Los Angeles City Planning Commission

Date: December 12, 2013
Continued from Oct. 24, 2013

Time: After 8:30 a.m.

Place: City Hall, 3rd Floor
Board of Public Works Hearing Room
200 North Spring Street, Room 350
Los Angeles, CA 90012

Public Hearing: June 17, 2013
LIMITED PUBLIC HEARING: December 12, 2013
Appeal Status: Appealable to City Council
Expiration Date: February 25, 2014

PROJECT LOCATION:
Site A: 1308 S. Flower Street, 516, 520, 524, 526, 530, 534 W. Pico Boulevard, legally described as Lots: FR 1, 2, 3, 4, 5; Block: B; and Tract: Cameron Tract.
Site B: 1306 S. Hope Street, 416, 418, 420, 422, 424, 426, 430, 432, 434 W. Pico Boulevard, legally described as Lots: FR 1, 2, 3, 4; Block: C; Tract: Cameron Tract.

PROPOSED PROJECT:
The Project is located on two separate sites with two separate buildings with a total of 353,144 approximately 377,840 square feet including 418 410 apartments and 42,000 square feet (sf) of retail/commercial spaces on 1.86 acres. Site A consists of removal of the existing surface parking lot and construction of a seven-story, 88-foot ten-inch tall building (with architectural elements up to 91 feet), containing 249 248 apartments and 28,800 sf of commercial space. Site B consists of removal of two one-story commercial buildings and a surface parking lot and construction of a seven-story, 88-foot ten-inch tall building (with architectural elements up to 91 feet), containing 169 162 apartments and 13,200 sf of commercial space. Site A provides 116 residential parking spaces, 32 29 commercial parking spaces and 154 covenanted parking spaces for a total of 302 299 parking spaces. Site B provides 150 residential parking spaces and 45 13 commercial parking spaces for a total of 166 163 parking spaces. Sites A and B parking is located at-grade and within two subterranean parking levels contained within the building footprint. Vehicular access to parking areas is provided from the alley (Cameron Lane). Site A provides 24,799 21,548 square feet of open space and Site B provides 44,454 14,432 square feet of open space. The residential and pedestrian access is provided on Pico Boulevard. Site A is a 48,678-square-foot site classified in the [Q]R5-2D-O Zone and designated High Medium Residential. Site B is a 32,507-square-foot site classified in the C2-2D-O Zone and designated Community Commercial.

REQUESTED ACTIONS:
1. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, Adopt the Mitigated Negative Declaration (ENV-2012-1666-MND-REC2) for the above referenced project.

EXHIBIT E
CPC-2012-1665-TDR-ZV-SPR
2. Pursuant to Sections 14.5.6 and 14.5.8 through 14.5.12 of the Municipal Code, a Transfer of Floor Area Rights from the Los Angeles Convention Center (Donor Site) at 1201 S. Figueroa Street, a City-owned property, to Site A (Receiver Site) for the approximate amount of 89,692 square feet thereby allowing a 4.84:1 FAR and 235,727 square feet of floor area in lieu of a 3:1 FAR and 146,035 square feet of floor area.

3. Pursuant to Section 14.5.7 of the Municipal Code, a Floor Area Deviation to permit the increase of floor area of Site B by 49,893 square feet thereby allowing a 4.47:1 FAR and 147,414 square feet of floor area in lieu of a 3:1 FAR and 97,521 square feet of floor area.

4. Pursuant to Section 12.27 of the Municipal Code, a Variance to deviate from LAMC Section 12.21.G.2 open space requirements to allow a 48 percent reduction in open space on Site A (24,799 square feet in lieu of 28,600 square feet) and an 18 percent reduction in open space on Site B (44,454 square feet in lieu of 53,600 square feet).

5. Pursuant to Section 12.27 of the Municipal Code, a Variance to deviate from LAMC Section 12.21.G.2(a)(3) to provide one tree per 15 dwelling units in lieu of one tree per four dwelling units for Site A (17 trees in lieu of 62 trees) and to provide one tree per 11 dwelling units in lieu of one tree per four dwelling units for Site B (16 trees in lieu of 42 trees).

6. Pursuant to Section 12.27 of the Municipal Code, a Variance to deviate from LAMC Section 12.21.G.2(a)(3) to provide 16 percent landscaped common open space area in lieu of 25 percent for Site A (1,840 square feet in lieu of 2,827 square feet) and to provide 20 percent landscaped common open space area in lieu of 25 percent for Site B (1,546 square feet in lieu of 1,963 square feet).

7. Pursuant to Section 12.27 of the Municipal Code, a Variance to deviate from LAMC Section 12.21.A.4(p) to reduce residential parking to permit 116 residential parking spaces in lieu of 273 residential parking spaces for Site A and to permit 150 residential parking spaces in lieu of 479 residential parking spaces for Site B.

8. Pursuant to Section 12.27 of the Municipal Code, a Variance to deviate from LAMC Section 12.21.A.4(i) to reduce commercial parking to permit 32 commercial parking spaces for Site A in lieu of 29 commercial parking spaces and to permit 15 commercial parking spaces in lieu of 13 commercial parking spaces for Site B.

9. Pursuant to Section 12.27 of the Municipal Code, a Variance to deviate from LAMC Section 12.21.A.5(c) to allow up to 74 parking spaces (or 499 parking spaces) of 266 parking spaces to be compact in lieu of one standard space per unit.

10. Pursuant to Section 12.27 of the Municipal Code, a Variance to deviate from LAMC Section 12.21.A.4 to allow parking spaces to be rented or sold separately from residential units.

11. Pursuant to Section 16.05 of the Municipal Code, a Site Plan Review for a project that creates or results in an increase of 50 or more dwelling units.
RECOMMENDED ACTIONS:

1. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code Adopt the proposed Mitigated Negative Declaration (ENV-2012-1666-MND-REC2) and associated Findings.

2. Recommend that the City Planning Commission Continue this case, CPC-2012-1665-TDR-ZV-SPR to January 23, 2014, after the Agency Board acts on the requested TFAR Transfer Plan and Public Benefit Payment, in order for the City Planning Commission to consider the requested Public Benefit Payment, TFAR Transfer Plan, and associated Findings.

3. Approve the requested Floor Area Deviation to permit the increase of floor area of Site B by 47,818 square feet thereby allowing a 4.47:1 FAR and 145,339 square feet of floor area in lieu of a 3.1 FAR and 97,521 square feet of floor area.

4. Approve the requested Variance from Section 12.21 G.2 of the LAMC to permit an 18 percent reduction in open space on Site A (14,432 square feet in lieu of 17,548 square feet) and a 20 percent reduction in open space on Site B (14,432 square feet in lieu of 17,548 square feet).

5. Approve the requested Variance from Section 12.21 A.4(p) of the LAMC to reduce residential parking to permit 116 residential parking spaces in lieu of 266 residential parking spaces for Site A and to permit 150 residential parking spaces in lieu of 173 residential parking spaces for Site B.

6. Approve the requested Variance from Section 12.21 A.5(c) of the LAMC to permit 499 of the proposed 248 dwelling units to have one compact parking space per unit in lieu of the minimum one standard parking space per unit for Site A and to allow 113 of the proposed 499 dwelling units to have one compact parking space per unit in lieu of the minimum one standard parking space per unit for Site B.

7. Approve the requested Site Plan Review for a project that creates a maximum 377,840 square feet of development on two separate sites that total 1.86 acres including 410 residential units and 42,000 square feet of retail/commercial uses.

8. Adopt the attached Findings.

9. Advise the applicant that pursuant to the State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notices of Determination (NOD) filing.
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PROJECT ANALYSIS

SUMMARY OF CITY PLANNING COMMISSION MEETING ON OCTOBER 24, 2013

On October 24, 2013, the Project was heard by the City Planning Commission. At that meeting, the Commission provided direction to the Applicant and continued the case. The Commission expressed concerns about the building projection over the three-foot average easement, on-site trees, landscaping, open space, elevator access to the long-term bicycle parking area on the mezzanine level in Building A, maintenance of streetscape improvements in the sidewalk, signage, façade materials on the west elevation of Buildings A and B, and also comments regarding the Public Benefit Payment. The Applicant has revised the Project plans (attached as revised Exhibit A) to incorporate the comments received from the Commission. The following changes have been made:

- Building projection over the three-foot average easement. Buildings A and B no longer project into the three-foot average easement. However, architectural elements on levels 3, 6, and 7 of Buildings A and B do project into the three-foot average easement, which is allowed by the LAMC.
- On-site trees. Building A provides 62, 24-inch box shade trees (11 trees on the ground floor and 51 trees on the podium level), which is required by the LAMC. Building B provides 41, 24-inch box shade trees (10 trees on the ground floor and 31 trees on the podium level), which is required by the LAMC. The Variance is no longer requested.
- Landscaping. Building A provides 25 percent (or 2,648 square feet) landscaped common open space area. Building B provides 25 percent (or 1,794 square feet) landscaped common open space area. The Variance is no longer requested.
- Signage. The supergraphic signs on the west elevation of Building A have been removed and replaced with additional windows and exterior plaster. The supergraphic sign on the west elevation of Building B has been removed and replaced with additional windows and exterior plaster.

