

FINDINGS

1. **Transfer of Floor Area Rights Findings.** Pursuant to LAMC Section 14.5.6 B,2(a) and 4(a), in order to approve a Transfer, the Commission shall find that:

- a. **The increase in Floor Area generated by the proposed Transfer is appropriate with respect to location and access to public transit and other modes of transportation, compatible with other existing and proposed developments and the City's supporting infrastructure, or otherwise determined to be appropriate for the long-term development of the Central City.**

The Receiver Site (Project Site) is located at the southwest corner of Main Street and 6th Street, within the Historic Downtown District of the Central City Community Plan area. The site has approximately 60,819 square feet of lot area and would be permitted a maximum floor area of 364,914 square feet, or a 6:1 Floor Area Ratio (FAR). The Applicant has requested a Transfer of 186,435 square feet of floor area from the Donor Site located at 1201 South Figueroa Street (Los Angeles Convention Center), to permit a maximum 9.1:1 FAR on the Receiver Site. The properties to the north, south, and west have a land use designation of Regional Center Commercial and are zoned C2-4D, C2-2D, or C5-4D. The Project Site is located in an area which is developed with a mixture of low- to high-rise, mixed-use buildings. To the north, across 6th Street, is a surface parking lot and the Lloyd's Bank Building, a 13-story, adaptively reused, mixed-use building which is a contributor to the Spring Street Financial Historic District. To the east, across Main Street, the properties are developed with the nine-story Pacific Electric Building (a Historic Cultural Monument), a six-story building with ground floor retail, a one-story art studio building, and the 14-story Hotel Cecil, a Historic Cultural Monument. To the south, the properties are developed with the ten-story Board of Trade Building, a historic building, and the adaptively reused Bank of America Building, a contributor to the Spring Street Financial District Historic District. To the west, the properties are developed with a twenty-story building mixed-use building, the Los Angeles Stock Exchange Building, a Historic Cultural Monument containing a club, the six-story Historic Mortgage Guarantee Building containing the City Lofts apartments, the 14-story Banks-Huntley Building, a Historic Cultural Monument containing office uses, and a surface parking lot.

The site is located approximately 0.3 miles south of the Pershing Square Metro Station, which is serviced by the Metro Red and Purple Lines. The Red Line provides service between Union Station and North Hollywood, with connecting services to the Metro Orange Line. The Orange Line is a rapid bus line which provides service to Warner Center and Chatsworth. The Purple Line provides service between Union Station and Koreatown. Union Station provides access to the Metro Gold Line, as well as a number of heavy rail lines and bus lines which provide daily service to the Southern California area. While the Red and Purple Lines would provide service to the 7th Street/Metro Center Station, the site is located just 0.6 miles southeast of the station. The 7th Street/Metro Center Station is serviced not only by the Red and Purple Lines, but also the Metro Blue and Expo Lines. The Blue Line provides service from the station to Downtown Long Beach, and connecting service to the Metro Green Line. The Green Line provides services from Norwalk to Redondo Beach, and to LAX via a shuttle bus. The Expo Line provides service from the 7th Street/Metro Center Station to Downtown Santa Monica. In addition to the heavy and light rail lines, Metro operates many local and limited bus routes within reasonable walking distance (one-quarter mile) of the Project Site. Metro bus lines 2/302, 4, 10/48, 16/17/316, 18, 20, 28, 30/330, 33, 35/38, 40, 45, 51/52/351, 53, 60, 62, 66, 68, 83, 90/91, 94, 460, 720, 728, 745,

760, and 794 have stops which are located within one-quarter mile of the Project Site. In addition to the Metro local and limited bus routes, the Project Site is located within reasonable walking distance of stops for LADOT's Downtown Dash Lines D and E, and Commuter Express Lines 409 and 419, and the Gardena 1X Line. In addition to available public transit, regional access to the site is also provided by three freeways: Pasadena/Harbor Freeway (I-110/SR 110), located approximately 0.6 miles to the west; the Hollywood Freeway (US - 101), located approximately 0.8 miles to the north; and the Santa Monica Freeway (I-10) located approximately 1.2 miles to the south.

