

FINDINGS OF FACT (CEQA)

The project was issued Mitigated Negative Declaration ENV-2013-2994-MND on July 21, 2016. Potential negative impacts could occur from the project's implementation due to:

- Hazardous Materials Site
- Land Use / Planning
- Increased Noise Levels (Demolition, Grading, and Construction Activities)
- Increased Noise Levels (Mixed-Use Development)
- Increased Noise Levels (Parking Structure Ramps)
- Public Services (Fire Protection)
- Public Services (Police – Demolition / Construction Sites)
- Public Services (Police)
- Transportation / Traffic
- Utilities (Local Water Supplies – Landscaping)
- Utilities (Local Water Supplies – All New Construction)
- Utilities (Local Water Supplies – New Commercial or Industrial)
- Utilities (Local Water Supplies – New Residential)

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2013-2994-MND 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 identified above are mitigated to a less than significant level through implementation of **Condition Nos. 17 and 18** of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

In accordance with Section 21081.6 of the Public Resources Code (AB3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in Condition No. 16.

Furthermore, the Advisory Agency hereby finds that modification(s) to and/or correction(s) of specific mitigation measures have been required in order to assure appropriate and adequate mitigation of potential environmental impacts of the proposed use of this subdivision.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract No. 74112, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

(a) **THE PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.**

The adopted Central City North Plan designates the subject property for heavy manufacturing land use with the corresponding zone of M3. The property contains approximately 2.59 net acres (112,842 net square feet) after required dedication and is presently zoned M3-1-RIO. The proposed 14-lot airspace subdivision is allowable under the current adopted zone and the land use designation. The project site is within the River Improvement Overlay (RIO) District.

Related Case No. CPC-2013-2993-GPA-VZC-HD-DB-MCUP-SPR includes a general plan amendment to change the land use designation from Heavy Industrial to Regional Commercial, a vesting zone change / height district change from M3-1-RIO (Heavy Manufacturing) to C2-2D-RIO (Commercial). The requested Community Commercial land use correlated C2 Zone would allow the proposed residential and commercial development on the property. The tract map approval is conditioned on the approval of the General Plan Amendment and Zone Change / Height District Change (Condition No. 15).

Residential parking will be provided as required by the LAMC. The project will provide 397 resident parking spaces and 80 guest parking spaces for the 344 live-work apartment units.

The project site is located within the Los Angeles State Enterprise zone. Per LAMC 12.21-A.4(x)(3), areas within any Enterprise Zone only need to provide two parking spaces for every 1,000 square feet of commercial space. Based on this requirement, the 29,544 square foot site is required to provide 59 commercial parking spaces.

The project will include 391 on-site bicycle parking spaces, meeting requirements of the Bicycle Ordinance (Ordinance No. 182,386). The live-work units require 379 bicycle parking spaces, including 35 short-term and 344 long-term spaces. The commercial area requires 12 bicycle parking spaces, including 5 short-term and 7 long-term spaces.

Therefore, the proposed map will be consistent with the applicable General Plan upon approval of the General Plan Amendment and the Zone Change.

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

The Bureau of Engineering has reviewed the proposed subdivision and found the subdivision layout generally satisfactory and that there are existing sewers in the streets adjoining the subdivision. As a condition of approval, the subdivider is required to make dedications and improvements on Industrial Street, Alameda Street and Mill Street in order to meet current street standards. The Bureau of Street Lighting has also reviewed the proposed subdivision and has conditioned the subdivision approval to construct new street lights on Industrial Street, Alameda Street and Mill Street in order to meet current street lighting standards. This tract will connect to the public sewer system and will not result in violation of the California Water Code. The Bureau of Sanitation reviewed the sewer/storm drain lines serving the proposed subdivision and found no potential problems to their structures or potential maintenance problems.

Therefore, as conditioned, the proposed tract map is consistent with the intent and purpose of the applicable General and Specific Plans.

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

The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone. The Department of Building and Safety, Grading Division, has tentatively approved the tract map without conditions.

The site is not subject to the Flood Hazard Specific Plan (Ordinance No. 172081, effective July 3, 1998) for floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas. This plan qualifies property owners for greater coverage limits and generally lower flood insurance premium rates.

A tree letter dated February 12, 2016, certified that there are no protected trees on the project site.