As a result of these modifications requested by the Commission, ancillary changes were made to the project design that has the effect of increasing the request for the overall Open Space relief for Building A (while lessening the request for the overall Open Space relief for Building B), and increasing the request for Compact Parking spaces for both buildings. In addition, the unit count and floor area of both buildings has been reduced.

The Commission also had comments about elevator access to the long-term bicycle parking area on the mezzanine level of Building A and maintenance of streetscape improvements in the public right-of-way. The Applicant is now required in the Conditions of Approval to add a door to the northwest wall of the long-term bicycle parking area on the mezzanine level in Building A. The Applicant is now required in the Conditions of Approval to comply with Section 9.8.3 of the Downtown Design Guide, which requires the Applicant to execute a Maintenance Agreement that specifies that the Applicant agrees to maintain streetscape improvements in the public right-of-way and accepts liability for them.
Additionally, the requested TFAR and associated Public Benefit payment has been reduced as a result of the lessened floor area for the proposed buildings. The total Public Benefit payment for Site A has been reduced from $970,414 to $935,510. The total Public Benefit payment for Site B has been reduced from $746,955 to $715,890. This reduced Public Benefit payment has had the effect of altering the allocations of payment for the direct provision of Public Benefits, as the overall amount of Public Benefits has been reduced and the South Park Business Improvement District has been added as a new recipient for the purpose of designing and building parklets, pocket park, and curb pop-outs.

**PROJECT SUMMARY**

The Applicant, Alpine Group, is seeking approvals for Transfer of Development Rights, a Floor Area Deviation, Variances and Site Plan Review for a Project that has two sites (Site A and Site B) with two separate buildings totaling 410 apartment units and 42,000 square feet of retail/commercial space on 1.86 acres. The Project includes the demolition of the existing surface parking lot on Project Site A and the demolition of a one-story restaurant, a surface parking lot and a one-story building with three tenant spaces on Project Site B and the construction of two mixed-use apartment buildings that together contain 410 apartments and 42,000 square feet of retail.

Building A consists of 248 apartment units and 28,800 square feet of retail. Site A is comprised of a seven-story building that is approximately 88 feet ten inches in height (with architectural elements up to 91 feet), with two levels of parking below grade, ground floor commercial retail uses and six levels of apartments above the ground floor. Site A includes a total of 232,500 square feet of development, resulting in an FAR of 4.78:1.

Building B consists of 162 apartment units and 13,200 square feet of retail. Site B is comprised of a seven-story building that is approximately 88 feet ten inches in height (with architectural elements up to 91 feet), with two levels of parking below grade, ground floor commercial retail uses and six levels of apartments above the ground floor. Site B includes a total of 145,339 square feet of development, resulting in an FAR of 4.47:1.

The Applicant is requesting a Transfer of Floor Area Rights (TFAR) of more than 50,000 square feet from the Los Angeles Convention Center (Donor Site) to Project Site A (Receiver Site). Pursuant to Ordinance No. 181,574 and Section 14.5.6 B. of the Los Angeles Municipal Code (LAMC). Projects involving a Transfer of 50,000 square feet or greater on a Receiver Site within the City Center Redevelopment Project Area are required to first obtain action by the Board of Commissioners of the Community Redevelopment Agency of the City of Los Angeles ("Agency Board"). If the Agency Board approves a request for an approval of a Transfer for a Project, the Community Redevelopment Agency of the City of Los Angeles ("Agency") and the Applicant shall then jointly submit the proposed Transfer Plan for the Project to the City Planning Commission of the City of Los Angeles ("Commission"), the initial decision-maker for the City. However, this Project could not first obtain action by the Agency Board because the Agency has been dissolved by the State of California and is currently in the process of transferring land use authority to a successor agency. If the Agency Board were to act first on this Project and adopt the MND, it would then become the lead agency and therefore be responsible for the environmental mitigations despite its impending dissolution.

Therefore, in order for the City to become the lead agency, the Project will first be heard by the City Planning Commission for the action of Mitigated Negative Declaration ENV-2012-1666-MND-REC2 and all the entitlements except the TFAR for 86,466 square feet from Los Angeles Convention Center (Donor Site) to Project Site A (Receiver Site) with the Transfer Payment and Public Benefit Payment. The Project would then go before the Agency Board for their action on
the proposed Transfer, including the Public Benefit Payment and the TFAR Transfer Payment. That meeting is tentatively scheduled for January 6, 2014. After the Agency Board acts, the Project would then return to the Commission for their action on the proposed Transfer, including the Public Benefit Payment and the TFAR Transfer Payment. Once the Commission acts on the Transfer, the Project would proceed as specified in Section 14.5.6 B. and seek City Council action and finally Mayoral action.

In calculating the Public Benefit Payment there are several factors considered including the value of the land for the Receiver Site. The Public Benefit Payment incorporates either the sale price of the Receiver Site, if it has been purchased through an unrelated third-party transaction within 18 months of the date of submission of the request for approval of the Transfer, or an Appraisal, if it has not. The Appraisal used for Project Site A and Project Site B reflect values from September 15, 2012 in an Appraisal Report dated October 17, 2012. Prior to City Planning Commission Approval, the Applicant may submit a revised Appraisal, if it is determined necessary by the Agency Board.

**Requested Actions**

**Transfer of Floor Area Rights**

The Applicant is requesting a Transfer of Floor Area Rights (TFAR) for the amount not to exceed 86,466 square feet. Pursuant to Ordinance No. 181,574 and LAMC Section 14.5.6 B., the TFAR allows the transfer of the unused allowable floor area of a lot from a Donor Site to a Receiver Site for projects involving transfers of 50,000 square feet or greater. The Donor Site in this case is the Los Angeles Convention Center at 1201 S. Figueroa Street, a City-owned property, and the Receiver Site is Project Site A. This transfer will result in a project that exceeds the base floor area ratio otherwise permitted, from 3:1 to 4.78:1. The underlying zone and height district classification allow a floor area ratio of 6:1 for this site; however, the current zoning "D" development limitation applied to the site limits a floor area ratio of 3:1. Pursuant to Ordinance No. 181,574 and Section 14.5.9, a Public Benefit Payment based on a formula is required and must be provided with a cash payment of at least 50 percent by the Applicant to the Public Benefits Trust Fund unless otherwise approved by City Council. The remaining 50 percent may be provided by the direct provision of Public Benefits by the Applicant. Pursuant to Ordinance No. 181,574 and Section 14.5.10, a TFAR Transfer Payment is required for the amount of square feet of Floor Area Rights to be transferred to the Receiver Site.

**Floor Area Deviation**

The Applicant is requesting a Floor Area Deviation for the amount not to exceed 47,818 square feet. Pursuant to Ordinance No. 181,574 and LAMC Section 14.5.7, the Floor Area Deviation allows for an increase in floor area of less than 50,000 square feet. This is a separate request and a simpler process than the TFAR for more than 50,000 square feet. This increase in floor area will be applied to Project Site B and will result in a project that exceeds the base floor area ratio otherwise permitted, from 3:1 to 4.47:1. The underlying zone and height district classification allow a floor area ratio of 6:1 for this site; however, the current zoning "D" development limitation applied to the site limits to a floor area ratio of 3:1. Pursuant to Ordinance No. 181,574 and LAMC Section 14.5.9, a Public Benefit Payment is required and is further required to be provided by a cash payment of at least 50 percent by the Applicant to the Public Benefits Trust Fund and the remaining 50 percent may be provided by the direct provision of Public Benefits by the Applicant.
Variance - Open Space

The Applicant is requesting a Variance from the open space requirement in Section 12.21 G.2 to permit a reduction in the amount of open space to be provided.

Variance - Parking

The Applicant is requesting a Variance from the parking requirements in Section 12.21 A.4 to permit an overall reduction in the required parking for residential uses. Project parking requirements for residential uses are based on the requirements outlined for the Central City Parking District. Due to its location adjacent to public transportation and the mix of uses onsite, the project proposes parking reduced from what would otherwise be required by the LAMC. The Applicant is also requesting a Variance to increase the number of compact parking spaces for residential uses. An existing covenant on Site A allocates 154 parking spaces for the benefit of an office building six blocks to the north at 660 S. Figueroa Street.

Site Plan Review

The Applicant is requesting a Site Plan Review approval given that the development project will create an increase of 50 or more dwelling units. The total mixed use project will measure not more than 377,840 square feet (Site A: 232,501 square feet and Site B: 145,339 square feet), on two sites that total 1.86 acres (Site A: 48,678-square-foot site and Site B: 32,507-square-foot site). The Project will create a total of 410 dwelling units, 42,000 square feet (sf) of retail/commercial spaces and 462 parking spaces. Site A will result in 248 apartments, 28,800 sf of commercial space and 299 parking spaces. Site B will result in 162 apartments, 13,200 sf of commercial space and 163 parking spaces.