The increase in floor area generated by the proposed Transfer would allow the development of the Receiver Site to be developed with 452 residential dwelling units, of varying unit types, and 21,514 square feet of ground floor commercial area. The Project is considered an infill development within a developed and improved area of the City, which was designated for high density residential development and regional serving commercial uses by the Community Plan. The proposed Transfer would be appropriate for the Receiver Site, which would be accessible by various modes of public transportation and transit, and would be compatible with existing and proposed developments in the area, and the City's infrastructure.

b. The Project is consistent with the purposes and objectives of the Redevelopment Plan;

The proposed Project would be located on a Receiver Site (Project Site) that is located within the City Center Redevelopment Plan. The City Center Redevelopment Plan was adopted in May 2002 by the Community Redevelopment Agency of Los Angeles (CRA/LA), which is now a Designated Local Authority. The City Center Redevelopment Plan has the primary objective of eliminating and preventing blight in the Redevelopment Project Area. The project is consistent with the objectives contained in Section 105 of the Redevelopment Plan, the objectives of the Plan are the following:

Objective 1: To eliminate and prevent the spread of blight and deterioration and to rehabilitate and redevelop the Project Area in accordance with this Plan.

Objective 2: 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.

Objective 3: 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.

Objective 4: 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.

Objective 5: To guide growth and development, reinforce viable functions, and facilitate the redevelopment, revitalization or rehabilitation of deteriorated and underutilized areas.

Objective 6: 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.

Objective 7: 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.

Objective 8: 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.

Objective 9: To achieve excellence in design, based on how the Central City is to be used by people, giving emphasis to parks, green spaces, streetscapes, street trees, and places designed for walking and sitting, and to develop an open space infrastructure that will aid in the creation of a cohesive social fabric.

Objective 11: 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.

Objective 12: To provide a full range of employment opportunities for persons of all income levels.

Objective 13: 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.

Objective 14: 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.

Objective 15: To establish an atmosphere of cooperation among residents, workers, developers, business, special interest groups and public agencies in the implementation of this Plan.

The Receiver Site is currently improved with a surface, public parking lot which is fenced and has four curb cuts along Main Street and one along 6th Street. As such, the site does not have any key landmarks nor any structures on-site of architectural, historic or cultural merit that could be adaptively reused. The Project would redevelop the site with a mixed-use building containing 452 residential dwelling units and 21,514 square feet of ground floor commercial space. Off-site improvements, as part of the Project, would include the removal of all of the curb cuts along Main Street and 6th Street, and improvement of the alley (Harlem Place). As discussed in Finding No. 1(a), the site is located in an area that is well serviced by public transit, which provides local and regional access to a variety of employment centers in and outside of the City. The proposed ground floor commercial space would provide opportunities for local employment, while providing services and amenities to the new and existing residents in the area. The proposed density would add to the housing stock, with a variety of unit types to accommodate individuals and larger households. The Project would create new opportunities for homeownership with the recordation of the associated tract map, Case No. VTT-69839-CN. It is anticipated that the new residents would shop, eat, entertain, and work at local business establishments in the area, thereby

enhancing employment opportunities and the area's tax base. As such, the Project is consistent with the purpose and objectives of the Redevelopment Plan.

c. The Transfer serves the public interest by complying with the requirements of Section 14.5.9 of this Code;

As part of the Transfer Plan, a Public Benefit Payment is required and 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 Transfer serves the public interest by facilitating a Project that will contribute to the sustained economic vitality of the Central City area, and by contributing a total Public Benefit Payment of \$4,291,570.00 (based on a formula that includes the Transfer of 186,435 square feet) and a TFAR Transfer Payment of \$932,175 (based on the Transfer of 186,435 square feet from the Convention Center multiplied by \$5.00), in accordance with LAMC Section 14.5.10. The Public Benefit Payment consists of a 50 percent cash payment of \$2,145,785.00 to the Public Benefit Payment Trust Fund, and 50 percent of the payment for public benefits to be directly provided by the applicant, as indicated in the table below.

Public Benefit Payment Transfer Plan		
Total Public Benefit Payment		\$4,291,570.00
50% Public Benefit Cash Payment		\$2,145,785.00
50% Public Benefit Direct Provision		\$2,145,785.00
Allocation of Public Benefit Direct Provision		
LA Streetcar (Operations of street car system)	28.12%	\$603,413.05
Off-site Improvements (Main Street, Harlem Place, and Blackstone Court improvements)	20.61%	\$442,393.42
Deep Green (Affordable Housing and Community Development)	41.14%	\$882,696.06
Chrysalis (Job training and new jobs for the homeless)	3.55%	\$76,104.12
LANI (Broadway streetscape initiative)	6.58%	\$141,178.35
Total	100%	\$2,145,785.00

d. The Transfer is in conformance with the Community Plan and any other relevant policy documents previously adopted by the Commission or the City Council.

