent right-of-ways.
- f. The Emergency Procedures Plan shall specify a process by which any activities in the adjacent right-of-ways shall be coordinated with the emergency requirements of the EOO and the Police and Fire Departments.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-Construction and Construction

Monitoring Frequency: Ongoing during construction
Action Indicating Compliance: Issuance of Certificate of Occupancy or Land Use Permit

21. Hydrology and Water Quality

- a. The project shall comply with the requirements of the NPDES permit for stormwater discharge and with all applicable requirements of the RWQCB, USEPA and local agencies regarding water quality.
- b. The project shall implement stormwater BMPs to retain or treat the runoff from a storm event producing 0.75 inch of rainfall in a 24-hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard shall be provided.
- c. All storm drain inlets and catch basins within the project area shall be stenciled with prohibitive language (such as "NO DUMPING-DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping.
- d. The legibility of signs and stencils discouraging illegal dumping shall be maintained.
- e. Materials used on site with the potential to contaminate stormwater shall be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- f. The Applicant shall prepare and execute a covenant and agreement (Department of City Planning General form (CP-6770)) satisfactory to the Department of City Planning binding the owners to post-construction maintenance of all structural BMPs in accordance with the SUSMP.

Enforcement Agency: Los Angeles Department of Building and Safety
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Pre-Construction and Construction
Monitoring Frequency: Ongoing during construction
Action Indicating Compliance: Issuance of Certificate of Occupancy or Land Use Permit

22. Land Use Planning.

- a. Prior to the issuance of the Modified Project's building permits, the Modified Project shall demonstrate to the satisfaction of the Planning Department consistency with the goals and objectives of the City of Los Angeles General Plan, the Central City Community Plan and the requirements of the City of Los Angeles Zoning and Municipal Codes.
- b. Prior to issuance of the Modified Project's building permits, the Modified Project shall demonstrate that it fully meets the requirements of the Community Redevelopment Agency as needed to assure consistency with the goals and objectives City Center Redevelopment Plan.

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

Monitoring Phase: Pre-construction
Monitoring Frequency: Once, at plan check
Action Indicating Compliance: Issuance of building permit

23. **Noise**

- a. Construction contracts shall specify that all construction equipment shall be equipped with mufflers and other suitable noise attenuation devices.
- b. Grading and construction contractors shall use quieter equipment as opposed to noisier equipment (such as rubber-tired equipment rather than track equipment).
- c. Equipment staging areas shall be located on the western portion of the project site as far as possible from the Eastern Columbia residential tower to the east.
- d. Construction activity involving structural framing and the application of the exterior skin shall be limited to the hours of 8:00 a.m. to 6:00 p.m.
- e. During construction activity, the applicant shall periodically conduct 24-hour noise monitoring within Eastern Columbia residential tower dwelling units facing the project site or along the western façade of the Eastern Columbia residential tower. Additional mitigation shall be implemented for residential units if exterior noise levels exceed 71 dBA CNEL or interior noise levels exceed 45 dBA CNEL. These mitigation measures may include, but are not limited to, installation of temporary vertical sheeting at sensitive points to provide greater noise attenuation and further limitations to the construction schedule.
- f. All residential units located within 500 feet of the construction site shall be sent a notice regarding the construction schedule of the proposed project. A sign, legible at a distance of 50 feet shall also be posted at the construction site. All notices and the signs shall indicate the dates and duration of construction activities, as well as provide a telephone number where residents can inquire about the construction process and register complaints.
- g. A "noise disturbance coordinator" shall be established. The disturbance coordinator shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and would be required to implement reasonable measures such that the complaint is resolved. All notices that are sent to residential units within 500 feet of the construction site and all signs posted at the construction site shall list the telephone number for the disturbance coordinator.

Enforcement Agency: Los Angeles Department of Building and Safety
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Construction
Monitoring Frequency: Ongoing during field inspection
Action Indicating Compliance: Issuance of Certificate of Occupancy or Use of Land

24. **Public Services.**

- a. Project building plans shall include the submittal of a plot plan for approval by the Los Angeles Fire Department either prior to the recordation of the final map or the approval of a building permit. All structures shall be within 300 feet of an approved fire hydrant.

- b. The Applicant shall consult with the Fire Department and incorporate fire prevention and suppression features appropriate to the design of the project.
- c. Definitive plans and specifications shall be submitted to the Fire Department and requirements for necessary permits satisfied prior to commencement of any portion of the project.
- d. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- e. Plot plans indicating access driveways and roads and turning areas shall be reviewed and approved by the Fire Department, prior to the issuance of a building permit.
- f. During the construction phase, emergency access shall remain clear and unobstructed.
- g. The proposed project shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles (C.P.C. 19708).
- h. All access roads, including fire lanes, shall be maintained in an unobstructed manner, removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code.
- i. Where fire apparatus will be driven onto the road level surface of the subterranean parking structure, that structure shall be engineered to withstand a bearing pressure of 8,600 pounds per square foot, unless otherwise approved.
- j. The project shall comply with all applicable State and local Codes and Ordinances found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles.
- k. During the project's construction phase, the Applicant shall ensure adequate through access and emergency access to adjacent uses.
- l. The Applicant shall consult with the Police Department and comply with recommended security features for the construction site(s), including security fencing, locked entrances, lighting, and the use of a 7-day, 24-hour security patrol.
- m. Upon completion of the project, the Applicant shall provide the Central Division Commanding Officer of the LAPD with a diagram of each portion of the property including access routes and other information that might facilitate police response, as requested by the LAPD.
- n. The applicant shall provide project plans to the LAPD Crime Prevention Unit, to determine any additional crime prevention and security features appropriate to the design of the project. Any additional design features identified by the LAPD Crime Prevention Unit shall be incorporated into the project's final design and to the satisfaction of LAPD, prior to issuance of a Certificate of Occupancy for the project.
- o. The project shall incorporate design guidelines relative to security, semi-public and private spaces, which may include, but not be limited to, access control to buildings, secured parking facilities, walls/fences with key systems, well illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas and provision of security guard patrol throughout the

project site if needed. The applicant is referred to Design Out Crime Guidelines: Crime Prevention Through Environmental Design (CPTED) published by the Los Angeles Police Department's Crime Prevention Section located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000). The CPTED operates on three key concepts:

- i. Natural surveillance: The placement of physical features, activities, and people in a way that maximizes visibility.
 - ii. Natural access control: Restricting or encouraging people to come into a space through the placement of entrances, exits, fencing, landscaping, and lighting.
 - iii. Territorial reinforcement: The use of physical attributes to define ownership and separate public and private space.
- p. The Applicant shall pay fees related to capital acquisitions and improvements in effect at the time of building permit issuance in accordance with California Government Code Section 65995.
 - q. The project Applicant shall carry out one or more of the following: (1) dedicate additional parkland such that the project would provide a total of three acres per 1,000 project residents; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) provide onsite improvements equivalent in value to said in-lieu fees.
 - r. The applicant shall pay per capita mitigation fees in accordance with the requirements of the Los Angeles Department of Public Libraries.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-Construction

Monitoring Frequency: Once, at plan check

Action Indicating Compliance: Issuance of building permits

25. Utilities and Service Systems.

- a. The Applicant shall comply with City ordinances limiting connections to the City sewer system, in accordance with City Bureau of Sanitation procedures.
- b. The Applicant shall install low-flow water fixtures and further encourage reduction of water consumption to minimize wastewater flow to the sewer system, in accordance with City water conservation requirements.
- c. Any required connections or mains shall be designed by a registered civil engineer and approved by the Los Angeles Department of Public Works, Bureau of Engineering. Any construction within the public right-of-way shall be approved by the Los Angeles Department of Transportation.
- d. Prior to the issuance of a building permit, the applicant shall consult with LADWP to identify feasible and reasonable measures that reduce water consumption per City adopted California Building Code requirements.
- e. The project shall incorporate Phase I of the City of Los Angeles Emergency Water Conservation Plan.
- f. The project shall comply with any additional mandatory water use restrictions imposed as a result of drought conditions.

- g. Automatic sprinkler systems shall be installed to irrigate landscaping during morning hours or during the evening to reduce water losses from evaporation. Sprinklers shall be reset to water less often in cooler months and during the rainfall season, so that water is not wasted in excessive landscape irrigation.
- h. Prior to issuance of building permits, the Applicant shall pay any appropriate fees imposed by the Department of Building and Safety. A percentage of building permit fees is contributed to the fire hydrant fund, which provides for citywide fire protection improvements.
- i. The Applicant shall implement a demolition and construction debris recycling plan, with the explicit intent of requiring recycling during all phases of site preparation and building construction.
- j. In order to reduce the deposition of construction materials at solid waste landfills serving the City of Los Angeles, the grading contractor shall identify suitable private sites that accept all fill and earth materials for re-use. Sites in the City currently accepting construction/demolition debris include Browning Ferris Industries Recycling and Transfer Station and Mission Road Recycling and Transfer Station. Documentation of which site(s) is used shall be provided to the Bureau of Engineering, prior to the issuance of haul route permits.
- k. A Source Reduction and Recycling Plan (SRRP) shall be developed by the Applicant to the satisfaction of the Bureau of Engineering and Department of Sanitation. This plan shall identify methods to promote recycling and re-use of materials, as well as safe disposal consistent with the policies and programs contained in the City's Source Reduction and Recycling Element and the City's Solid Waste Management Policy Plan. The SRRP shall provide tenants and occupants with the means to recycle and compost materials in a manner that is practical and accessible. Specifically, the SRRP shall include a statement describing the methods by which the designated recyclables shall be separated from the waste stream, collected, and stored to facilitate transportation of these materials to a recycler or hauler providing such services. The SRRP shall identify an adequate storage area for collection and removal of recyclable materials within the project and establish standards for collection/storage of recyclable, and green waste (if applicable), materials.
- l. The proposed residential buildings shall be designed to be permanently equipped with clearly marked, durable, source sorted recyclables bins to facilitate the separation and deposit of recyclable materials.
- m. Primary collection bins shall be designed to facilitate mechanized collection of recyclable wastes for transport to on- or off-site recycling facilities.
- n. Applicant shall coordinate with the City of Los Angeles to continuously maintain in good order for the convenience of residents clearly marked, durable and separate bins in the same location to facilitate the commingled recyclables and deposit of recyclable or commingled waste metal, cardboard, paper, glass, and plastic; to maintain accessibility to such bins at all times; and to require waste haulers to utilize local or regional material recovery facilities as feasible and appropriate.