Mitigated Negative Declaration

A Mitigated Negative Declaration was prepared as Case No. ENV-2012-1666-MND. The Project was later revised as a result of City Planning Commission feedback, and a Reconsideration (Addendum) was prepared as Case No. ENV-2012-1666-MND-REC2, which analyzed the following changes:

Project Site A

- Decrease floor area from 235,727 square feet to 232,501 square feet.
- Decrease floor area ratio from 4.84:1 to 4.78:1.
- Decrease dwelling units from 249 units to 248 units.
- Decrease parking spaces from 302 parking spaces to 299 parking spaces.
  - 116 residential parking spaces remain the same.
  - 29 commercial parking spaces instead of 32 commercial parking spaces.
  - 154 parking spaces are required by covenant and remain the same.
- Increase residential compact parking spaces from 108 compact spaces to 114 compact spaces.
- Decrease the amount of open space provided from 21,799 square feet to 21,548 square feet.
- Increase on-site trees from 17 trees to 62 trees.
- Increase landscaped common open space from 16 percent to 25 percent.
- Eliminate building projection above and below the average sidewalk easement.

Project Site B

- Decrease floor area from 147,414 square feet to 145,339 square feet.
- Decrease floor area ratio from 4.53:1 to 4.47:1.
• Decrease dwelling units from 169 units to 162 units.
• Decrease parking spaces from 165 parking spaces to 163 parking spaces.
  o 150 residential parking spaces remain the same.
  o 13 commercial parking spaces instead of 15 commercial parking spaces.
• Increase residential compact parking spaces from 82 compact spaces to 113 compact spaces.
• Decrease the amount of open space provided from 14,454 square feet to 14,432 square feet.
• Increase on-site trees from 16 trees to 41 trees.
• Increase landscaped common open space from 20 percent to 25 percent.
• Eliminate building projection above and below the average sidewalk easement.

Case No. ENV-2012-1666-MND was prepared and circulated for public review on April 8, 2013 and the circulation period ended on May 20, 2013. Subsequent changes were made to the Project and analyzed under Public Resources Code Section 21166, and CEQA Guidelines Section 15162, and the City determined that a Reconsideration (Addendum) was appropriate under Guidelines Section 15164 and 15073.5. The proposed project does not result in foreseeable environmental impacts not previously evaluated and therefore the Reconsideration (Addendum) was not re-circulated prior to adoption. The project will incorporate all mitigation measures set forth in ENV-2012-1666-MND-REC2 to ensure project impacts remain less than significant with respect to aesthetics, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise, public services, recreation, transportation/circulation, and utilities.

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 (and incorporated into the Conditions of Approval herein), there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration (Exhibit B) reflects the lead agency's independent judgment and analysis.

BACKGROUND

The proposed Project site is located within the Central City Community Plan Area of the City of Los Angeles. The Central City Community Plan was adopted January 8, 2003. The Project includes two separate sites with two separate buildings, herein after referred to as “Site A” and “Site B.” The land use designation for Site A is High Medium Residential with a corresponding zone of R4 and the land use designation for Site B is Community Commercial with corresponding zones of CR, C2, C4, RAS3 and RAS4. Site A has a zoning classification of [QR]R5-2D-O and Site B has a zoning classification of C2-2D-O. The site is permitted to be developed with residential and commercial uses and is in Height District 2.

The "D" designation for both Site A and Site B denotes a development limitation, which subject to certain provisions limits the developable floor area to three times the buildable area of the site (3:1 FAR). Although Sites A and B are subject to such provisions, the developable floor area may be increased to six times the buildable area of the site (6:1 FAR), through a transfer of floor area request or a floor area deviation as requested herein.

Description of the Property

Site A consists of six parcels on an approximately 1.12 acre site (48,678 square feet of gross lot area) and is generally bounded by Flower Street to the west, Pico Boulevard to the north, Hope
Street to the east, and Cameron Lane (a named alley) to the south. Site A includes addresses at: 1308 S. Flower Street; and 516, 520, 524, 526, 530 and 534 W. Pico Boulevard. Site A's topography is relatively level and currently developed with a surface parking lot.

Site B consists of four parcels on an approximately 0.75 acre site (32,507 square feet of gross lot area) and is generally bounded by Hope Street to the west, Pico Boulevard to the north, developed one- and two-story commercial buildings to the east, and Cameron Lane to the south. Site B includes addresses at: 1306 S. Hope Street; and 416, 418, 420, 422, 424, 426, 430, 432 and 434 W. Pico Boulevard. Site B's topography is relatively level and currently developed with a surface parking lot, a one-story restaurant and a one-story commercial building with three tenant spaces.

Regional access to the Project Site is provided by the Pasadena/Harbor Freeway (I-110/SR 110), located approximately 0.4 miles to the west; the Hollywood Freeway (US - 101), located approximately 1.8 miles to the north; and the Santa Monica Freeway (I-10) located approximately 1.3 miles to the south. These three freeways also provide access to the Golden State/Santa Ana Freeway (I-5) to the north, and the San Bernardino Freeway (I-10) and Pomona Freeway (SR-60) to the east and southeast, respectively.

Local access to the Project Site is provided by Pico Boulevard, Flower Street and Hope Street. Pico Boulevard is an east-west street immediately to the north of the Project Site and is designated as a Modified Secondary Highway. Flower Street is a north-south street immediately to the west of Site A and is designated as a Modified Secondary Highway. Metro rail tracks are on the east side of Flower Street with southbound travel lanes on the west side of Flower Street. Hope Street is a north-south street immediately to the west of Site B and is designated as a Modified Secondary Highway. The Project Site is also bordered by Cameron Lane to the south (a named alley) that currently provides two-way east-west vehicular access between Grand Avenue and Flower Street. Cameron Lane dead ends east of the Metro Blue line tracks at Flower Street and does not connect to Flower Street. Cameron Lane does resume immediately west across Flower Street providing alley access to Figueroa Street. Importantly, the Project Site A is across the street and Project Site B is within one block of the Pico Station, which provides access to the Metro Blue and Expo Lines operated by the Los Angeles County Metropolitan Transportation Authority (Metro).

Surrounding Zones and Uses

The surrounding area has developed over time, as part of the South Park District. The Site is surrounded by an urbanized area with a mix of low- to high-density residential, commercial, retail, and office uses existing in structures ranging from low-rise to high-rise buildings.

North (Site A and B): [Q]R5-4D-O – Properties north of Site A are fully developed with commercial uses. Across Pico Boulevard is a four-story commercial building, a north-south running alley and one-story commercial buildings. Properties north of Site B, across Pico Boulevard include a vacant four-story hotel, a surface parking lot, a north-south running alley and a one-story commercial building.

East (Site A and B): C2-2D-O – Properties east of Site A include a surface parking lot, a one-story restaurant and a one-story building with three tenant spaces which is Site B. Properties east of Site B include a one- and two-story commercial building beyond which is Grand Avenue.

South (Site A): [Q]R5-4D-O – Properties south of Site A are fully developed with commercial uses and residential uses. Located across Cameron Lane (a named alley) to the south of Site A along Hope Street, is a one-story commercial building, a three-story residential building, a three-story building for the Fundamentalist Baptist Tabernacle, a one-story building for the South Park
Business Improvement District, a four-story parking structure, a six- and nine-story residential building that provides affordable housing, beyond which is Venice Boulevard. Properties south of Site A located across Cameron Lane and along Flower Street include one- and two-story commercial buildings interspersed with surface parking lots beyond which is Venice Boulevard.

South (Site B): C2-2D-0 – Properties south of Site B, located across Cameron Lane along Hope Street include a one-story building for religious use, a four-story residential building that provides affordable housing, a six-story residential building, a driveway for ambulances that serve the adjacent California Medical Center Hospital, a surface parking lot to serve the California Medical Center, and two three-story residential buildings, beyond which is Venice Boulevard.

West (Site A): C2-2D-O – Properties west and southwest of Site A are fully developed with residential and commercial uses. To the west of Site A along Flower Street are the light rail tracks that serve the Blue Line and Expo Line. Across Flower Street to the west is a four-story building (Oviatt Hotel) with ground floor commercial and apartments above beyond which is a five-story residential building and beyond that is Figueroa Street. Properties to the southwest of Site A along Flower Street include a mix of one- and two-story buildings with commercial uses interspersed with surface parking lots.

West (Site B): QR5-4D-O – Properties west of Site B include a surface parking lot for the entire block along Pico Boulevard between Flower Street and Hope Street, which is Site A.

Streets and Circulation

On April 24, 2009, the City Council adopted a General Plan Amendment to the Central City Community Plan to re-designate selected streets from Major and Secondary Highways to Modified Major and Modified Secondary Highways, thus establishing the Downtown Street Standards.

Pico Boulevard: adjacent to the north of Site A and Site B is a designated Modified Two-Way Secondary Highway with two travel lanes in each direction that is dedicated to varying widths of 72 to 86 feet.

Flower Street: adjacent to the west of Site A is a designated Modified One-Way Secondary Highway with a one-way southbound street with three travel lanes that is dedicated to a width of 80 feet. Metro rail tracks are on the east side of Flower Street with southbound travel lanes on the west side of Flower Street.

Hope Street: adjacent to the east of Site A and to the west of Site B is a designated Modified Two-Way Secondary Highway with one travel lane in each direction that is dedicated to a width of 80 feet.