The Receiver Site (Project Site) of the Transfer is located within the Central City Community Plan, and has a land use designation of Regional Center Commercial and is zoned C2-4D. The Community Plan describes the Transfer of Floor Area Rights (TFAR) as follows (Page III-19):

"The transfer of floor area between and among sites is an important tool for Downtown to direct growth to areas that can best accommodate increased density and from sites that contain special uses worth preserving or encouraging."

The site is subject to Development "D" Limitation, contained in Subarea 1545 of Ordinance No. 164,307, which would limit the FAR to 6:1, unless a transfer of floor area is approved. The Transfer would reallocate 186,435 square feet of unused,

allowable floor area from the Donor Site (Los Angeles Convention Center) and would permit a maximum FAR of 9.1:1 on the Receiver Site, which would be consistent with Community Plan and other relevant policy documents which provides for a transfer of floor area up to a 13:1 FAR. As further discussed in Finding No. 2(a), the Transfer would permit the development of the Receiver Site with a Project that is consistent with the objectives and policies of the Community Plan, as well as the applicable design guide.

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

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

The Los Angeles General Plan Framework Element provides guidance regarding policy issues for the entire City, as well as sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. As identified in the Figure 3-1, Metro Long Range Land Use Diagram of the Framework Element, the project site is located within an area designated as the Downtown Center. The Framework Element generally characterizes the Downtown Center as having up to a 13:1 FAR and high-rise buildings. The Framework Element contains the following relevant goals, and objectives, as it relates to Downtown Centers:

GOAL 3G: 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.

In addition to the goals, objectives, and policies regarding the Downtown Center, the Framework Element contains the following goals, and objectives as it relates to housing and commercial uses:

GOAL 3C: Multi-family neighborhoods that enhance the quality of life for the City's existing and future residents.

Objective 3.7: Provide for the stability and enhancement of multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained or improved.

GOAL 3F: Mixed-use centers that provide jobs, entertainment, culture, and serve the region.

Objective 3.10: Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that

serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.

GOAL 4A: An equitable distribution of housing opportunities by type and cost accessible to all residents of the City.

Objective 4.1: Plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types within each City subregion to meet the projected housing needs by income level of the future population.

Objective 4.2: Encourage the location of new multi-family housing development to occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers between higher-density developments and surrounding lower-density residential neighborhoods.

The Project Site is located within the Central City Community Plan area, which is one of 35 Community Plans that the Land Use Element of the General Plan is comprised of. The Community Plan establishes goals, objectives, and policies for future developments at a neighborhood level and is further implemented through the Los Angeles Municipal Code (LAMC). The goals, objectives, and policies of the Community Plan and the applicable regulations contained within the LAMC would permit the development of the site in a manner that is consistent with the above referenced goals and objectives of the Framework Element. The Central City Community Plan contains the following relevant objectives, and policies:

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

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

The Project Site is located within the boundaries of the Historic Downtown District of the Community Plan area. The Project Site, which is designated by the Community Plan for Regional Center Commercial land uses, is zoned C2-4D. As the site is located within a designated regional center, the C2 Zone would permit one dwelling unit per 200 square feet of lot area for a mixed-use project. However, the site is also located within the boundaries of the Greater Downtown Housing Incentive Area, which was established to incentivize the development of housing. As such, the properties which are located within the boundaries of the Incentive Area are not subject to the minimum square foot per lot area regulations of the zone. The Project proposes to develop the site with a 38-story, mixed-use building with 452 residential dwelling units and approximately 21,514 square feet of ground floor commercial uses. As proposed, the Project would be consistent with Objective 2-4 by providing new housing opportunities within the Historic Downtown District and by providing ancillary commercial uses. The commercial space would serve to provide services and amenities to the new and existing residents, as well as employees in the area. The proposed dwelling units would consist of 11 studio units, 110 one-bedroom units, 320 two-bedroom units, and 11 three-bedroom units. The variety of unit typologies would provide a range of

housing choices for existing and future residents of the Downtown area, consistent with Objective 1-2.

The Housing Element contains goals and objectives to encourage the development of “an adequate supply of rental and ownership housing” (Objective 1.1), as well as to “facilitate new construction and preservation of a range of different housing types that address the particular needs of the city’s households” (Policy 1.1.3). On June 6, 2017, the Advisory Agency approved incidental Case No. VTT-69839-CN for one master ground lot and two airspace lots for a maximum of 452 residential condominium units and fifteen commercial condominiums. As proposed, the mixed-use development would meet the objectives and policies of the Housing Element of the General Plan by providing a variety of unit types to accommodate individuals and households, and new homeownership opportunities. Additionally, the Housing Element contains the following goals, objectives, and policies:

GOAL 2: Safe, Livable, and Sustainable Neighborhoods.