- o. The Applicant shall comply with the provisions of City of Los Angeles Ordinance No. 171687 with regard to all new structures constructed as part of the proposed project.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction

Monitoring Frequency: Once, at plan check

Action Indicating Compliance: Plan approval

C. ADMINISTRATIVE CONDITIONS

26. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the final plans, supplied by the applicant, shall be retained in the subject case file.
27. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
28. **Approval, Verification, and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
29. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
30. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
31. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
32. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all of the information contained in these conditions shall be recorded by the property owners in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heir, or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a Certified Copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject case file.

33. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
34. **Prior to the clearance of any conditions.** The applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
35. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- (i) 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.
- (iii) 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 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.

Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

TRANSFER OF FLOOR AREA FINDINGS

1. **That the Project is proper in relation to the adjacent uses or the development of the community.**

The Project involves the redeveloping the existing commercial surface parking lot with a high-density mixed-use Project consistent with other similar developments occurring in Downtown Los Angeles. The Project would be constructed in a single phase as a 27-story (a maximum height of 320 feet) building totaling up to 305 residential units with up to approximately 6,171 square feet of neighborhood-serving commercial uses.

The project is located on a lot at the northeast corner of 9th Street and Hill Street, is irregular in shape, and encompasses a total of approximately 34,595 square feet of lot area (0.79 acres). Surrounding properties include historic buildings that have been adapted into residential and commercial uses, high-rise residential buildings, low-rise retail buildings, high-rise office buildings, parking garages and surface parking lots. The Central City Community Plan describes the project location as within the Center City/Historic Core of the Plan which spans from First Street to approximately Eleventh Street between Los Angeles and Hill Street. The Community Plan describes this area of the City as being divided into three distinct subareas: a) the northern portion with its concentration of government related uses, b) the middle portion encompassing largely vacant, historic theaters and a dynamic retail shopping district along Broadway, and c) the southern portion which is emerging as an extension of the Fashion District and the South Park residential neighborhood. By these descriptions, the Project site is located in the southern portion of the Center City/Historic Core.

Similar to the previously approved project on the site, the Proposed Project is proper in relation to adjacent uses and the development of the community since it furthers mixed-use, high-density residential development adjacent and proximate to other high-density residential and community uses and has been conditioned to meet the required provisions of the City's Downtown Design Guide. The Downtown Design Guide is composed of Standards and Guidelines intended to provide guidance for creating a livable, sustainable Downtown community.

The Project would provide six levels of parking, including one level of subterranean parking and five levels of above grade parking. Ground level would support five (5) parking spaces and a loading area, accessed from Hill Street. Levels two (2) through four (4) would consist entirely of parking spaces and Level five (5) would provide additional parking behind habitable residential space fronting Hill Street and 9th Street. The Project is in compliance with the Downtown Design Guide by providing a maximum of three levels of exposed parking above ground floor retail.

Other design features include glass elements of the tower fronting the corner of 9th and Hill Street which would come all the way down to the first level above the ground floor retail space, thereby creating a visual enhancement of the parking levels in the podium so as to complement the façade of the residential units above the podium. Additionally, the Project would include a comprehensive podium screening program that would incorporate pre-cast concrete with a stone veneer, metal panel frames and vertical louvers along 9th and Hill Streets to give the appearance that the parking levels are occupied floors rather than a screened garage. The design of these levels would also carry the scale and rhythm of the adjacent Broadway Trade Center building through the block. Where the project faces the

adjacent Eastern Columbia building's dwelling units and parking garage, the Project would screen the podium so as to reduce the visibility of parking on the subject site.

The Project has been designed to be consistent with the tower spacing requirements identified in the Downtown Design Guide. The tower would be located 81 feet from the neighboring Eastern Columbia Building and approximately 176 feet from the clock tower. The tower spacing is designed to provide privacy, natural light and air, as well as to contribute to an attractive skyline. Therefore, the Project would be proper in relation to adjacent uses and the development of the community.

Structures that immediately surround the project site include mid-rise commercial buildings to the north, west and south. Other development located within the community of the adjoining South Park district and Historic Core include the 30-story "Level" building at the northeast corner of Olive and 9th Streets, a recently approved 50-story building on the west side of Hill Street between 8th and 9th Streets, and the 24-story mixed-use project at 8th & Spring Street. Development of the project site into a mixed-use residential and commercial high-rise building would be consistent and compatible with the established land use patterns in the area.

The Downtown Design Guide identifies the project site, along both Hill and 9th streets, as a Retail Street, which requires projects to provide ground floor retail space to a depth of at least 25 feet from the front façade and include 14' floor-to-ceiling height. The Project would provide ground floor commercial/retail space along the Hill Street and 9th Street frontage that complies with Design Guide's requirements of ground floor retail treatment along retail streets, thus complying with this provision of the Downtown Design Guide and resulting in a project that would be proper in relation to the adjacent uses and the development of the community. In addition to providing neighborhood-serving retail uses, a variety of recreational amenities for the residents would be provided in the form of a swimming pool and fitness center to a bicycle repair facility and indoor recreation amenities.

The Project would continue the pattern of development in the community of mixed-use buildings that are street activating in nature. Furthermore, the location of the project site makes it ideal for high density residential, as it is zoned to permit unlimited density and is located within walking distance of transit, employment centers, retail and entertainment uses. Overall, the project site is located adjacent to other high-density developments as well as historic buildings, and has been designed meet the Downtown Design Guide which sets parameters for development in relation to surrounding existing structures. Therefore, the project is proper in relation to the adjacent uses and the development of the community.

2. That the Project will not be materially detrimental to the character of development in the immediate neighborhoods.

The Proposed Project would replace the existing commercial surface parking lot with a mixed-use development that would create new housing and local serving retail uses. As previously described, the project is located at the northeast corner of 9th Street and Hill Street, is irregular in shape, and encompasses a total of approximately 34,595 square feet of lot area (0.79 acres). The Central City Community Plan describes the project location as within the Center City/Historic Core of the Plan which spans from First Street to approximately Eleventh Street between Los Angeles and Hill Street, with its specific location

within the southern subarea, or neighborhood, which is emerging as an extension of the Fashion District and the South Park residential neighborhood.

Properties surrounding the site are developed with historic buildings that have been adapted into residential and commercial uses, high-rise residential buildings, low-rise retail buildings, high-rise office buildings, parking garages and surface parking lots. The westerly adjoining property, across Hill Street, is a historic building, the Coast Federal Savings Building, which now includes office uses and additional retail businesses on properties zoned [Q]R5-4D. Just west of the Coast Federal Savings Building is the recently completed LEVEL project, a 33-story residential tower. The easterly property adjoining the site is developed with the mixed-use historic Eastern Columbia Building on property zoned [Q]R5-4D-CDO. The northerly adjoining structure is a historic building, the Broadway Trade Center, formerly the May Company Department Store (original Hamburger's Department Store), which includes retail/commercial uses, on property zoned [Q]R5-4D. South of the subject property, across 9th Street, is developed with the historic buildings of the May Company Garage and Blackstone's Department Store, occupied as a mixed-use building, on property zoned [Q]R5-4D and [Q]C2-4D-CDO.

The Proposed Project would be materially detrimental to the character of the development in the immediate surrounding neighborhood if it would adversely affect the rights of such surrounding development to enjoy their property. With respect to the continued enjoyment of the surrounding historic buildings, the Proposed Project has been conditioned to design a shoring plan that protects the Eastern Columbia and May Company buildings from damage that could occur during development (Condition No. 18). Furthermore, a historic assessment that was approved by the Office of Historic Resources concluded that the project would not negatively impact the historical significance of nearby historic monuments nor the adjacent historic district located on Broadway.

In addition to the proposed retail component, the project would activate the streets through the provision of bicycle amenities for residents, guests, employees and customers of the development. The Project would continue the revitalization of this section of Hill Street and 9th Street.

The design of the building was created in observance of the Historic Downtown Los Angeles Design Guidelines which, among other guidelines, seek to promote infill development where open parking lots occupy prime building sites at major intersections. The Historic Downtown Los Angeles Design Guidelines were created in July 2002 by a consortium of interest groups including the Los Angeles Conservancy, the Historic Core Business Improvement District (BID), the Downtown Center BID, and the Fashion District BID. These Design Guidelines were never adopted by the City Planning Commission; however, they are referenced in the Downtown Design Guide. The Design Guidelines are based on the Secretary of Interior Standards for the Treatment of Historic Properties and were intended to serve as a tool to create historically compatible design in an area encompassing Hill Street to the South, Main Street to the east, 3rd Street to the north, and 9th Street to the south. The New Construction guidelines include design guidelines meant to ensure that new work in this area does not destroy historic materials, features, and spatial relationships that characterize a building or district while also being differentiated from the old and maintaining compatibility with the historic materials, features, size, scale, proportions and massing.

According to the Design Guidelines, the Historic Downtown, as of the date of the Guidelines' publication, has more than 20 parking lots of varying sizes on prime building sites, and the Guidelines note that the "urban character of downtown is substantially diminished by these vacant sites." The Project replaces an existing parking lot with a mixed-use building with

architectural features and treatments that meet the priorities listed for new construction in the historic core.