Relevant Cases

CPC-2010-213-CA: On January 28, 2011, the City Council adopted amendments to Article 4.5 and Section 16.05 of Article 6.1 of the Los Angeles Municipal Code (LAMC) and relevant Sections of the Los Angeles Administrative Code, to modify the authority and procedures for effectuating a Transfer of Floor Area Rights (TFAR) and to make other technical changes to reflect the expiration of the amended Central Business District Redevelopment Project Area. On March 27, 2011, Ordinance No. 181,574 became effective.

CPC-2008-4502-GPA: On April 24, 2009, the City Council adopted a General Plan Amendment to the Central City Community Plan to: (a) re-designate selected streets from Major and
Secondary Highways to Modified Major and Modified Secondary Highways; (b) revise Chapter V of the Central City Community Plan text to incorporate Downtown Design Guide, Urban Design Standards and Guidelines; and (c) concurrently amend the Transportation Element to revise the Urban Design Chapter and amend the Street Designations for a subarea generally bounded by the 101 Freeway on the north, the 110 Freeway on the west, the 10 Freeway on the south, and San Pedro and Alameda Streets on the east.

CPC-2005-361-CA: On August 7, 2007, the City Council adopted the amendment to LAMC Sections 12.03, 12.22, 12.24, 16.05, 17.05, and 17.52, and established the Greater Downtown Housing Incentive Area provisions and granting floor area bonuses for providing affordable dwelling units. The Greater Downtown Housing Incentive Area consists of those portions of the Central City and Southeast Community Plan Areas generally bounded by the 101 Freeway on the north, the 110 Freeway and Figueroa Street (south of Adams Boulevard) on the west, Alameda and Grand Avenue (south of 21st Street) on the east, and Washington Boulevard and Martin Luther King Jr. Boulevard (west of Broadway) on the south. On September 23, 2007, Ordinance No. 179,076 became effective.

CPC-2005-1124-CA: On August 7, 2007, the City Council adopted the amendment to the Los Angeles Municipal Code and established the Greater Downtown Housing Incentive Area provisions.

CPC-2005-1122-CA: On August 7, 2007, the City Council approved the amendment to the Los Angeles Municipal Code and established the Greater Downtown Housing Incentive Area provisions.

CPC-1994-225-CPU: On January 8, 2003, the City Council adopted the Central City Community Plan Update.

CPC-1986-606-GPC: General Plan/Zoning Consistency, Central City Area, Community wide Zone Changes and Community Plan changes to bring the zoning into consistency with the Community Plan including changes to height as needed. The Los Angeles City Planning Commission and City Council enacted as approval Ordinance No. 164,307.

Ordinance No.164,307: Subarea No. 3420 (Site A) effective January 30, 1989 resulting in a Zone Change from M2-4-O to C2-2D-O and Development "D" Limitation for a Floor Area Ratio of 3 to 1 with exceptions for the Transfer of Floor Area. Subarea No. 3395 (Site B) effective January 30, 1989 resulting Zone Change from M2-4-O to [Q]R5-2D-O and Qualified "Q" Conditions limiting residential and commercial uses permitted and Development "D" Limitation for a Floor Area Ratio of 3 to 1 with exceptions for the Transfer of Floor Area.

Downtown Context

The Project site is located in the Downtown Los Angeles South Park District, which is bordered by the Convention Center and Los Angeles Sports and Entertainment District (LASED) to the west, the Financial Core and Historic Downtown Districts to the north, the Fashion District to the east and Interstate 10 (Santa Monica Freeway) to the south.

Transit Access

The Project site is adjacent to the Metro Pico/Flower Light Rail Station located on the northeast corner of Pico Boulevard and Flower Street, across the street from Project Site A and within one block of Project Site B. The Pico Station serves the Blue Line and Expo Line and with connecting service at the 7th Street/Metro Center Station to the Metro Red and Purple Lines. From this station, the Metro Red Line provides access to Hollywood and the San Fernando
Valley, with connecting service to the Metro Orange Line (serving the west Valley and Chatsworth). The Metro Red Line and Purple Line serve Downtown including Los Angeles Union Station, with connecting service to the Metro Gold Line (serving Pasadena and East Los Angeles), Amtrak passenger rail, Metrolink commuter rail, and bus service for regional and local lines. The Metro Purple Line also serves Koreatown. The Metro Blue Line originates at the 7th Street/Metro Center station and provides access from downtown Los Angeles to downtown Long Beach, as well as connecting service to the Metro Green Line (serving Norwalk, Redondo Beach, and LAX via shuttle). Given the immediate proximity of the Project site to the Pico Station and the 7th Street/Metro Center subway station, strong transit use is anticipated by residents, guests, visitors and employees of the site. The Project site is also served by multiple bus and shuttle lines, including: Metro 30, 439 and 730 on Pico Boulevard, Metro 450, Orange County Transportation Authority 701, 721, Commuter Express 438 and 448 on Flower Street, Metro 37, 70, 71, 76, 78, 79, 86, 378, 439, and 770, Big Blue Bus on Grand Avenue, and Metro 81, 442, 450, 460 and Commuter Express 438 and 448 on Figueroa Street.

Vehicular Access and Parking

The Project will provide a total of 462 parking spaces in structured parking levels at-grade and within two levels below grade, all within the building footprint. Site A will provide 116 residential parking spaces, 29 commercial parking spaces and 154 covenanted parking spaces amounting to 299 parking spaces. Site B will provide 150 residential parking spaces and 13 commercial parking spaces amounting to 163 parking spaces. Vehicular access to the site will take place at grade level via Cameron Lane (named alley). Both Sites will be developed with three points of vehicular access; a retail entry, a retail exit, and a separate point of access for residential ingress and egress. The loading area for Site B will also be located in the rear accessible from Cameron Lane.

Transfer of Floor Area Rights

Although the Transfer of Floor Area Rights (TFAR) has not been raised as a point of concern for the subject case, a brief discussion is warranted given that this mechanism is rarely used, and some decision makers may be unfamiliar with the process. A TFAR request allows for unused allowable floor area from lots to be transferred from a Donor Site to a Receiver Site of which both are required to be located within the Central City TFAR Area as specified in LAMC Section 14.5.3. If the Project is not located in the City Center Redevelopment Project Area, City Planning Commission makes the required findings for a TFAR and recommends approval, and then the Project is transmitted to the City Council for their action and finally transmitted to the Mayor for his action. If the Project is located in the City Center Redevelopment Project Area, the Agency Board first makes the required findings for a TFAR and recommends approval, then the City Planning Commission makes the required findings for a TFAR and recommends approval, then the Project is transmitted to the City Council for their action and finally transmitted to the Mayor for his action. If the Transfer is approved, then a proposed project is permitted to exceed the maximum floor area ratio and height district. Funds received as part of an approved Transfer Plan and Public Benefit Payment are then used to benefit the public (public transportation improvements, affordable housing, public arts programs, etc.). Lots eligible to be donor sites include public facilities, and in the subject case, the Donor Site is the Los Angeles Convention Center. Through the use of this tool, the City is able to better direct growth to the Downtown area, enhance economic viability, and encourage preservation of facilities, park space, and historic buildings.

Given that the Receiver Site (Site A) is located in the City Center Redevelopment Project Area, Section 14.5.6 B. requires that the Agency Board first act prior to the action of the City Planning Commission. However, the subject Project did not first obtain action by the Agency Board due to the fact that the Agency has been dissolved by the State and is currently in the process of
transferring land use authority to a successor agency. If the Agency Board were to act first on this Project and adopt the MND, it would then become the lead agency. In an effort for the City to become the lead agency, the Project is first before the City Planning Commission for the adoption of Mitigated Negative Declaration ENV-2012-1666-MND-REC2 thereby establishing the City as the lead agency. It is respectfully requested that the Commission adopt the MND, act on all the entitlements except the TFAR for 86,466 square feet from Los Angeles Convention Center (Donor Site) to Project Site A (Receiver Site) including the Transfer Payment and Public Benefit Payment. The Project would then go before the Agency Board for their action on the proposed Transfer, including the Public Benefit Payment and the TFAR Transfer Payment. After the Agency Board acts, the Project would then return to the Commission for their action on the proposed Transfer, including the Public Benefit Payment and the TFAR Transfer Payment. Once the Commission acts on the Transfer, the Project would proceed as specified in Section 14.5.6 B. and seek City Council action and finally Mayoral action.

In the Project sites zones of [Q]R5-2D-O and C2-2D-O, the “D” designation denotes a development limitation, which subject to certain provisions, limits the developable floor area to three times the buildable area of the site (3:1 FAR). Although the subject property is subject to such provisions, the developable floor area may be increased to 6 times the buildable area of the site (6:1 FAR), as requested herein through the Transfer of Floor Area for Site A and a Floor Area Deviation for Site B.