Objective 2.1: Promote safety and health within 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.

Policy 2.3.3: Promote and facilitate the reduction of energy consumption in new and existing housing.

The Project proposes, and has been conditioned, to install 1,614 square feet of solar panels. The installation of solar panels will improve habitability for residents and neighboring properties by reducing the level of greenhouse gas emissions. Additionally, as the Project Site is located along designated Avenue II and Modified Avenue III streets, the project has been conditioned to require the installation of sound proof windows to reduce noise from the street. As such, the project is consistent with Goal 2 of the Housing Element and aforementioned objectives and policies.

The Project would be required to dedicate land and improve the sidewalk along Main Street, in conformance with the Street Standards of an Avenue II street, consistent with the Mobility Element. No further dedications or improvements are required for 6th Street. In addition to establishing Street Standards, the Mobility Element encourages “the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure” (Policy 5.4). The Project proposes to provide the required 480 automobile parking spaces and an additional 380 automobile parking spaces. The Project has been conditioned to require that 20 percent of the proposed parking spaces to be wired for the immediate installation EV chargers. As conditioned, the Project would be able to provide a service to local residents and employees in the area, while encouraging the use of low and zero emission fuel sources and the infrastructure to support it. Additionally, the project would comply with existing Green Building codes, which were adopted to help facilitate the reduction of energy consumption.

- b. The project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that is or**

will be compatible with existing and future development on adjacent properties and neighboring properties.

As described in Finding No. 1(a), the Project Site is adjacent to a number of adaptively reused buildings which range from low- to high-rise buildings and surface parking lots within the Historic Downtown District. The Project proposes to develop the site with a 38-story, mixed-use building with 452 dwelling units and 21,514 square feet of commercial space. The first six stories would consist of the ground floor commercial tenant spaces and residential dwelling units wrapped around the six levels of above grade parking. The seventh story would provide outdoor common open space, as well as dwelling units located along the Main Street and 6th Street elevations. The remaining units would be located within the residential tower, with additional open space provided on the 38th floor. As the Project Site is located within the Greater Downtown Housing Incentive area, the Project has been designed in accordance with the Downtown Design Guide and as described below, would be compatible with the existing and future development on adjacent and neighboring properties.

Building Arrangement (height, bulk and setbacks)

As previously discussed, the Project Site is located within the Historic Downtown District. Within the Historic Downtown District, all streets are designated as Retail Streets and would be permitted to provide a setback ranging from zero to three feet, as indicated in Figure 3-1 and Table 3-2 of the Downtown Design Guide. Along Main Street, the majority of the building would observe a zero-foot setback. Minor setbacks are proposed for the entryway to the residential lobby and two of the residential tenant spaces to provide articulation and breaks along the 420-foot long façade. Zero-foot setbacks are proposed along 6th Street and the alley. As proposed, the building would be consistent with Section 3.B of the Guide as it relates to building setbacks.

As the proposed building would have a maximum of 38 stories, the Downtown Design Guide characterizes the Project as a High-Rise building. The first six stories of the building are proposed to cover the entire site. Dwelling units are proposed along the Main Street and 6th Street elevations on the seventh story, and the proposed residential tower would be setback a varying distance of 20 to 28 feet from the Main Street elevation, approximately 119 feet from 6th Street elevation, approximately 40 feet from the alley, and approximately 52 feet from the southern property line. The street wall along both street frontages are proposed at six to seven stories and do not require breaks for driveways as vehicular access would be provided from the alley. As conditioned, the Project would be consistent with Downtown Design Guide as it relates to development within the Historic Downtown District along designated Retail Streets.

Off-Street Parking Facilities and Loading Areas

The Project proposes to provide the required 480 automobile parking and 380 additional, non-required, public parking spaces. The Project Site is located within the Adaptive Reuse Incentive Area and is located within the vicinity of buildings which have been adaptively reused for residential purposes. A number of the buildings were built with little to no parking on-site and were not required to provide parking as part of the conversion. As the Project would remove an existing public parking lot with 239 parking spaces, the additional parking spaces are anticipated to serve tenants of the nearby adaptively reused buildings. Although the residential dwelling units are proposed as condominiums, the Project has been conditioned to require that parking spaces are sold or rented separately from the residential dwelling units, as well as for the commercial tenant spaces. The parking spaces would be located within one

subterranean level and six above-grade levels of parking. As the project would exceed the three levels of above grade parking, the ground floor and mezzanine level of the parking structure would be lined with the commercial tenant spaces and floors two through five would be lined with residential dwelling units along Main Street and 6th Street. The parking structure would be accessible from two driveways located along the alley. The proposed loading area would be accessible from the alley. As proposed, the Project would be consistent with the Section 5 of the Guide as it relates to the Parking and Access.