The Historic Downtown Design Guidelines observe that key points in new construction including building to the street, particularly at corners, and constructing infill buildings at vacant or underutilized sites along major streets. They go on to state that new buildings should be constructed on existing surface parking lots and shall be differentiated from the old while maintaining compatible design features with the surrounding neighborhood. Due to their importance in establishing the urban grid, corner sites like the project site should be a priority. The development of a project that would convert an underutilized surface parking lot at a major intersection into a mixed-use building would not create any adverse impacts on the surrounding community's enjoyment of the surrounding neighborhood. The approved of the Project does not prohibit the use

The Historic Downtown Los Angeles Design Guidelines establish a study area that includes the Broadway Theater and Commercial District Boundary. The boundary captures the historic buildings along Broadway and includes a few buildings that extend to Hill Street between 3rd Street and 9th Street. The Broadway District includes the historic buildings on Hill Street immediately adjacent to the north of the project site. The subject property is not included within this historic study area boundary. Nevertheless, the Project proposes architectural design features, as noted below, that integrate the building façade at the parking levels to be complementary to the historical features of the immediately adjacent historic buildings.

An infill project on a corner lot is a first priority for the Historic Downtown Design Guidelines. The Historic Downtown Design Guidelines include the following infill construction guidelines that are applicable to the proposed project and which result in the development being able to fulfill major objectives of the Guidelines:

- Construct new buildings, of compatible design with the surrounding neighborhood, on parking lot sites. Corner sites, because of their importance in defining the urban grid, should be the first priority for infill construction.
- Pursue creative and innovative contemporary designs for new buildings in the Historic Downtown.
- Build consistently with the street wall, particularly at corner sites.
- Design new buildings to respond to the existing building context within a block, and provide continuity to the overall streetscape.
- Explore options for multi-use buildings, combining residential, commercial, and other compatible uses where appropriate.
- Provide multi-tenant retail space and other public uses at the street level. These should be accessible directly from the sidewalk, rather than through common interior lobbies.

In a report dated January 26, 2016, the Historic Resources Group prepared a Historic Assessment of the Project. The report concluded that the proposed design would comply with Standards 9 and 10 of the Secretary of the Interior's Standards for Rehabilitation and construction of the proposed tower would not result in adverse effects to historic resources located immediately adjacent to or in the near vicinity of the Project site. The report was reviewed and approved by the Department of City Planning's Office of Historic Resources. The Project would construct a high-rise mixed-use building on a corner site currently occupied by a surface parking lot. Façade materials for the building would consist of creative and innovative contemporary design in the use of glass, stone veneer, concrete, perforated metal screens and metal louvers. The Project would provide a continuous street

wall that would complete the street and would provide wider sidewalks that would make the proposed retail spaces even more accessible.

Similar to the previously approved Project on the site, the Project would be contemporary in design and be clearly differentiated from the surrounding historic buildings. However, the Project exhibits several design elements that reinforce its compatibility with adjacent historical resources. The Project is compatible with the adjacent historic resources and the character of the contributing buildings to the adjacent historic district in its rectangular plan, the solid six-story massing of its podium, the pedestrian-oriented retail storefronts along its ground floor street frontage, and the articulation of its façades, all of which reflect the massing, orientation, and articulation of the adjacent and surrounding historic buildings. The podium directly west of the Eastern Columbia building would be set back approximately 42 feet, would be completely enclosed, and would feature a solid wall at the service yard including a green wall. The southern facing podium wall would also be completely enclosed, feature a green wall, and be a minimum of 12 feet from the northwest corner of the Eastern Columbia building. The tower would maintain approximately 81 feet of separation from the tower portion of the Eastern Columbia building and approximately 176 feet of separation from the Eastern Columbia clock tower. The Project would also maintain a 22 foot sidewalk along 9th Street. The tower spacing distance would provide substantial buffering space between the two buildings on the 9th Street facades, and the wider sidewalk would allow the views of the Eastern Columbia Building's iconic massing and highly decorated south-facing façade to remain intact and the historical resource would retain its visual prominence.

The Project would be directly abutting the south façade of the Broadway Trade Center (May Company building) at the podium level. The May Company's south façade was originally designed to be utilitarian and unadorned in anticipation of the construction of the neighboring building and the closely-set buildings would reinforce the continuity of the Hill Street streetscape and street-facing retail. The tower portion of the new building would be set back above the podium level along the north façade, again providing a spatial buffer between the two buildings so that the height of the new building does not overwhelm the Broadway Trade Center when viewed from Hill Street. The Project proposes architectural design features, as noted below, that integrate the building façade at the parking levels to be complementary to the historical features of the immediately adjacent historic building. The façade of the building fronting Hill and 9th Streets are designed to complement the architecture of the adjacent historic building to the north, with architectural features that match the rhythm and scale of the historic building's windows and ornamentation. As a result of the Project's design features that create a comparatively rhythmic scale matching the historic building's design features, the four levels of podium parking above the ground floor on Hill Street are designed to intentionally match the cornice lines of the historic Broadway Trade Center building to the north.

The Central City Community Plan describes the project location as within the Historic Core as well as the South Park neighborhood of Downtown Los Angeles. The Central City Community Plan states that, "The Historic Core forms the spine of Central City." This historic community includes the proximate citing of auxiliary support services such as neighborhood-supporting retail, services, and amenities for area residents, workers, and visitors. In an effort to create a linkage between jobs and housing, the development of community-serving mixed-use commercial projects is encouraged. The project site and surrounding area are designated for Regional Center Commercial land use. The proposed project will create high-density housing and ground floor commercial space on an underutilized parking lot. The project is designed to activate the ground floor and will include a residential lobby and ground floor commercial space on Hill and 9th Streets. The project

will revitalize the underutilized lots by creating commercial and housing uses within the Central City Community Plan, without displacing any existing residential units

The proposed project will create new residential units and commercial opportunities that will serve residents of the building, as well as workers and visitors of Downtown. It is likely that the commercial uses will have evening hours which will coincide with the lively, urban environment of the Historic Core neighborhood. The project will provide high-density housing in a Transit Priority Area. It is located within ½ mile of two existing rail transit stations, the 7th Street Metro rail transit station, and the Pershing Square Metro rail transit station. The Project Site is also located within ½ mile of numerous bus routes with peak commute service intervals of 15 minutes or less. These transportation opportunities allow for access to employment centers in all parts of the metropolitan area and help reduce the number of vehicles on the road. As such, the proposed project will not be detrimental to the character of development in the immediate neighborhood and will be in harmony with the Central City Community Plan and the Downtown Design Guide, which are a part of the General Plan.

3. **That the Project will be in harmony with the various elements and objectives of the General Plan.**

The Project is consistent with various elements of the General Plan, including the Central City Community Plan, the Housing Element and the Mobility Element.

General Plan Framework

The Framework Element for the General Plan (Framework Element) was adopted by the Los Angeles City Council on December 11, 1996 and re-adopted on August 8, 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the Project site. The Framework Element of the General Plan establishes general policies for the City of Los Angeles based on projected population growth. Land use, housing, urban form and neighborhood design, open space, economic development, transportation, infrastructure, and public services are all addressed in the context of accommodating future City-wide population increases. The City's various land use categories are defined based on appropriate corresponding development standards including density, height, and use.

The General Plan's Downtown Center designation, applicable to this site, notes that the adopted Downtown Strategic Plan provides direction and guidance for the area's continued development and evolution, but indicates that the "Element emphasizes the development of new housing opportunities and services to enliven the downtown and capitalize on the diversity of the City's population." Generally, the Downtown Center is characterized by high-rise buildings with Floor Area Ratios up to 13:1. The Framework Element "reflects the Strategic Plan's goals and maintains the Downtown Center as the primary economic, governmental, and social focal point of Los Angeles, while increasing its resident community. In this role, the Downtown Center will continue to accommodate the highest development densities in the City and function as the principal transportation hub for the region." Moreover, Downtown Los Angeles is identified as the location for "high-rise residential towers," in addition to major cultural and entertainment facilities, hotels, restaurants, and regional transportation facilities.

The proposed development is consistent with the following Framework Element Downtown Center goals, objectives, and policies:

Goal 3.G: A Downtown Center as the primary economic, governmental, and social focal point of the region with an enhanced residential community.

Objective 3.11: Provide for the continuation and expansion of government, business, cultural, entertainment, visitor-serving, housing, industries, transportation, supporting uses, and similar functions at a scale and intensity that distinguishes and uniquely identifies the Downtown Center.

Policy 3.11.1: Encourage the development of land uses and implement urban design improvements guided by the Downtown Strategic Plan

Policy 3.15.3: Increase the density generally within one quarter miles of transit stations, determining appropriate locations based on consideration of the surrounding land use characteristics to improve their viability as new transit routes and stations are funded in accordance with Policy 3.1.6:

The Project site is currently developed with a surface parking lot. The applicant proposes to develop the site with a mixed-use residential and commercial development that will provided ground floor retail uses with residential located above. The Project site is at an optimal location for high-density development as it is located in a transit-rich area of Downtown. The Project creates a mixed-use center that would revitalize the surrounding neighborhood with a broad range of uses that are compatible with adjacent land uses and that would enhance the urban lifestyle that attracts people to live in the Downtown Center. The site is located four blocks from the Pershing Square Metro Rail Station containing the Red and Purple Lines, and is located five blocks away from the 7th/Metro Center Metro Rail station, which contains the Red, Purple, Blue, and Expo Lines.