Urban Design Studio

The Planning Department’s Urban Design Studio reviewed the proposed project, both in consultation and through the Professional Volunteer Program (PVP) on March 12, 2013. Additionally, Neighborhood Projects staff joined Urban Design Studio staff and had additional design review meetings over a period of five months after PVP comments were discussed. The Downtown Design Guide was used as a reference point for improving pedestrian orientation, massing, public amenities, and other project features. PVP comments included the importance of creating a building design on Pico Boulevard and Hope Street that connects the two structures and reads as a gateway into the South Park District, defining an edge along Pico Boulevard for both buildings that provides depth and interest with setbacks and materials, the need to articulate the top floor of the building and need to articulate the corner of Building A at Pico Boulevard and Flower Street to connect with the gateway design and recognize the Metro Pico/Flower Blue Line Station. This feedback was incorporated into the project design.

Walkability Checklist Discussion

The proposed project includes two new mixed-use buildings that are well-sited, with building orientation optimizing pedestrian access. For example, the primary entrance for residents is at grade level in the center of each building with commercial/retail space flanked on each side. A 35-foot by six-foot deep (210) square feet porch area is provided at the Pico/Flower corner of Building A, emphasizing Pico Boulevard as the retail entry and main pedestrian thoroughfare over the Flower Street light rail corridor. At the ground floor, each building’s corners are recessed with a 15-foot by 15-foot (225 square feet) corner plaza area that provides retail entry areas and seating opportunities and also enhances the pedestrian experience and connectivity from Pico Boulevard to Flower and Hope Streets.

The project’s building frontage is thoughtful in that it maintains a strong street wall, and includes ample transparency (i.e. windows and doors) on the ground floor, pedestrian lighting and overhead architectural features, such as canopies. Both Buildings A and B are designed with complementary materials and fenestration that contributes to the public’s visual environment.
The project includes other important elements as well, related to parking and the improvements within the public realm. The Project will remove existing curb cuts and driveways along Pico Boulevard and Hope Street and provide a continuous pathway along sidewalks for pedestrians. The project is designed with the most desirable type of on-site parking: vehicle access is accommodated from Cameron Lane (alley) with minimal driveways, and parking is provided at-grade and in subterranean levels within each building footprint. The applicant has not proposed a sign program or any type of signage as part of the application; however, the project will be conditioned to comply with the signage standards in the Downtown Design Guide.

As for the public realm and sidewalk—benches, bicycle racks, newspaper racks, trash receptacles and canopy trees within a parkway are proposed for the rights of way abutting each site. The pedestrian experience is further enhanced with distinct zones for the parkway (street trees, bicycle racks, newspaper rack, and trash receptacles), path of travel for pedestrian movement and outdoor dining/seating areas where the building is recessed between building columns. Utilities will be placed underground or screened from view.

**ISSUES**

The following section includes a list of issues related to the Project. These issues were either identified during the MND public comment period, raised at the public hearing held on June 17, 2013 or in discussions with the applicant. Detailed comments made at the public hearing along with a list of letters submitted are found at the Public Hearing portion of this report.

**Parking**

During the public hearing, concerns were expressed about the request for the reduction in parking and the effect of reduced parking on the nearby church. On August 5, 2013, the Applicant submitted revised plans showing an increase in parking spaces from 378 parking spaces to 467 parking spaces inclusive of parking spaces required by an existing covenant. Site A increased parking spaces from 286 parking spaces to 302 parking spaces by extending Parking B2 Level parking stalls into the private garage area. Site B increased parking spaces from 92 parking spaces to 165 parking spaces by adding a second subterranean parking level. On November 15, 2013, the Applicant again submitted revised plans that now show a decrease in parking spaces from 467 spaces to 462 spaces inclusive of parking spaces required by an existing covenant. Site A decreased parking spaces from 302 spaces to 299 spaces. Site B also decreased parking spaces from 165 spaces to 163 spaces. The Project still necessitates a Variance as the proposed parking does not comply with the parking required by the LAMC. The proposed increase in on-site parking spaces from what was originally submitted will not affect the environmental impacts previously disclosed in the MND because the proposed parking spaces are intended to serve the proposed land uses and required covenanted spaces and would not increase the vehicle trips generated by the Project.

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), 12.21 A.16 and 12.21.1 A.5 (the Bicycle Parking Ordinance 182,386), the project is required to provide a total of 502 bicycle parking spaces. The Downtown Design Guide includes a requirement of one bicycle parking space for every two residential units, which amounts to 209 bicycle parking spaces. While technically not required to comply with the Bicycle Parking Ordinance, the Applicant has submitted plans that include the minimum LAMC required bicycle parking spaces; however, the bicycle parking does not meet all the bicycle siting requirements specified in LAMC Section 12.21 A.16(e)(2).
Traffic

During the public hearing, concerns were expressed about an increase in traffic volume from the proposed residential and commercial uses in the new mixed-use buildings. The Applicant prepared a traffic analysis prepared by The Mobility Group dated December 7, 2012 for the proposed mixed-use project with 419 apartments and 42,000 square feet of retail and restaurant uses. On January 28, 2013, the Department of Transportation (DOT) issued a traffic assessment report to the Department of City Planning on the proposed mixed-use buildings, which determined that based on DOT's traffic impact criteria; there would be no significant traffic impacts at the studied intersections. The traffic analysis adequately evaluated the project-related traffic impacts on the surrounding community.

During the Mitigated Negative Declaration comment period, the California Department of Transportation (Caltrans) submitted concerns regarding the adequacy of the traffic analysis for the project with interest in the methodology for addressing potential traffic impacts to the State facilities (freeways). The Department of City Planning, with assistance from Los Angeles Department of Transportation (LADOT), provided a response letter on September 16, 2013 detailing the City's methodologies and offered some solutions to account for cumulative impacts.

Public Benefit Payment

The Applicant submitted a Public Benefit Payment Plan for the Project at the time of the public hearing held on June 17, 2013, which included a cost summary for the directly provided streetscape improvements and proposed recipients for the public benefit payment all of which would amount to no more than 50 percent of the Public Benefit Payment (Exhibit A). Subsequently, the Applicant submitted a more detailed estimate of the cost summary and a revised Public Benefit Payment Plan that excluded some initially proposed streetscape elements including stone border located at the back of the curb, parkway/buffer planting with irrigation and an increase in the street tree box size, as these were already requirements in the Downtown Design Guide.

Downtown Street Standards – Average Sidewalk Easement

On April 24, 2009, the City Council adopted a General Plan Amendment (Case No. CPC-2008-4502-GPA) to the Central City Community Plan to re-designate selected streets from Major and Secondary Highways to Modified Major and Modified Secondary Highways, thus establishing the Downtown Street Standards. The Downtown Street Standards establish a modified maximum roadway width, minimum sidewalk width and in some instances an average sidewalk easement. The Downtown Street Standards further establish parameters to provide the average sidewalk easement, which may range from zero feet to three times the average. Basically, it requires sidewalk space on private property to be provided dispersed throughout the frontage of the property, without overly concentrating this space in portions.

Based on comments received from the Commission on October 24, 2013, the Applicant made changes to the building projection into the average sidewalk easement, which resulted in changes to the average sidewalk easement. The Applicant provides an approximately three-foot deep easement along Pico Boulevard, Flower Street and Hope Street for Site A and along Pico Boulevard and Hope Street for Site B with the exception of the entry court of each building, which will contain a nine-foot deep easement. As revised, the average sidewalk easement complies with the range of zero to three times the average allowed by the Downtown Street Standards.
Council File No. 13-0491

On June 18, 2013, the City Council adopted a Motion, Council File No. 13-0491, for this Project. The motion includes direction to the Department of City Planning, Bureau of Engineering, Department of Transportation, Bureau of Street Lighting, and the City Attorney regarding dedications, improvements and easements for the public right-of-way. Specifically, the Department of City Planning was directed to reduce the dedication on Pico Boulevard between Grand Avenue and Flower Street and defer any street widening on Pico Boulevard between Grand Avenue and Flower Street, work with the property owner through the B-Permit process and work with the property owner through the dedication and permitting process to limit the height of the average three-foot variable width sidewalk easement. The conditions of approval reflect the direction given in this motion for the dedications and improvements along Pico Boulevard.

The Downtown Design Guidelines allow for a building to project over the required sidewalk easement above a height of 40 feet and below a depth of five feet in order to accommodate street trees. The purpose of allowing these types of building projections is to encourage facade articulation, while ensuring that street trees are able to thrive. The motion provided direction for the Department of City Planning to work with the property owner to limit the height of the average three-foot variable width sidewalk easement to 18 feet above and six-inches below the finished sidewalk in lieu of 40 feet above and five feet below the finished sidewalk along the Pico Boulevard Project frontage. After receiving comments from the City Planning Commission on October 24, 2013, the Applicant revised the Project plans to eliminate the projection of Buildings A and B into the average sidewalk easement. The building’s exterior walls will no longer project into the sidewalk easement; however, architectural elements such as balconies and building framing on levels 3, 6 and 7 will project into the sidewalk easement, which is allowed by the LAMC.

CONCLUSION

Based on the information submitted, public input including the public hearing, the project’s compliance with the Central City Community Plan, and mandatory findings for the requested entitlements, the Department of City Planning recommends that the Los Angeles City Planning Commission approve the requested Variances, Floor Area Deviation and Site Plan Review subject to the Conditions of Approval and continue the recommendation of approval for the requested Transfer of Floor Area Rights to a later date after approval of the request (if it is granted) by the Agency Board. The Project for both Sites A and B will redevelop underutilized lots with a transit-oriented urban-infill mixed use project that will offer ground floor retail/commercial space with six levels of residential units that is near transit, employment, entertainment and schools. The project is well-oriented to the site and the development is consistent with adjacent uses and building scale.