The project engineer has certified that the subject site is not located in a flood hazard, a hillside, or a mud-prone area. However, the project is located in a Methane Buffer Zone. Prior to the issuance of a building permit, a qualified engineer will be required to investigate and design a methane mitigation system in compliance with the Department of Building and Safety Methane Mitigation Standards for the appropriate Site Design Level, which will prevent or retard potential methane gas seepage into the building.

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

The approximately 2.59 acre site is currently zoned M3-1-RIO. The proposed map includes an accompanying request for a general plan amendment to change the Central City North land use designation from Heavy Manufacturing to Regional Commercial, a vesting zone change / height district change from M3-1-RIO (Heavy

Manufacturing) to C2-2D-RIO (Commercial), On- and Off-Menu Density Bonus Incentives for reduced open space and reduced side yard setbacks respectively, a master conditional use permit for the sale of alcohol for on-site restaurant consumption, and an approval of Site Plan Review findings (Case No. CPC-2013-2993-GPA-VZC-HD-DB-MCUP-SPR). The current plan designation of Heavy Manufacturing and the M3-1-RIO Zone would not allow residential and commercial uses on the site. The land use designation change and zone change would allow the C2 Zone to be developed at the R5 density which is 200 square feet of lot area per dwelling unit. The proposed 344 dwelling units is consistent with R5 density.

The Height District Change from Height District No. 1 to Height District No. 2D would allow an increase in the Floor Area Ratio (FAR) from 1.5:1 to 6:1. Although Height District No. 2 allows an FAR of 6:1, the D limitation reduces the maximum FAR to 3:1. The project will be built at or less than 2.98:1 FAR. This would allow for a mix of commercial and residential uses as permitted by LAMC Section 12.22 A.18(a).

The project site is currently served by two MTA Rapid Bus Lines, including lines 720 and 760, and five MTA Local Bus Lines, including lines 18, 28, 53, 60 and 62. These lines provide connections to the downtown subway stations, which include Pershing Square and 7th Street/Metro Center. Additionally, the Greyhound Bus Terminal is located one block south of the project site on 7th Street, which provides inter-city bus services to various locations outside of the Los Angeles area.

The project is also served by the Metro Gold Line rail system located at the Little Tokyo/Arts District station near 1st Street and Alameda Street. The Metro Gold Line offers service to East Los Angeles to the east and Pasadena to the northeast. The Metro Gold Line connects to Union Station, providing access to Metrolink, the Metro Silver Bus Line, and Metro Rail Red and Purple Lines.

- (e) THE DESIGN OF THE SUBDIVISION OR THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The Deputy Advisory Agency certified that Mitigated Negative Declaration No. ENV-2013-2994-MND reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided that the potential impacts identified above are mitigated to a less than significant level through implementation of **Conditions Nos. 17 and 18** of the Tract's approval.

The Initial Study, prepared for the project by Parker Environmental Consultants (published on July 21, 2016), identifies potential adverse impact on fish or wildlife resources as far as earth, air, and plant life are concerned. However, measures are required as part of this approval, which will mitigate the above mentioned impacts to a less than significant level. Furthermore, the project site, as well as the surrounding area is presently developed with structures and does not provide a

natural habitat for either fish or wildlife.

Any demolition, grading, and construction will be conducted per the requirements of the Los Angeles Municipal Code and associated permits needed to perform such work. These permits also restrict work hours to mitigate noise pollution.

- (f) **THE DESIGN OF THE SUBDIVISION OR TYPE OF IMPROVEMENTS IS NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.**

There appears to be no potential public health problems caused by the design or improvement of the proposed subdivision. The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

- (g) **THE DESIGN OF THE SUBDIVISION OR THE TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS, ACQUIRED BY THE PUBLIC AT LARGE, FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.**

There are no recorded instruments identifying easements encumbering the project site for the purpose of providing public access. The project site contains legally recorded lots identified by the Assessor Parcel Record. The site is surrounded by private and public properties that adjoin improved public streets and sidewalks designed and improved for the specific purpose of providing public access throughout the area. The project site does not adjoin or provide access to a public resource, natural habitat, Public Park or any officially recognized public recreation area. Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

- (h) **THE DESIGN OF THE PROPOSED SUBDIVISION SHALL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)**

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

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

The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

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

These findings shall apply to both the tentative and final maps for Tract No. 74112.