The proposed Project is located in close proximity to various bus transit lines, MTA rail lines (Metro Rail) and DASH service. MTA Rapid Bus Line 794 runs along Hill Street with stops at the Civic Center, the Burbank Airport and a final destination in Sylmar. MTA Rapid Bus Line 728 runs north along Hill Street to Union Station and to the west along Olympic Boulevard to Century City. Several MTA Rapid Bus Lines run along Olive Street, Grand Avenue, Broadway, Spring Street, Main Street, Olympic Boulevard and 7th Street, with connections to Union Station, the Civic Center, Koreatown, Mid City, West Los Angeles and Santa Monica. The MTA Bus Line 66 runs west along 9th Street to Koreatown and the Wilshire/Western Metro Rail Station and runs east along 8th Street and Olympic Boulevard to Boyle Heights, East Los Angeles and Montebello. The MTA Bus Line 10 runs along Hill Street to Pershing Square, the Civic Center and then along Temple Street and Melrose Avenue to West Hollywood. The MTA Bus Line 81 runs along Hill Street to Eagle Rock to the north and along Figueroa Street to Exposition Park and the Harbor Freeway Station of the Metro Rail Green Line to the south. Several additional MTA Bus Lines run along Hill Street, including MTA Bus Lines 2, 4, 28, 83, 90 and 91. The LADOT Dash Route D runs south along Spring Street connecting to the Civic Center, Bunker Hill, Union Station, South Park, and the Metro Rail stations in Downtown. Dash Route E runs along 7th Street. The site is located four blocks from the Pershing Square Metro Rail Station containing the Red and Purple Lines, and is located five blocks away from the 7th/Metro Center Metro Rail station, which contains the Red, Purple, Blue, and Expo Lines.

The Project's residential intensity meets the City's vision for this land use designation and provides opportunities to reduce vehicle miles traveled in the City. This Project locates housing density near major transit services which epitomizes the Framework Element's vision of integrating Downtown Center density with public transportation infrastructure and would encourage the use of transit by on-site residents and their guests, retail patrons,

and employees. The proposed development scale is compatible with the Framework Element that envisions that the “Downtown Center would continue to accommodate the highest development densities in the City and function as the principal transportation hub for the region.” By enabling the construction of a high-density housing project in close proximity to jobs, services, entertainment uses and a transit rich area, the Transfer of Floor Area and Site Plan Review would be consistent with several goals and policies of the Framework Element. .

Land Use Element – Central City Community Plan

The Central City Community Plan was updated and adopted by the Los Angeles City Council on January 8, 2003. The project site is located in the Center City/Historic Core and the Central City Community Plan describes this area of the City as being divided into three distinct subareas. The project site is located in the southern portion “which is emerging as an extension of the Fashion District and the South Park residential neighborhood.” Additionally, the Community Plan observes that “expanding the downtown residential community is viewed as a major component of efforts to revitalize Downtown.” The Project, as a mixed-use, transit-oriented development, advances a number of specific goals and objectives contained in the Central City Community Plan.

These include:

Objective 1-2: To increase the range of housing choices available to Downtown employees and residents.

Objective 1-3: To foster residential development which can accommodate a full range of incomes.

Policy 1-3.1: Encourage a cluster neighborhood design comprised of housing and services.

Historic Core of the Central City Plan is recognized in the Community Plan as the place for “expanding the Downtown residential community” in that it is viewed as a “major component of efforts to revitalize Downtown.” The Plan also references the Downtown Strategic Plan which “recognizes the need to significantly increase the residential presence in the Central City community.” The Plan also observes that “residential uses are permitted within commercially designated lands, however, and an increasing number of residential units are being developed downtown as a result of a growing demand for housing.”

The Community Plan recognizes that while residentially zoned land accounts for less than 5% of the total land area in the Central City, the “continued economic and social viability of Central City depends on the contributions of a stable population and vibrant, cohesive neighborhoods. Therefore, a primary objective of the Central City Plan is to facilitate the expansion of housing choices in order to attract new and economically and ethnically diverse households.” The Project contributes to a stable population by the development of up to 305 new residential units in area, though zoned commercially, that includes high-rise residential towers as well as other commercial properties. Introducing more residents to this area of the Central City helps to achieve a vibrant, cohesive neighborhood. Moreover, the mixed-use project provides neighborhood-serving retail uses that activates the streets with increased pedestrian activity and serves to create a lively urban environment.

The property's zoning is consistent with the land use designation, Regional Center Commercial, and supports high density residential development. The Project is compatible with the Community Plan objectives listed above and would result in the provision of additional housing and services to help revitalize Hill and 9th Streets. The Project also brings new residential units to an area which is located near the Financial Core and South Park, thus placing residents within easy walking distance of the jobs rich environment in the Downtown area. The Plan seeks to increase the range of housing choices available Downtown and offers opportunities to live close to Downtown employment and other civic, cultural and recreational uses.

Additionally, the Proposed Project would encourage cluster neighborhood design comprised of housing and services via the incorporation of neighborhood-serving retail space fronting on Hill and 9th Streets, and up to 305 residential units on the site. The addition of these two uses in conjunction with each other would indeed create a focal point for the Historic Core neighborhood, and Downtown as a whole. The Project's proposed neighborhood-serving retail space to occupy the street frontages of Hill and 9th Streets would result in Project addressing the Community Plan's assertion that the "lack of neighborhood-oriented businesses to support residential areas" is a significant land use issue for both residential and commercial development. The Project addresses the Community Plan's concern by providing much needed neighborhood-serving retail uses easily accessible from the street frontages along Hill and 9th Streets, and this retail space would serve existing residential and commercial developments in the surrounding neighborhood.

As noted in the Plan, Downtown Los Angeles offers a variety of attractions for both residents and visitors alike. Residents of downtown mixed-use buildings are attracted by the wide variety of entertainment, dining and shopping opportunities that also appeal to visitors. The Plan also observes that "traditional retail is declining due to limited patronage by office workers and a very small resident population." Since the adoption of the Central City Community Plan, many residential developments, including high-rise residential towers, have been approved and constructed in the Central City. As a result, retaining the existing retail base, as well as adding to it, has become an important component of mixed-use projects. The Project would provide neighborhood-serving retail uses that would create an active downtown environment for current and future residents. This activation would encourage a mix of uses which create an active, 24-hour downtown environment for current residents and which would also foster increased tourism (Objective 2-4). The Project would support the growth of the neighborhood by providing small, local retail services that would serve the surrounding neighborhood and activate the streets with more pedestrian activity.

The proposed project will add new housing choices in the Central City Community Plan to meet market demand in the City's housing-impacted Downtown (Objective 1-2). The project would improve the Central City's competitiveness as a location for offices, business, retail, and industry by providing up to 305 new residential units in the core of the Downtown (Objective 2-1) while improving the appearance of the site, which currently functions as a parking lot (Policy 2-1.2). The proposed ground floor commercial uses will enhance the existing retail base in the Central City (Policy 2-2.1) and will add to the growth of downtown neighborhoods by providing local retail services that (Policy 2-2.3). As a result, the project's new retail component will contribute to economic growth of Downtown Los Angeles (Objective 2-2). Prospective commercial tenants may include restaurants or other uses that promote night life activity (Policy 2-4.1).

The Community Plan recognizes that, "The continued economic and social viability of Central City depends on the contributions of a stable population and vibrant, cohesive neighborhoods. Therefore, a primary objective of the Central City Community Plan is to facilitate the expansions of housing choices in order to attract new, economically and ethnically diverse households." The proposed Project promotes new housing opportunities for Downtown Los Angeles by proposing the addition of 305 dwelling units to the housing stock of the Center City/Historic Core neighborhood. In addition, the new residential units will not remove existing residential units or displace residents, but would instead develop an underutilized parking lot.

Downtown Design Guide

The Downtown Design Guide was adopted by City Council on April 24, 2009 as a General Plan Amendment to the Central City Community Plan to revise Chapter V of the Central City Community Plan text to incorporate the Downtown Design Guide, Urban Design Standards and Guidelines. The Downtown Design Guide supplements Municipal Code provisions and applies to all projects within its boundaries of the Hollywood Freeway (Interstate 101) on the north, the Santa Monica Freeway (Interstate 10) on the south, Harbor Freeway (Interstate 110) on the west and Alameda Street and San Pedro Street on the east. The Downtown Design Guide contains standards and guidelines for sustainable design, sidewalks and setbacks, ground floor treatment, parking and access, massing and street wall, on-site open space, architectural detail, streetscape improvements and signage prepared at a finer grain specifically for the Downtown Neighborhood Districts.

As conditioned, the project complies with the requirements of the Downtown Design Guide. Such conditions relative to sidewalks and setbacks; ground floor treatment; parking and access; massing and street wall; on-site open space; architectural details; and streetscape improvements encourage a livable downtown. As an example, the Downtown Design Guide encourages variations in setbacks along street frontages, and specifies that setbacks on retail streets in the Historic Downtown area are to match prevailing setbacks where appropriate. The adjacent properties along Hill and 9th Streets do not have front yard setbacks. The Downtown Design Guide also dictates that at least 95% of the Project Frontage along 9th Street and Hill Street be lined with Building Street Wall at the back of the setback and that 90% of that Building Street Wall on 9th Street and Hill Street reach a height of 75 feet. The Project would comply with all applicable requirements set forth in the LAMC and Downtown Street Standards. Furthermore, the new building's east façade would be set back approximately 42 feet from the Eastern Columbia Building at the podium level, while the proposed tower would be approximately 81 feet setback from the adjacent property to the east, Eastern Columbia Building, and approximately 176 feet from the clock tower at top the Eastern Columbia Building, consistent with the design guidelines of the Downtown Design Guide.