Lighting

The proposed plans do not indicate a lighting plan; however, Condition No. 10 of the Conditions of Approval would ensure that the installation of lights would not result in a substantial amount of light that would adversely affect the day or night time views in the project vicinity.

Landscaping

As proposed, the Project is required to provide 54,025 square feet of open space. The Project will provide 40,370 square feet of common open space and 20,850 square feet of private open space, for a total of 61,220 square feet. LAMC Section 12.21 G, 25 percent of the common open space, 9,664 square feet, is required to be landscaped, and a minimum of one tree per four dwelling units, 113 trees, is required. The Project proposes to provide 10,059 square feet of landscaped area and 119 trees. As indicated on Page A0.10, LC 2-3, and LP 2-3, the outdoor common open space will be provided on the 7th floor and on the 38th floor. The proposed trees would be planted throughout the two outdoor common open space areas. The Project has been conditioned to meet the planting standards of the Guide, as found in Section 9-H, unless otherwise prohibited by the Urban Forestry Division, Bureau of Public Works.

Trash Collection

The Project proposes to provide a trash and recycling area within the building. The common area for the collection would be located within the parking area on the ground floor towards to the rear of the site. Access to the trash and recycling area would be provided from Harlem Place, the alley.

Fences and/or Walls

The proposed project does not incorporate fences and/or walls.

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

The project proposes to provide a variety of unit types which include: 11 studios, 110 one-bedroom units, 320 two-bedroom units, 11 three-bedroom units. Pursuant to LAMC Section 12.21 G, the project would be required to provide 54,025 square feet of open space and 113 trees. Pursuant to LAMC Section 12.22 C,3, the project is not required to prescribe a percentage of open space for either common or private open space. The project proposes to provide 20,850 square feet of private open space through private balconies and 40,370 square feet of common open space, for a total of 61,220 square feet of open space. The project would include a 28,115 outdoor amenity deck on the 7th floor, which would include seating and game areas, and an outdoor common area on the 38th floor. The 38th floor amenities would include a pool

deck, a covered bar lounge area, as well as a gym. Landscaping will be provided through the outdoor areas and would include the planting of 119 trees. Additionally, as conditioned, the project would provide the immediate installation of electric vehicle charging stations for 20 percent of the required parking spaces and would install operational photovoltaic system (solar) that will offset the electrical demand of the EV chargers and other on-site electrical uses. The immediate installation of the charging stations and solar would be in excess of building code requirements. The electric vehicle charging spaces and solar panels will improve habitability for residents and neighboring properties by reducing the level of greenhouse gas emissions and fuel consumption from the project site, in spite of increased parking capacity, through encouraging the use of low or zero emission vehicles. The EV ready parking spaces will also provide residents who use an electric vehicle a direct service amenity. As proposed, the project would provide recreational and service amenities which would improve habitability for its residents and minimize impacts on neighboring properties.

Environmental Findings

3. **Environmental Finding.** A Mitigated Negative Declaration (MND), along with mitigation measures and a Mitigation Monitoring Program (ENV-2014-2907-MND), was prepared for the proposed project in compliance with the California Environmental Quality Act (CEQA). Two comment letters were received from the Los Angeles Conservancy. The first letter, dated October 19, 2016, cited concerns regarding acceleration of new, high-rise development in Downtown Los Angeles, proposed new construction within and immediately adjacent to Downtown Historic Core should be in compliance with the Downtown Design Guide, and cumulative impacts should be analyzed. In a subsequent letter dated January 25, 2017, the Los Angeles Conservancy stated that they have been in conversation with the applicant and that the applicant's thorough environmental analysis and efforts have addressed their concerns. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND there is no substantial evidence that the proposed project will have a significant effect on the environment. A third letter, dated November 9, 2016, was submitted by Holland & Knight on behalf of the applicant. The letter provided further discussion regarding the project site's location and previous review that had been completed which support the findings of the MND and that there is no substantial evidence that would require an EIR. The attached Mitigated Negative Declaration reflects the lead agency's independent judgement and analysis. The records upon which this decision is based are with the Environmental Review Section of the City Planning Department in Room 750, 200 North Spring Street.
4. **Flood Insurance.** 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 of minimal flooding.