Not only is the project consistent with [Q]R5-2D-O and C2-2D-O zoning (except for the herein requests), it is consistent with the Central City Community Plan and as conditioned, fulfills several of the Community Plan’s Goals and objectives. The project provides for an active 24-hour downtown, it serves pedestrian-oriented and visitor serving uses, revitalizes underutilized lots and locates high density housing near a transit rich area. The Project would be consistent with all Elements of the General Plan, meet the goals of the Central City Community Plan and will meet the standards and guidelines of the Downtown Design Guide.
CONDITIONS OF APPROVAL

General Entitlement Conditions

1. Site Development. Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped “Exhibit A,” and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Plan Implementation Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the project conditions.

2. Use. Project Site A shall be limited to 248 dwelling units and 28,800 square feet of commercial/retail use on the ground floor. Project Site B shall be limited to 162 dwelling units and 13,200 square feet of commercial/retail use on the ground floor.

3. Height. The building height on Site A and Site B shall not exceed 88 feet ten inches with architectural elements up to 91 feet, which shall be measured according to the LAMC. Any structures on the roof, such as air conditioning units and other equipment shall be fully screened from view of any abutting properties.

4. Downtown Design Guide. Plans shall be revised to reflect that the Project is consistent with the following:
   a. Building projections over the sidewalk easement shall be above a height of 40 feet and below a depth of five feet and shall comply with Downtown Design Guide Section 3.A.1.
   b. 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.
   c. Exterior lighting for the building and landscaping shall comply with Downtown Design Guide Section 8.F.
   d. A Maintenance Agreement shall be provided which specifies that the Applicant agrees to maintain streetscape improvements in the public right-of-way and accepts liability for them and shall comply with Downtown Design Guide Section 9.B.3.
   e. A master sign plan for the entire project shall be submitted to planning staff in the Metro Neighborhood Projects Section prior to final clearance. The master sign plan shall identify all sign types that can be viewed from the street, sidewalk or public right-of-way and shall comply with Downtown Design Guide Section 10.

5. Bicycle Parking. The project shall modify project plans to show compliance with LAMC Sections 12.21 A.4, 12.21 A.4(c), 12.21 A.16 and 12.21.1 A.5 (the Bicycle Parking Ordinance 182,386). A door shall be added to the northwest wall of the long-term bicycle parking area on the mezzanine level in Building A providing direct access to the elevators.

6. Dedications and Improvements. The applicant shall provide highway dedication, street widening and/or sidewalk requirements to the satisfaction of the City of Los Angeles Bureau of Engineering:
   a. Flower Street has been re-designated to a Modified Secondary Highway, which requires a 35-foot half-width roadway within a 50-foot half-width right-of-way and an additional three-foot average sidewalk easement.
b. Hope Street has been re-designated to a Modified Secondary Highway, which requires a 28-foot half-width roadway within a 43-foot half-width right-of-way and an additional three-foot average sidewalk easement.

c. Pico Boulevard has been re-designated to a Modified Secondary Highway, which requires a 28-foot half-width roadway within a 40-foot half-width right-of-way and an additional three-foot average sidewalk easement.

**TFAR Conditions**

7. **Floor Area.** Development on Site A shall not exceed a 4.78:1 Floor Area Ratio (FAR) and a total floor area of 232,501 square feet inclusive of existing floor area rights. Development on Site B shall not exceed a 4.47:1 Floor Area Ratio (FAR) and a total floor area of 145,339 square feet inclusive of existing floor area rights. The Transfer Payment and Public Benefit Payment shall be pro-rated to the amount of TFAR being acquired in the event the maximum amount of TFAR approved is not required. Changes to Site A or Site B that result in a ten percent decrease in floor area shall require new entitlements.

8. **TFAR Transfer Payment.** The Project is subject to and shall pay a TFAR Transfer Payment in conformance, respectively, with Section 14.5.6 through 14.5.12 of the Code. Such payment shall be based on the actual amount of floor area transferred to the Project site.
   a. The Applicant shall provide a TFAR Transfer Payment consistent with LAMC Section 14.5.10. in the amount of $432,330 for the transfer of 86,466 square feet from the Los Angeles Convention Center to Project Site A.
   b. The total amount of floor area authorized to be transferred from the Los Angeles Convention Center by this action shall not exceed 86,466 square feet. The total floor area of the Project Site A, inclusive of existing floor area rights, shall not exceed 232,501 square feet.

9. **Public Benefit Payment.** The Project is subject to and shall pay a Public Benefit Payment in conformance, respectively, with Section with Section 14.5.6 through 14.5.12 of the Code.
   a. **Site A:** The Applicant shall provide a Public Benefit Payment consistent with LAMC Section 14.5.9. in the amount of $935,510 for Site A provided that at least 50 percent (or $467,755) of the Public Benefit Payment consist of cash payment by the applicant to the Public Benefit Trust Fund. Consistent with the TFAR Ordinance, the Project shall provide 50 percent (or $467,755) of the Public Benefit Payment by directly providing the following public benefits:
      i. Streetscape improvements along Pico Boulevard, Flower Street and Hope Street as described in Exhibit "A" public benefits cost summary and public benefits landscape plan (Sheet L1) in the amount of $254,026.
      ii. Any bicycle racks required by LAMC Sections 12.21 A.4, 12.21 A.4(c), 12.21 A.16 and 12.21.1 A.5 (the Bicycle Parking Ordinance 182,386) shall not qualify as a public benefit streetscape improvement.
      iii. The Applicant shall demonstrate that the proposed enhanced concrete paving in the sidewalk, alley and crosswalk are beyond the standard cost of public right-of-way improvements required by the Bureau of Engineering. If it is determined that public right-of-way improvements are required by the Bureau of Engineering or the estimated total cost of the City standard is different than what is shown on the public benefits cost summary, then the Applicant shall provide a revised Public Benefits Cost Summary excluding the standard cost of the required public right-of-way improvements.
iv. A payment to the Los Angeles Streetcar, Inc. in the amount of $148,304. The funds shall be utilized for the design and construction of station platforms that will widen the sidewalk and create other streetscape improvements for the Downtown L.A. Streetcar project specifically along 11th Street between Hope and Flower Streets.

v. A payment to the South Park Business Improvement District in the amount of $35,425. The funds shall be to design, build, furnish and maintain green space opportunities, such as parklets, pocket parks and curb pop-outs; enhancing the streetscape with new planters, trees, tables, chairs and bike racks. The funds shall also be utilized to enhance the area around the Metro Pico/Flower Station with enhanced signage and landscaping.

vi. A payment to the California Hospital Medical Center for the Hope Street Margolis Family Center in the amount of $15,000. The funds shall be utilized for maintenance, operation and programming of the Hope Street Margolis Family Center and pocket park located at Venice Boulevard and Hope Street.

vii. A payment to the Metro Charter School in the amount of $15,000. The funds shall be utilized for the afterschool program from the end of the school day to 6:00 p.m. Metro Charter School is located at 320 W. 15th Street, Suite 143, Los Angeles, CA 90015.

b. Site B: The Applicant shall provide a Public Benefit Payment consistent with LAMC Section 14.5.9. in the amount of $715,890 for Site B provided that at least 50 percent (or $357,945) of the Public Benefit Payment consist of cash payment by the applicant to the Public Benefit Trust Fund. Consistent with the TFAR Ordinance, the Project shall provide 50 percent (or $357,945) of the Public Benefit Payment by directly providing the following public benefits:

i. Streetscape improvements along Pico Boulevard and Hope Street as described in Exhibit "A" public benefits cost summary and public benefits landscape plan (Sheet L2) in the amount of $175,258.

ii. Any bicycle racks required by LAMC Sections 12.21 A.4, 12.21 A.4(c), 12.21 A.16 and 12.21.1 A.5 (the Bicycle Parking Ordinance 182,386) shall not qualify as a public benefit streetscape improvement.

iii. The Applicant shall demonstrate that the proposed enhanced concrete paving in the sidewalk, alley and crosswalk are beyond the standard cost of public right-of-way improvements required by the Bureau of Engineering. If it is determined that public right-of-way improvements are required by the Bureau of Engineering or the estimated total cost of the City standard is different than what is shown on the public benefits cost summary, then the Applicant shall provide a revised Public Benefits Cost Summary excluding the standard cost of the required public right-of-way improvements.

iv. A payment to the Los Angeles Streetcar, Inc. in the amount of $101,694. The funds shall be utilized for the design and construction of station platforms that will widen the sidewalk and create other streetscape improvements for the Downtown L.A. Streetcar project specifically along 11th Street between Hope and Flower Streets.

v. A payment to the South Park Business Improvement District in the amount of $60,993. The funds shall be to design, build, furnish and maintain green space opportunities, such as parklets, pocket parks and curb pop-outs; enhancing the streetscape with new planters, trees, tables, chairs and bike racks. The funds shall also be utilized to enhance the area around the Metro Pico/Flower Station with enhanced signage and landscaping.
vi. A payment to the California Hospital Medical Center for the Hope Street Margolis Family Center in the amount of $10,000. The funds shall be utilized for maintenance, operation and programming of the Hope Street Margolis Family Center and pocket park located at Venice Boulevard and Hope Street.

vii. A payment to the Metro Charter School in the amount of $10,000. The funds shall be utilized for the afterschool program from the end of the school day to 6:00 p.m. Metro Charter School is located at 320 W. 15th Street, Suite 143, Los Angeles, CA 90015.

c. 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 the expiration of any appeals or appeal period; should the Applicant not make the required payments within the specified time, subject approval shall expire, unless extended by the Director in writing.