Historic Downtown Los Angeles Design Guidelines

The Historic Downtown Los Angeles Design Guidelines were created in July 2002 by a consortium of interest groups including the Los Angeles Conservancy, the Historic Core Business Improvement District (BID), the Downtown Center BID, and the Fashion District BID. These Design Guidelines were never adopted by the City Planning Commission; however, they are referenced in the Downtown Design Guide. The Design Guidelines are based on the Secretary of Interior Standards for the Treatment of Historic Properties and were intended to serve as a tool to create historically compatible design in an area encompassing Hill Street to the South, Main Street to the east, 3rd Street to the north, and

9th Street to the south. The New Construction guidelines include design guidelines meant to ensure that new work in this area does not destroy historic materials, features, and spatial relationships that characterize a building or district while also being differentiated from the old and maintaining compatibility with the historic materials, features, size, scale, proportions and massing. As conditioned, the project complies with the following design guidelines:

Construct new buildings, of compatible design with the surrounding neighborhood, on parking lot sites.

Pursue creative and innovative contemporary designs for new buildings in the Historic Downtown.

Build consistently with the street wall, particularly at corner sites.

Design new buildings to respond to the existing building context within a block, and provide continuity to the overall streetscape. Frequently a new building will be inserted on a site between two existing buildings of disparate scale and design.

Set back upper floors, especially when a taller building is permitted by code, so that the dominant roof and cornice lines remain consistent along the street wall.

Explore options for multi-use buildings, combining residential, commercial, and other compatible uses where appropriate.

The proposed Project will remove an underutilized surface parking lot and replace it with a high density mixed-use building containing 305 residential units and 6,171 square feet of ground floor commercial/retail space. In a report dated January 26, 2016, the Historic Resources Group prepared a Historic Assessment of the Project. The report concluded that the proposed design would comply with Standards 9 and 10 of the Secretary of the Interior's Standards for Rehabilitation and construction of the proposed tower would not result in adverse effects to historic resources located immediately adjacent to or in the near vicinity of the Project site. The report was reviewed and approved by the Department of City Planning's Office of Historic Resources. The report states that the Proposed Project exhibits several design elements that reinforce its compatibility with adjacent historical resources more than the previous project that was approved for the site. "The podium of the Proposed Project includes common design characteristics shared with adjacent historic resources and the historic district. The west and south façades of the Modified Project's podium will be articulated vertically with clearly defined bays that echo the rhythm of the structural bays of the adjacent May Company building and garage. The podium will be articulated horizontally to align with the May Company building's base, cornice, and windows and recall similar cornice lines and belt courses on the nearby Coast Federal Savings Building and the May Company Garage. The primary entrance on Hill Street will feature three tall rectangular bays with precast concrete surrounds that recall the size, proportions, and materials of the prominent central entrance portals with cast-stone surrounds of nearby historic buildings."

The report goes on to state that "articulation of the podium and tower façades are varied to differentiate base, middle and top sections that recall the tripartite stacked arrangements of the adjacent May Company Building and the nearby Coast Federal Savings Building and May Company Garage." It describes that the "tower of the Modified Project features exposed slab edges and residential balconies forming continuous horizontal bands that echo the horizontal rhythm of windows and spandrels characteristic

on the May Company's Hill Street façade" and states that "the same rhythm is also found on the Coast Federal Savings Building across Hill Street and the May Company Garage across 9th Street." In addition, "the modulation of the tower's corner balconies recalls the corner setbacks of the adjacent Eastern-Columbia building" and new tower "would be set back above the podium level along the north and east façades, providing a spatial buffer between the new construction and the two adjacent historic buildings so that the height of the new building will be more compatible with the May Company and Eastern-Columbia buildings when viewed from Hill Street and 9th Street." The Historic Assessment determines that the Proposed Project conforms to Standard 9 because it will be differentiated from adjacent and nearby historic resources by its contemporary design and materials.

Furthermore, the Project has been conditioned to undergo an additional level of review involving a preservation architect, the Department of City Planning's Office of Historic Resources and Expedited Processing Section in order to further verify conformance with the Secretary Standards for new construction near historic resources.

Housing Element

The proposed mixed-use project is consistent with the following stated objectives of the Housing Element:

Objective 1.1: Plan the capacity and develop incentives for the production of an adequate supply of rental and ownership housing for households of all income levels and needs.

Objective 2.3: Promote sustainable buildings, which minimize adverse effects on the environment and minimize the use of non-renewable resources.

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.

The City's Housing Element (adopted by the City Council on December 3, 2013) states that that the population of Los Angeles will grow by over 140,000 persons by 2021. The amount of housing needed to accommodate citywide growth is estimated to be 82,002 dwelling units by October 2021 or 10,250 units per year.

The proposed project will provide current and future downtown employees with housing at a convenient location. The proposed project will add a total of up to 305 dwelling units to the City's downtown housing stock. The proposed project is close to many public transit options. It is located within ½ mile of two existing rail transit stations, the 7th Street Metro rail transit station, and the Pershing Square Metro rail transit station. The Project Site is also located within ½ mile of numerous bus routes with peak commute service intervals of 15 minutes or less. The City Council has acknowledged the areas unique proximity to jobs and housing by creating the Central City Parking District for projects in this area.

Mobility Plan 2035

Approval of the Project in proximity to mass transit options would be consistent and harmonious with the purposes of the Mobility Plan 2035. Various modes of travel are encouraged by the Mobility Plan 2035, including walking, biking and using public transit. The following policies of the Mobility Plan apply to the proposed project:

Policy 2.3: 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.

With its ground floor retail space fronting on 9th Street and Hill Street, Project would encourage pedestrian activity in this area. The Project would provide an attractive sidewalk design to improve pedestrian travel throughout the surrounding area. The Project also seeks to activate pedestrian activity by creating the inviting outdoor dining area which would be on 9th Street and Hill Street with neighborhood-serving ground level retail uses.

Policy 3.1: Recognize all modes of travel, including pedestrian, bicycle, transit and vehicular modes – including goods movement – as integral components of the City's transportation system.

The Project promotes a balanced transportation system by locating a mixed use project in the Downtown Center, where residents of the development would have easy access to all modes of travel. The Project encourages pedestrian activity with the neighborhood-serving ground level retail uses. Residents would have the option to walk, ride bicycles or use public transit to access jobs, shopping, and entertainment options in the Downtown Center. The development would provide bicycle parking facilities for both residential and retail uses, thereby encouraging this mode of travel. Furthermore, Project additionally encourages cycling by providing an on-site bicycle lounge and repair facility for convenient and easy bicycle maintenance.

Policy 3.3: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.

The Mobility Plan recognizes that neighborhoods with frequent, reliable transit service are the ideal place to cluster uses and services so that area residents can complete a number of errands within a single walk or bike trip. Likewise, the Mobility Plan observes that it makes sense for land uses situated near major transit stops to be of the intensity and type that they attract a high number of transit riders. The Project, situated in close proximity to Metro Rapid Bus stops and within walking and biking distance of the Downtown Center, is ideally located to satisfy the Mobility Plan's objective to reduce vehicular trips. Residents would have greater proximity and access to jobs and other neighborhood services.

Policy 3.8: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.

The Project would provide bicycle parking for both residential and commercial purposes, adhering to the Los Angeles Municipal Code (the "Code") requirements of the Bicycle Parking Ordinance. As such, the Project would provide convenient, secure and well-maintained bicycle parking facilities. Customers of the retail uses and visitors to the residential units would have a place to safely and conveniently secure their bicycles for the duration of a visit. Furthermore, the Project additionally encourages cycling by providing an on-site bicycle lounge and repair facility for convenient and easy bicycle maintenance.

Policy 4.13: Balance on-street and off-street parking supply with other transportation and land use objectives.

The Mobility Plan 2035 recognizes that an oversupply of parking can undermine broader regional goals of creating vibrant public spaces and a robust multi-modal mobility system and that parking consumes a vast amount of space in the urban environment, which otherwise could be put to valuable alternative uses. Additionally, the Mobility Plan observes that parking lots create significant environmental impacts, detract from neighborhoods' visual quality, and discourage walking by increasing the distances between services and facilities. The Project would provide reduced residential parking according to the Central City Parking Exception. The development would eliminate a surface parking lot and replace it with a mixed use project that would improve the visual quality of the neighborhood and activate the streets with more pedestrian activity.

Policy 5.2: Support ways to reduce vehicle miles traveled (VMT) per capita.

The Mobility Plan 2035 promotes a combination of sustainable approaches to reduce vehicle miles traveled. Land use policies should be aimed at shortening the distance between housing, jobs, and services, thereby reducing the need to travel long distances on a daily basis. More attractive non-vehicle alternatives, including transit, walking and bicycling, need to be offered. The Project would promote these sustainable approaches by locating housing in proximity to jobs, transit and services. Residents of the development would be inclined to walk, bike ride and use transit to access the Downtown Center and surrounding areas.

The proposed Project is located in close proximity to various bus transit lines, MTA rail lines (Metro Rail) and DASH service. MTA Rapid Bus Line 794 runs along Hill Street with stops at the Civic Center, the Burbank Airport and a final destination in Sylmar. MTA Rapid Bus Line 728 runs north along Hill Street to Union Station and to the west along Olympic Boulevard to Century City. Several MTA Rapid Bus Lines run along Olive Street, Grand Avenue, Broadway, Spring Street, Main Street, Olympic Boulevard and 7th Street, with connections to Union Station, the Civic Center, Koreatown, Mid City, West Los Angeles and Santa Monica. The MTA Bus Line 66 runs west along 9th Street to Koreatown and the Wilshire/Western Metro Rail Station and runs east along 8th Street and Olympic Boulevard to Boyle Heights, East Los Angeles and Montebello. The MTA Bus Line 10 runs along Hill Street to Pershing Square, the Civic Center and then along Temple Street and Melrose Avenue to West Hollywood. The MTA Bus Line 81 runs along Hill Street to Eagle Rock to the north and along Figueroa Street to Exposition Park and the Harbor Freeway Station of the Metro Rail Green Line to the south. Several additional MTA Bus Lines run along Hill Street, including MTA Bus Lines 2, 4, 28, 83, 90 and 91. The LADOT Dash Route D runs south along Spring Street connecting to the Civic Center, Bunker Hill, Union Station, South Park, and the Metro Rail stations in Downtown. Dash Route E runs along 7th Street. The site is located four blocks from the Pershing Square Metro Rail Station containing the Red and Purple Lines, and is located five blocks away from the 7th/Metro Center Metro Rail station, which contains the Red, Purple, Blue, and Expo Lines.

Furthermore, the goals outlined in the Mobility Plan 2035 are as follows:

1. Safety First
2. World Class Infrastructure
3. Access for all Angelenos
4. Collaboration, Communication, and Informed Choices
5. Clean Environments and Healthy Communities

The project will locate high-density housing near transit stations with direct connections to Union Station consistent with Mobility Plan Policies 3.6 – Regional Transportation and Union Station and 3.7 – Regional Transit Connections. The Plan's objectives are to ensure that 90

percent of all households have access within one mile to the Transit Enhanced Network and to increase the number of people that travel by walking bicycling, or transit. In addition, the project site is within proximity to several employment centers in Downtown; including the Civic Center, the Financial District, and the Fashion District and the site is close to many commercial and entertainment options which will reduce vehicle trips. The project will provide safe and secure bicycle parking for residents, in line with Policy 3.8 – Bicycle Parking.

The project proposes a pedestrian-oriented environment by locating high-density residential and retail uses in proximity to public transit and the jobs rich environment of Downtown Los Angeles. With new residents most likely to work downtown and to avail themselves of the recreational and cultural opportunities of the area, the need for automobile transportation is greatly reduced, because residents will either walk, bike, or use one of the many forms of public transportation available in the area. As a result, the project will be in harmony with the various elements and objectives of the General Plan.

The project site is within walking distance of many jobs in the downtown area. The City Council has acknowledged the area's unique proximity to jobs and housing by creating the Central City Parking District and the Exception Downtown Business District for projects in this area. Because many trips can be made by transit and walking, there is less need for a car in a downtown environment (a major attraction for people wishing to reside in residential units in the downtown area), and therefore, less of a need for parking spaces.

The Applicant proposes a pedestrian-oriented environment by locating high-density residential and retail uses in proximity to public transit. The Project has been designed for residents who would be attracted to this location because of the numerous transit options, including MTA buses, Metro Rail Lines and the DASH buses, that offer easy access to the jobs-rich environment of downtown Los Angeles. The combination of public transit and pedestrian and bicycle access makes it possible for residents to forgo the use of personal vehicles for everyday living and commuting. Residents would also be able to reduce reliance on the automobile because many shopping opportunities are located throughout the downtown area. The Project's new retail spaces would also help facilitate a more inviting pedestrian- and bicycle-friendly environment.

The Project is harmonious with the Mobility Plan 2035 because residents would have easy access to work opportunities and essential services, and greater mobility would be assured by the plentiful transit options offered by Metro Rail and MTA Rapid Bus lines. For these reasons outlined above, the Project demonstrates harmony with the Mobility Plan 2035.

4. That the Project is consistent with any applicable adopted Redevelopment Plan.

Pursuant to Section 503.6, the Community Redevelopment Agency may permit appropriately designed and properly located residential facilities within commercial areas, including residential uses as mixed uses in commercial mixed use developments, consistent with the applicable Community Plan and as permitted by the zoning and the Los Angeles Municipal Code, and provided that the residential facility, as well as any commercial facility in the case of a mixed use development, shall conform to the following criteria:

1. Promote community revitalization;
2. Promote the goals and objectives of the Plan;
3. Be compatible with and appropriate for the Commercial uses in the vicinity;
4. Include amenities which are appropriate to the size and type of housing units proposed;

5. Meet design and location criteria required by the Agency.

The Project would revitalize the community and be compatible with and appropriate for the commercial uses in the vicinity. The Project would be developed with amenities, including recreational activities, which are appropriate for a development with up to 305 residential units. As noted below, the Project would promote the goals and objectives of the Redevelopment Plan.

The Project is consistent with the following purposes and objectives of the City Center Redevelopment Plan (Section 105):

a. To eliminate and prevent the spread of blight and deterioration and to rehabilitate and redevelop the Project Area in accordance with this Plan.

The Project would remove an existing commercial surface parking lot for the development of a new mixed-use development, consistent with the principles of the Downtown Design Guide, supporting new residents and employees who would activate the street and creating new commercial uses that would be within walking distance of thousands of existing residents. The Project would provide much needed housing, neighborhood-serving retail, as well as bicycle amenities for residents, guests, employees, and customers among many other assets and benefits. Further, the Project would provide streetscape and landscape improvements. Such improvements would help to eliminate and prevent the spread of blight and deterioration and to rehabilitate and redevelop the Project Area in accordance with the Redevelopment Plan.

b. To further the development of Downtown as the major center of the Los Angeles metropolitan region, within the context of the Los Angeles General Plan as envisioned by the General Plan Framework, Concept Plan, City-wide Plan portions, the Central City Community Plan, and the Downtown Strategic Plan.

The Project would provide a high density mixed-use development in Downtown close to urban transit and many employment opportunities, furthering the development of Downtown as the major center of the Los Angeles metropolitan region. As noted above, the proposed Project is consistent with the vision of the General Plan Framework and the Central City Community Plan for mixed-use development that includes new residential construction. Additionally, the Downtown Strategic Plan recognized the need to significantly increase the residential presence in the Central City community.

c. To create an environment that will prepare, and allow, the Central City to accept that share of regional growth and development which is appropriate, and which is economically and functionally attracted to it.

The Project provides additional density to help reinforce the Central City as the center of the Downtown Los Angeles metropolitan region. The employment and residential dwelling unit opportunities support a fair share of regional growth and development. Expanding the downtown residential community is a major component of efforts to revitalize the Historic Core in Downtown Los Angeles. The Project adds a significant increase to the residential presence in the Central City, and the retail uses of the mixed use project would serve residents and workers in the surrounding neighborhood.

d. To promote the development and rehabilitation of economic enterprises including retail, commercial, service, sports and entertainment, manufacturing, industrial and hospitality uses that are intended to provide employment and improve the Project Area's tax base.

The Project furthers the development and rehabilitation of economic enterprises in Downtown. It would provide street level retail and commercial opportunities. Additionally, the new residents of the Project would shop, eat, entertain, and work at local business establishments and, by contributing to the area's tax base, would help existing businesses grow thereby enhancing employment opportunities in Downtown Los Angeles.

e. To guide growth and development, reinforce viable functions, and facilitate the redevelopment, revitalization or rehabilitation of deteriorated and underutilized areas.

The project site is currently an underutilized commercial surface parking lot. The Project would replace the current use with a vibrant mixed-use development that would activate the streetscape and provide new residents to shop, eat, and work at various neighborhood establishments. Moreover, the Project is consistent with the Historic Downtown Los Angeles Design Guidelines that seek to promote infill development where open parking lots occupy prime building sites at major intersections. At the time of its publication, the Historic Downtown Design Guidelines stated that there were more than 20 parking lots of varying sizes on prime building sites, and note that the "urban character of downtown is substantially diminished by these vacant sites." The Project replaces an existing parking lot with a mixed-use building with architectural features and treatments that are compatible with existing historic buildings.

f. To create a modern, efficient and balanced urban environment for people, including a full range of around-the-clock activities and uses, such as recreation, sports, entertainment and housing.

The Project would provide up to 305 apartments and up to approximately 6,171 square feet of retail and restaurant uses and as envisioned the Project would provide a new modern and efficient urban environment for residents allowing these residents to take full advantage of the round-the-clock entertainment, restaurants, and associated activities in close proximity to the Project and in Downtown Los Angeles.

g. To create a symbol of pride and identity which gives the Central City a strong image as the major center of the Los Angeles region.

The Project as envisioned would provide a strong architectural statement building and would create a robust new image of the resurgence of the Historic Core in Downtown Los Angeles.

The Historic Downtown Los Angeles Design Guidelines seek to promote infill development where open parking lots occupy prime building sites at major intersections. The Project replaces an existing parking lot with a mixed-use building with architectural features and treatments that are compatible with existing historic buildings. The Project is designed to be compatible with the architectural design of the adjacent historic building to the immediate north of the project site, thereby enhancing the identity and image of the Historic Core as a major center of the Los Angeles region.

h. To facilitate the development of an integrated transportation system which will allow for the efficient movement of people and goods into, through and out of the Central City.

The Project is within walking distance of the 7th/Metro Center and Pershing Square Metro Rail stations as well as in close proximity to a number of bus lines, including several Metro Rapid Bus Lines. The Project is located near the vicinity of a bike lane network, including Spring Main, and 7th Streets. The Project's proximity to mass transit, bicycle infrastructure,

as well as easy freeway and major highway access helps to facilitate and encourage the development of an integrated transportation system which would allow for the efficient movement of people and goods into, through, and out of the Central City.

i. To preserve key landmarks which highlight the history and unique character of the City, blending old and new in an aesthetic realization of change or growth with distinction, and facilitating the adaptive reuse of structures of architectural, historic or cultural merit.

The project site consists of a commercial surface parking lot. It contains no landmarks or structures of architectural, historical, cultural significance that could be adaptively reused on the project site. However, the Project's primary podium elevations incorporate architectural design features and articulations complementary to the adjacent historic buildings.

j. To provide a full range of employment opportunities for persons of all income levels.

In addition to temporary construction opportunities for skilled construction and associated trades, the Project would provide up to 6,171 square feet of new commercial space that would provide job opportunities for the local community, including ground floor retail and commercial uses.

k. To provide high and medium density housing close to employment and available to all ethnic, social and economic groups, and to make an appropriate share of the City's low- and moderate-income housing available to residents of the area.