Zone Variance Conditions

10. Parking. The Project shall provide a minimum of 462 parking spaces.

a. Site A: A total of 299 parking spaces shall be provided. 116 residential parking spaces and 29 commercial parking spaces. 154 parking spaces shall be reserved per a required Covenant for 660 S. Figueroa Street.

b. Site B: A total of 163 parking spaces shall be provided. 150 residential parking spaces and 13 commercial parking spaces.

c. The existing Covenant for 660 S. Figueroa Street shall be provided and placed in the case file.

11. Compact Parking. The Project shall be permitted to provide a maximum of 343 compact parking stalls.

a. Site A: A total not to exceed 227 compact parking stalls shall be provided. A maximum of 114 residential parking spaces shall be compact spaces. A maximum of ten commercial parking spaces shall be compact spaces. A maximum of 103 parking spaces required by an existing Covenant shall be compact spaces.

b. Site B: A total not to exceed 116 compact parking stalls shall be provided. A maximum of 113 residential parking spaces shall be compact spaces. A maximum of three commercial parking spaces shall be compact spaces.

12. Open Space. The Project shall provide the following amounts of open space:

a. A minimum of 21,548 square feet of open space on Site A and a minimum of 14,432 square feet of open space on Site B.

Environmental Conditions

13. Aesthetics (Landscape Plan). All open areas not used for buildings, driveways, parking areas, recreational facilities or sidewalks shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a licensed Landscape Architect and to the satisfaction of the decision maker.
   a. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and free from debris, rubbish, garbage, trash, overgrown vegetation or other similar material pursuant to Municipal Code Section 91.8104.
   b. The exterior of all buildings and fences shall be abated from graffiti when such graffiti is visible from a street or alley, pursuant to Municipal Code Section 91.8104.15.

15. Aesthetics (Signage on Construction Barriers).
   a. The applicant shall affix or paint a plainly visible sign, on publically accessible portions of the construction barriers, with the following language: "POST NO BILLS."
   b. Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier.
   c. The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.

16. Aesthetics (Light). Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.

17. Aesthetics (Glare). The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.

18. Air Pollution (Demolition, Grading, and Construction Activities).
   a. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting would reduce fugitive dust by as much as 50 percent.
   b. The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
   c. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
   d. All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
   e. All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
   f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
   g. Trucks having no current hauling activity shall not idle but be turned off.

19. Habitat Modification (Nesting Native Birds, Non-Hillside or Urban Areas).
   a. Proposed Project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to
hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture of kill (Fish and Game Code Section 86).

b. If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:
   i. Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within properties adjacent to the project site, as access to adjacent areas allows. The surveys shall be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.
   ii. If a protected native bird nest is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species until August 31.
   iii. Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.
   iv. The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the Project.

20. Tree Removal (Non-Protected Trees).
   a. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
   b. All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
   c. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.

21. Cultural Resources (Archaeological). If any archaeological materials are encountered during the course of the Project development, all further development activity shall halt and:
   a. The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center (657-278-5395) located at California State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist, who shall assess the discovered material(s) and prepare a survey, study, or report evaluating the impact.
   b. The archaeologist’s survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
c. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.
d. Project development activities may resume once copies of the archaeological survey, study or report are submitted to:
   SCCIC Department of Anthropology
   McCarthy Hall 477
   CSU Fullerton
   800 North State College Boulevard
   Fullerton, CA 92834

e. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, archaeological reports have been submitted, or a statement indicating that no material was discovered.
f. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

22. Cultural Resources (Paleontological). If any paleontological materials are encountered during the course of the Project development, all further development activities shall halt and:
a. The services of a paleontologist shall be secured by contacting the Center for Public Paleontology – USC, UCLA, Cal State Los Angeles, Cal State Long Beach, or the County Natural History Museum – who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
b. The paleontologist’s survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
c. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.
d. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.
e. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, paleontological reports have been submitted, or a statement indicating that no material was discovered.
f. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

23. Cultural Resources (Human Remains). In the event that human remains are discovered during excavation activities, the following procedure shall be observed:
a. Stop immediately and contact the County Coroner:
   1104 N. Mission Road
   Los Angeles, CA 90033
   323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or
   323-343-0714 (After Hours, Saturday, Sunday, and Holidays)
b. The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission.
c. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
d. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
e. If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or;
f. If the owner does not accept the descendant’s recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.
g. Discuss and confer means the meaningful and timely discussion careful consideration of the views of each party.

24. Seismic. The design and construction of the Project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.

25. Geotechnical Report. The Project shall comply with the conditions contained within the Department of Building and Safety’s Geology and Soils Report Approval Letter for the Proposed Project, and as it may be subsequently amended or modified.

26. Erosion/Grading/Short-Term Construction Impacts.
   a. The Project Applicant shall provide staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.
   b. Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside areas. The application of BMPs includes but is not limited to the following mitigation measures:
      i. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
      ii. Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a biodegradable soil stabilizer.

27. Green House Gas Emissions.
   a. Install a demand (tankless or instantaneous) water heater system or high efficiency central boiler system, sufficient to serve the anticipated needs of the dwelling(s).
   b. Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the Project.

   a. (Asbestos) Prior to the issuance of any permit for the demolition or alteration of the existing structure(s), the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District’s Rule 1403 as well as all other applicable State and Federal rules and regulations.
   b. (Lead Paint) Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.
   c. (Polychlorinated Biphenyl - Commercial and Industrial Buildings) Prior to issuance of a demolition permit, a polychlorinated biphenyl (PCB) abatement
contractor shall conduct a survey of the project site to identify and assist with compliance with applicable state and federal rules and regulation governing PCB removal and disposal.

   a. All commercial, industrial, and institutional buildings shall be provided with an approved Methane Control System, which shall include these minimum requirements; a vent system and gas-detection system which shall be installed in the basements or the lowest floor level on grade, and within under floor space of buildings with raised foundations. The gas-detection system shall be designed to automatically activate the vent system when an action level equal to 25% of the Lower Explosive Limit (LEL) methane concentration is detected within those areas.
   b. All commercial, industrial, institutional and multiple residential buildings covering over 50,000 square feet of lot area or with more than one level of basement shall be independently analyzed by a qualified engineer, as defined in Section 91.7102 of the Municipal Code, hired by the building owner. The engineer shall investigate and recommend mitigation measures which will prevent or retard potential methane gas seepage into the building. In addition to the other items listed in this section, the owner shall implement the engineer’s design recommendations subject to Department of Building and Safety and Fire Department approval.

30. Stormwater Pollution (Demolition, Grading, and Construction Activities).
   a. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
   b. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop cloths shall be used to catch drips and spills.
   c. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
   d. Dumpsters shall be covered and maintained. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.

31. Increased Noise Levels (Demolition, Grading, and Construction Activities).
   a. The Project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
   b. Construction and demolition shall be restricted to the hours of 7:00 A.M. to 6:00 P.M. Monday through Friday, and 8:00 A.M. to 6:00 P.M. on Saturday.
   c. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
   d. The Project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
   e. Noise and groundborne vibration construction activities whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise- and vibration-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses to the maximum extent possible.
   f. Barriers such as, but not limited to, plywood structures or flexible sound control curtains extending eight feet in height shall be erected around the perimeter of
the construction site to minimize the amount of noise during construction on the nearby noise-sensitive uses.

g. The Project shall comply with the City of Los Angeles Building Regulations Ordinance No. 17B,04B, which requires a construction site notice to be provided that includes the following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code or any discretionary approval for the site, and City telephone numbers where violations can be reported. The notice shall be posted and maintained at the construction sites on Site A and Site B prior to the start of construction and displayed in a location that is readily visible to the public.

32. Increased Noise Levels (Parking Structure Ramps).
   a. Concrete, not metal, shall be used for construction of parking ramps.
   b. The interior ramps shall be textured to prevent tire squeal at turning areas.

33. Increased Noise Levels (Mixed-Use Development). Wall and floor-ceiling assemblies separating commercial tenant spaces, residential units, and public places, shall have a Sound Transmission Coefficient (STC) value of at least 50, as determined in accordance with ASTM E90 and ASTM E413.