The Project would provide up to 305 residential apartment units close to the employment centers in Downtown Los Angeles. In addition, the Project would provide on-site employment opportunities. The Project would be available to all ethnic, social and economic groups and would include micro units, studio units, 1 bedroom units, 1 bedroom plus den units, 2 bedroom units and 2 bedroom + den penthouse units providing housing opportunities for a wide and diverse array of income groups.

l. To provide the public and social services and facilities necessary to address the needs of the various social, medical and economic problems of Central City residents and to minimize the overconcentration or exclusive concentration of such services within the Project Area.

The Project does not propose public or social services and therefore would not contribute to the overconcentration or exclusive concentration of such services within the Project Area.

m. To establish an atmosphere of cooperation among residents, workers, developers, business, special interest groups and public agencies in the implementation of this Plan.

The Project is consistent with the Redevelopment Plan's applicable goals and objectives, the Historic Core Design Guidelines, and the Downtown Design Guide, which reflects public input and participation.

5. That the transfer serves the public interest by providing public benefits in accordance with Subparagraph (b)(1) of this subdivision.

For a Director's Authority to Approve a Floor Area Deviation Transfers of less than 50,000 square feet of floor area, a project must provide public benefits equivalent to the dollar value otherwise required for a Public Benefit Payment. A Public Benefit must serve a public purpose, such as: providing for affordable housing; public open space; historic preservation; recreational; cultural; community and public facilities; job training and outreach programs;

affordable child care; streetscape improvements; public arts programs; homeless services programs; or public transportation improvements. The project is requesting a Transfer of Floor Area of 49,999 square feet, which results in a public benefit equivalency of \$1,830,671.10. Therefore, as the project will provide revenue equivalent to a Public Benefit Payment, the Project serves the public interest by complying with the requirements of sections 14.5.9 of the Los Angeles Municipal Code.

6. **That the Project incorporates feasible mitigation measures, monitoring measures when necessary or alternatives identified in the environmental review which would substantially lessen the significant environmental effects of the project, and any additional findings as may be required by CEQA.**

On April 22, 2016, the Department of City Planning released an Addendum to the previously adopted Mitigated Negative Declaration No. ENV-2006-6302-MND. This Addendum reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts are mitigated to a less than significant level. All feasible mitigation measures have been incorporated into the project as Conditions of Approval to ensure that there will be no significant unavoidable environmental impacts.

The Proposed Modified Project, as identified in the project description, may cause potentially significant impacts on the environment without mitigation. The Addendum to the environmental analysis (ENV-2006-6302-MND) concludes that none of the proposed changes to the Project would generate or result in any new significant environmental impacts and the mitigation measures identified in the adopted Mitigated Negative Declaration shall be readopted for the purposes of avoiding and mitigating all potential adverse impacts on the environment in association with the associated case(s): ZA-2006-6350-YV-ZAA-SPR and VTT-66505. Finally, based on the fact that these impacts can be feasibly mitigated to less than significant, and based on the findings and thresholds for Mandatory Findings of Significance as described in the California Environmental Quality Act, section 15065, the overall project impacts(s) on the environment (after mitigation) will not:

- Substantially degrade environmental quality.
- Substantially reduce fish or wildlife habitat.
- Cause a fish or wildlife habitat to drop below self-sustaining levels.
- Threaten to eliminate a plant or animal community.
- Reduce number, or restrict range of a rare, threatened, or endangered species.
- Eliminate important examples of major periods of California history or prehistory.
- Achieve short-term goals to the disadvantage of long-term goals.
- Result in environmental effects that are individually limited but cumulatively considerable.
- Result in environmental effects that will cause substantial adverse effects on human beings.

The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.

SITE PLAN REVIEW FINDINGS

7. **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.**

The Project Site is located entirely within the boundaries of the Central City Community Plan. The project site has a land use designation of Regional Center Commercial, which corresponds to the C2, C4, C5, P, PB, RAS3, and RAS4 Zones. The property is zoned C5-4D. The site's zoning and location within Height District 4 permits multi-family residential uses and an unlimited height restriction. The density, lot area, and setback requirements for the Project Site are superseded by the Greater Downtown Housing Incentive Area (Ordinance 179,076, effective Sept. 2007). The corresponding "D" Limitation restricts the project's Floor Area Ratio (FAR) to 6:1 but allows a FAR of up to 13:1 through the Transfer of Floor Area (TFAR) program. As such, the applicant is requesting a Transfer of Floor Area Rights (TFAR) of 49,999 square feet to allow for an FAR of 7.45 to 1 or approximately 257,569 square feet of floor area, in lieu of the otherwise allowable FAR of 6 to 1 or approximately 207,570 square feet.

The following identifies the Proposed Project's consistency with various elements of the General Plan, including the Central City Community Plan, the Housing Element and the Mobility Element.

General Plan Framework

The Project is consistent with the following stated goals, objectives and policies of the General Plan Framework, which are addressed in full in the TFAR findings:

Goal 3F: A Downtown Center as the primary economic, governmental, and social focal point of the region with an enhanced residential community.

Objective 3.11: Provide for the continuation and expansion of government, business, cultural, entertainment, visitor-serving, housing, industries, transportation, supporting uses, and similar functions at a scale and intensity that distinguishes and uniquely identifies the Downtown Center.

General Plan Housing Element

The Project is harmonious with the following goals, objectives and policies of the Housing Element of the General Plan, which are addressed in full in the TFAR findings:

Goal 1: 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 1.1.4: Expand opportunities for residential development, particularly in designated Centers, Transit Oriented Districts and along Mixed-Use Boulevards.

Goal 2: A City in which housing helps to create safe, livable and sustainable neighborhoods.

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

Objective 2.3: Promote sustainable buildings, which minimize adverse effects on the environment and minimize the use of non-renewable resources.

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.

Mobility Plan 2035

The Project is consistent with the following stated goals, objectives and policies of the Mobility Plan 2035, which are addressed in full in the TFAR findings:

Policy 2.3: 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 3.1: Recognize all modes of travel, including pedestrian, bicycle, transit and vehicular modes – including goods movement – as integral components of the City's transportation system.

Policy 3.3: 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 3.8: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.

Policy 4.13: Balance on-street and off-street parking supply with other transportation and land use objectives.

Policy 5.2: Support ways to reduce vehicle miles traveled (VMT) per capita.

For these reasons outlined above the Project demonstrates harmony with the Mobility Plan 2035.

Central City Community Plan

The project site is located in the Center City/Historic Core and the Central City Community Plan describes this area of the City as being divided into three distinct subareas. The project site is located in the southern portion which, as described in the Community Plan, "is emerging as an extension of the Fashion District and the South Park residential neighborhood." Additionally, the Community Plan observes that "expanding the downtown residential community is viewed as a major component of efforts to revitalize Downtown."

The Project is consistent with the following objectives of the Central City Community Plan which are addressed in full in the TFAR findings:

Objective 1-2: To increase the range of housing choices available to Downtown employees and residents.

Objective 1-3: To foster residential development which can accommodate a full range of incomes.

Policies 1-3.1: Encourage a cluster neighborhood design comprised of housing and services.

Objective 2-2: To retain the existing retail base in Central City.

Policy 2-2.3: Support the growth of neighborhoods with small, local retail services.

Objective 2-4: To encourage a mix of uses which create an active, 24-hour downtown environment for current residents and which would also foster increased tourism.

As noted in the Plan, Downtown Los Angeles offers a variety of attractions for both residents and visitors alike. Residents of downtown mixed-use buildings enjoy the conveniences of a wide variety of entertainment, dining and shopping opportunities that also appeal to visitors. The Plan also observes that “traditional retail is declining due to limited patronage by office workers and a very small resident population.” Since the adoption of the Central City Community Plan, many residential developments, including high-rise residential towers, have been approved and constructed in the Central City. As a result, retaining the existing retail base, as well as adding to it, has become an important component of mixed-use projects. The Project would provide neighborhood-serving retail uses that would create an active downtown environment for current and future residents. The Project would support the growth of the neighborhood by providing small, local retail services that would serve the surrounding neighborhood and activate the streets with more pedestrian activity.

8. **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 Applicant proposes to replace an existing surface parking lot with a high-density mixed-use project consistent with other similar developments occurring in Downtown Los Angeles. The Project would be constructed in a single phase as a 27-story, up to 320 feet in height, building totaling up to 305 residential units with up to approximately 6,171 square feet of neighborhood serving commercial uses, including 3,500 square feet of restaurant uses and 2,671 square feet of retail uses. The project proposes a contemporary design that is appropriate for the historic core, composed of varying complementary building materials and elements to provide articulation and a building design that promotes a lively street appearance. The project has been designed with open space, landscaping, outdoor and indoor recreation amenities and articulated building elevations. The Project would be consistent and compatible with existing and future development on neighboring and other properties in close proximity. When considering the recent approvals of the several nearby high rise / high density projects, located in the downtown area, it is apparent that high-rise mixed-use buildings are projects compatible with the proposed project.

The Project would continue the pattern of development in the community of mixed-use buildings that are street activating in nature. Furthermore, the location of the project site makes it ideal for high density residential, as it is zoned to permit unlimited density and is located within walking distance of transit, employment centers, retail and entertainment uses. Overall, the project site is located adjacent to other high-density developments as well as historic buildings, and has been designed meet the Downtown Design Guide which sets

parameters for development in relation to surrounding existing structures. Therefore, the project is proper in relation to the adjacent uses and the development of the community.

The Project has been designed to be consistent with the tower spacing requirements identified in the Downtown Design Guide. The tower would be located 81 feet from the neighboring Eastern Columbia Building and approximately 176 feet from the clock tower. The tower spacing is designed to provide privacy, natural light and air, as well as to contribute to an attractive skyline. Therefore, the Project would be proper in relation to adjacent uses and the development of the community.

A summary of project specifics is as follows:

- Height: 320 feet (27 stories)
- FAR: 7.45 to 1
- Yards: No yard requirements shall apply to a property located in the Greater Downtown Housing Incentive Area, according to LAMC Section 12.22-C.3(a). The Project would maintain zero front, side and rear yard setbacks with the exception of the western side yard along the adjacent parking garage, which would maintain a 3-foot setback. Additionally, the Project would maintain a small 12'6" x 14'-7" notch within along the portion of the podium nearest the northwest corner of the adjacent Eastern Columbia Building.
- Off-street Parking Facilities: Residential parking would be provided based on the Central City Parking Exception, and commercial parking would be provided based on the Exception Downtown Business District, LAMC Section 12.21-A.4(i)3.
- Open Space: 32,225 square feet.

Building Arrangement (Height, Bulk and Setbacks)

The Project is designed with a 27-story, 320-foot high tower with an attached, partially lined parking structure. The existing C5-4D Zone on the site does not limit height, however, the 4D height district limits the permitted floor area ratio (F.A.R.) of the site to 6:1. The project has been approved for a Transfer of Floor Area less than 50,000 square feet, which has resulted in an F.A.R. of up to 7.45:1. This high-rise, 27-story building would front on Hill Street and 9th Street, establishing a massing and bulk that encompasses a majority of the lot area. The Project would also feature one level of subterranean parking and four levels, of podium parking. Levels five (5) and six (6) would be completely lined with habitable space on the street frontages and therefore parking on these levels would not be visible from the street level. Consistent with other neighboring buildings, the ground floor commercial space will provide a direct interface with the street frontages, creating pedestrian activity. The Downtown Design Guide encourages variations in setbacks along street frontages, and specifies that setbacks on retail streets in the Historic Downtown area are to match prevailing setbacks where appropriate. The adjacent properties along Hill and 9th Streets do not have front yard setbacks. The Downtown Design Guide also dictates that at least 95% of the Project Frontage along 9th Street and Hill Street be lined with Building Street Wall at the back of the setback and that 90% of that Building Street Wall on 9th Street and Hill Street reach a height of 75 feet. The Project would comply with all applicable requirements set forth in the LAMC and Downtown Street Standards.

Off-Street Parking Facilities and Loading Areas

Based on the Central City Parking Exception, the Project would be required to provide a total of 321 residential parking spaces with 242 spaces designated for residential units with

three habitable rooms or less and 79 spaces designated for residential units with three habitable rooms or more.

The commercial parking ratio for up to 6,171 square feet of new ground floor retail space would be based on the Exception Downtown Business District, according to LAMC Section 12.21-A,4(i)3 which requires at least one parking space per 1,000 square feet for business, commercial or industrial buildings, having a gross floor area of 7,500 square feet or more. Consequently, the Code does not require any commercial parking for this project.

The Project would provide six levels of parking, including one level of subterranean parking accessed from 9th Street, and five (5) levels of above grade parking. The ground level would support five parking spaces and a loading area, accessed from Hill Street. Levels 2-4 would consist entirely of parking spaces and Level 5 would support additional parking behind habitable space fronting Hill Street and 9th Street. The building's architectural façade along Hill Street, designed to be compatible in scale with the adjacent historic buildings, would obscure the parking on above grade parking levels two (2) – four (4) so as to visually screen the appearance of parking from street level. With the exception of a stairwell at the northern portion of the site, level five (5) would be completely lined with habitable space on the street frontages and therefore would not be visible from the street level. Level 6 is also wrapped with habitable space on the street frontages. The glass enclosure of the tower would come down at the corner of 9th and Hill Streets. However, the massing, scale and rhythm from the Broadway Trade Center on Hill Street would continue along 9th Street to create continuity of the historical context through the City Block. Vehicular access to the site would be from one entrance on Hill Street and one entrance on 9th Street. Loading and trash collection would take place within the interior of the ground level and would not be visible from the street.

The Bicycle Parking Ordinance, which applies to projects citywide, became effective on March 13, 2013. It includes design standards and siting requirements as well as requirements for short- and long-term bicycle parking. Pursuant to the requirements of LAMC 12.21 A.4, 12.21 A.4(c), 12.21A.16 and 12.21 A.5 (the Bicycle Parking Ordinance 182,386), The Project is required to provide a total of 342 bicycle parking spaces. A total of 34 short-term bicycle parking are proposed as well as a total of 308 long-term bicycle parking, meeting the code requirements.

As an amenity to encourage residents to use bicycles for transportation as well as recreational exercise, the Project proposes to include a bicycle lounge and repair facility that facilitates more residents to use and maintain bicycles.

The Project would include a loading area located on the ground floor level. The loading areas would serve the retail and residential uses. The location of the loading areas inside the garage would result in limited impacts on adjacent properties as all loading would occur inside the building.

Lighting

The plans submitted do not show the location or type(s) of lighting for the Project. The applicant has been required in Condition of Approval Number 13.f.iv. to provide exterior lighting in compliance with Section 8.F., Lighting of the Downtown Design Guide. As conditioned, the project will not result in a substantial amount of light that would adversely affect the day or night time views in the project vicinity.

Landscaping

The project has been conditioned to attractively landscape all open areas not used for buildings, driveways, parking areas, recreational facilities, or walks. Landscaped areas will be installed with an automatic irrigation system and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect.

Based on 305 proposed dwelling units, the project shall provide 76 on-site trees, pursuant to Section 12.21-G.2(a)(3) of the Los Angeles Municipal Code, or one (1) 24" box tree per every four (4) units, whichever is greater.

In the event that the 76 trees cannot be accommodated on the project site, the applicant shall make arrangements with City Plants to have the trees planted off-site. The first priority for the location of off-site plantings shall be within the Central City Community Plan Area. If trees cannot be planted within the Central City Community Plan Area, the location shall be determined by City Plants.

Trash Collection

The Project will provide a trash collection area within the building, which will be located on the ground floor level of the Proposed Project. The central trash area for the building will be located in a central location that is accessible from the residential lobby as well as from the proposed retail spaces. Access to collect trash will be from the access driveway off Hill and 9th Streets.

Fences and/or Walls

The Project does not incorporate fences and/or walls.

9. **That any residential project provides its residents with appropriate type and placement of recreational facilities and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties where appropriate.**

The Project includes dedicated areas for residential, social, and recreational functions. In compliance with the Los Angeles Municipal Code requirements, the development will provide 32,225 square feet of open space, which will provide common outdoor and indoor space for residents. The 7th floor would include approximately 12,437 square feet of common open space with a 9,217 square foot landscaped roof deck, including a swimming pool, and 3,220 square feet of indoor amenities. Indoor amenities on the 7th floor are proposed to include a 1,160 square foot lounge, and a 2,060 square foot fitness center. The 27th level would feature a 2,891 square foot sky deck and a 1,747 square foot indoor sky lounge. The Project also includes 15,150 square feet of private open space within balconies and terraces. The development includes specific dedicated areas for recreational activities and would meet the City's open space standards.

The Project also would encourage an active recreational lifestyle for its residents. The fitness center and swimming pool provide the opportunity for healthy exercise, while outdoor space dedicated at the podium level and on the rooftop would be designed for passive recreational opportunities and relaxation. As an amenity to encourage residents to use bicycles for transportation as well as recreational exercise, the Project proposes to include a bicycle lounge and repair facility that facilitates more residents to use and maintain

bicycles. The Project provides these recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

In addition to the on-site residential amenities, the applicant will also be contributing approximately a \$1.8 million public benefit payment per Los Angeles Municipal Code Section 14.5.9 for the requested transfer of floor area. This money may be used for various public improvements around the project site, therefore positively impacting neighboring properties.

ADDITIONAL MANDATORY FINDINGS

10. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas determined to be outside the 0.2% annual chance floodplain.
11. On April 22, 2016, the Department of City Planning released an Addendum to the previously adopted Mitigated Negative Declaration No. ENV-2006-6302-MND. The original MND was adopted on January 31, 2007.

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15164, the lead or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred. An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration. The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project. A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

Pursuant to CEQA Guidelines Section 15162, when a negative declaration has been adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- a. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- b. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- c. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

- d. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
- e. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- f. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- g. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Given the fact no new significant impacts were identified as a result of the now Modified Project, an Addendum was prepared. This Addendum reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts are mitigated to a less than significant level. All feasible mitigation measures have been incorporated into the project as Conditions of Approval to ensure that there will be no significant unavoidable environmental impacts.

The Proposed Modified Project may cause potentially significant impacts on the environment without mitigation. The Addendum to the environmental analysis (ENV-2006-6302-MND) concludes that none of the proposed changes to the Project would generate or result in any new significant environmental impacts and the mitigation measures identified in the adopted Mitigated Negative Declaration shall be readopted for the purposes of avoiding and mitigating all potential adverse impacts on the environment in association with the associated case(s): ZA-2006-6350-YV-ZAA-SPR and VTT-66505. Finally, based on the fact that these impacts can be feasibly mitigated to less than significant, and based on the findings and thresholds for Mandatory Findings of Significance as described in the California Environmental Quality Act, section 15065, the overall project impacts(s) on the environment (after mitigation) will not:

- Substantially degrade environmental quality.
- Substantially reduce fish or wildlife habitat.
- Cause a fish or wildlife habitat to drop below self-sustaining levels.
- Threaten to eliminate a plant or animal community.
- Reduce number, or restrict range of a rare, threatened, or endangered species.
- Eliminate important examples of major periods of California history or prehistory.
- Achieve short-term goals to the disadvantage of long-term goals.
- Result in environmental effects that are individually limited but cumulatively considerable.
- Result in environmental effects that will cause substantial adverse effects on human beings.

The prepared Addendum was not published for formal comment; however, staff has received numerous letters from interested parties. While such letters presented arguments against the Proposed Project, they did not present any new information that would warrant any changes to the environmental analysis as presented in the Addendum to the previously adopted MND. Formal responses to such letters have been prepared and are located in the subject case file.

The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street