34. Public Services (Fire). The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

35. Public Services (Police – Demolition/Construction Sites). Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.

36. Public Services (Police). The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, 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. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design," published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

37. Public Services (Schools). The applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the Project area.

38. Recreation (Increased Demand For Parks Or Recreational Facilities). (Apartments) Pursuant to Section 21.10 of the Los Angeles Municipal Code, the applicant shall pay the Dwelling Unit Construction Tax for construction of apartment buildings.
39. Increased Vehicle Trips/Congestion.
   a. A Construction work site traffic control plan shall be submitted to DOT for review and approval prior to the start of any construction work. The plans shall show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. All construction related traffic shall be restricted to off-peak hours.
   b. The applicant shall verify with Bureau of Engineering's Land Development Group to determine the specific highway dedication, street widening and/or sidewalk requirements for this project.
   c. The applicant shall verify with the Department of Building and Safety the number of Code-required parking spaces needed for the project.
   d. Vehicular access to the project would be provided via Cameron Lane – an existing east-west alley that borders the southern edge of both project sites. Any changes to the project’s site plan shall require separate review and approval by DOT’s Citywide Planning Coordination Section (201 N. Figueroa Street, 4th Floor, Station 3, 213-482-7024).
   e. Prior to the commencement of building or parking layout design efforts, contact DOT for driveway width and internal circulation requirements.
   f. All delivery truck loading and unloading shall take place on site.
   g. Per Section 19.15 of the Los Angeles Municipal Code and Ordinance No. 180,542, requires that specific fees for traffic study review, condition clearance, and permit issuance shall be paid to the Department of Transportation for permit issuance activities.

40. Transportation (Haul Route).
   a. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
   b. (Non-Hillside): Projects involving the import/export of 20,000 cubic yards or more of dirt shall obtain haul route approval by the Department of Building and Safety.

41. Utilities (Local Water Supplies — Landscaping).
   a. The Project shall comply with Ordinance No. 170,973 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g., use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).
   b. In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
      i. Weather-based irrigation controller with rain shutoff
      ii. Matched precipitation (flow) rates for sprinkler heads
      iii. Drip/microspray/subsurface irrigation where appropriate
      iv. Minimum irrigation system distribution uniformity of 75 percent
      v. Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials
      vi. Use of landscape contouring to minimize precipitation runoff.
   c. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf. And greater.

42. Utilities (Local Water Supplies — All New Construction).
   a. If conditions dictate, the Department of Water and Power may postpone new water connections for this Project until water supply capacity is adequate.
b. Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.

c. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.

d. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.

e. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)

43. Utilities (Local Water Supplies – New Commercial or Industrial). All restroom faucets shall be of a self-closing design.

44. Utilities (Local Water Supplies – New Residential).

a. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.

b. Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the Project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.

c. Install and utilize only high-efficiency Energy Star-rated dishwashers in the Project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.

45. Utilities (Solid Waste Recycling).

a. (Operational) Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the Project's regular solid waste disposal program.

b. (Construction/Demolition) Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction related wastes.

c. (Construction/Demolition) To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project’s regular solid waste disposal program.

Other Conditions

46. Metropolitan Transportation Authority (Metro).

a. Construction activities associated with the proposed project shall not interfere with structural and systems integrity of Metro’s Exposition/Blue Line Light Rail Railroad Right-of-Way (ROW), which runs along Pico Flower Street adjacent to the Project Site A.
b. Construction and operation shall not disrupt the operation and maintenance of the Exposition/Blue Line.

c. Prior to issuance of a building permit, the Applicant shall provide proof of notification of building construction to Metro to the satisfaction of the Director of Planning.

d. Prior to the issuance of any permits relative to this matter, a Noise Easement Deed shall be recorded by the property owners in the County Recorder's Office. The deed shall run with the land and shall be binding on any subsequent owners, heir, or assigns. Further, the deed must be submitted to the Metro 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 and to Metro.

e. No vehicular access shall be provided to the Project Site from Flower Street.

f. A temporary right-of-way agreement must be obtained from Metro to enter the Exposition/Blue Line ROW.

g. Building protrusions into the Metro ROW along Flower Street including balconies, awnings and other appurtenances shall maintain a minimum distance of ten feet from the Overhead Catenary System (OCS).

h. Permits for construction equipment that could come into close proximity to the electrified OCS must be obtained at least one week from Metro prior to the start of construction.

i. During construction, a protection barrier of acceptable materials shall be constructed to cover the full height of the building to prevent objects, materials, or debris from falling onto the Metro ROW or contacting the electrified OCS and support structures.

j. Surface monitoring devices shall be installed on the concrete ties and at various locations on the Metro ROW as determined by Metro.

k. Metro staff shall be permitted to monitor construction activity to ascertain any impact to the Metro ROW.

l. The applicant shall notify Metro of any changes to the construction and/or building plans that may impact the Metro ROW.

m. Metro may request reimbursement for costs incurred as a result of project construction and/or operation issues that cause delay or harm to Metro service delivery or infrastructure.

n. The applicant shall contact Metro Bus Operations Control Special Events Coordinator at (213) 922-4632 regarding constructions activities that may impact Metro bus lines.

**Administrative Conditions**

47. **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 for final review and approval by the Department of City Planning. 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.

48. **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.
49. Approval, Verification and Submittals. Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.

50. Code Compliance. Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.

51. 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.

52. Definition. Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.

53. Enforcement. Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.

54. 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 recording, 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.

55. Corrective Conditions. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

56. Indemnification. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim, action, or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
FINDINGS

1. Site Plan Review— Pursuant to Section 16.05 the Municipal Code, a Site Plan Review is required for a project that creates, or results in an increase of 50 or more dwelling units, the proposed project will create a maximum of 410 residential units and 42,000 square feet of retail/commercial spaces on 1.86 acres. Site A will consist of 248 dwelling units, 28,800 square feet of commercial/retail space and 299 parking spaces. Site B will consist of 162 dwelling units, 13,200 square feet of commercial/retail space and 163 parking spaces.

A. 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 Los Angeles General Plan sets forth goals, objectives and programs that guide both Citywide and community specific land use policies. The General Plan is comprised of a range of State-mandated elements, including, Land Use, Transportation, Noise, Safety, Housing and Conservation. The City’s Land Use Element is divided into 35 community plans that establish parameters for land use decisions within those sub-areas of the City.

The Project Site is located entirely within the boundaries of the Central City Community Plan. The Project Site A has a land use designation of High Medium Residential and Project Site B has a land use designation of Community Commercial. The proposed mixed-use development with multi-family residential and commercial uses is consistent with the properties’ land use designations and the underlying zoning. The proposed Project will be in substantial conformance with the purposes, intent, and provisions of the General Plan and all of its elements.

The Framework Element

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 Framework Element defines the Downtown Center, which is bounded by Cesar Chavez Avenue to the north; Alameda Street to the east; Santa Monica (10) Freeway to the south; and the Harbor (110) Freeway to the west, as “an international center for finance and trade that serves the population of the five-county metropolitan region.” It is the largest government center in the region and the location for major cultural and entertainment facilities, hotels, high-rise residential towers, regional transportation facilities, and the Convention Center. These uses serve the region, state, nation, and global needs. Generally, the Downtown Center is characterized by Floor Area Ratios (FARs) up to 13:1 and high-rise buildings.

The proposed development is consistent with the following goals, objectives and policies of the Framework Element for Multi-Family Residential:
Goal 3C: Multi-family neighborhoods that enhance the quality of life for the City's existing and future residents.

Objective 3.7: Provide for 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.

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

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 defines the Downtown Center.

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

Objective 3.15: Focus mixed commercial/residential uses, neighborhood-oriented retail, employment opportunities and civic and quasi-public uses around urban transit stations, while protecting and preserving surrounding low-density neighborhoods from the encroachment of incompatible land uses.

Policy 3.15.3: Increase the density generally within one quarter mile 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 underutilized and improved with a surface parking lot and two, one-story commercial buildings. The Applicant proposes to revitalize the site with mixed-use residential and commercial buildings that will provide ground floor commercial space and six levels of residential units above. The Project site is at an optimal location for high-density development as Project Site A is located across the street from the Metro Pico/Flower Station, while Project Site B is one block east. The Pico Station serves the Blue Line and Expo Line with connecting service at the 7th Street/Metro Center Station to the Metro Red and Purple Lines, which provides access to Hollywood and the San Fernando Valley, with connecting service to the Metro Orange Line (serving the west Valley and Chatsworth). The Metro Red Line and Purple Line serve Downtown including Los Angeles Union Station, with connecting service to the Metro Gold Line (serving Pasadena and East Los Angeles), Amtrak passenger rail, Metrolink commuter rail, and bus service for regional and local lines. The Metro Purple Line also serves Koreatown. The Metro Blue Line provides access from downtown Los Angeles to downtown Long Beach, as well as connecting service to the Metro Green Line (serving Norwalk, Redondo Beach, and LAX via shuttle). Additionally, the Project site is also served by multiple bus and shuttle lines, including: Metro 30, 439 and 730 on Pico Boulevard, Metro 450, Orange County Transportation Authority 701, 721, Commuter Express 438 and 448 on Flower Street, Metro 37, 70, 71, 76, 78, 79, 96, 378, 439, and 770, Big Blue Bus on Grand Avenue, and Metro 81, 442, 450, 460 and Commuter Express 438 and 448 on Figueroa Street. The project takes advantage of the location
by offering a mixed-use project with 410 residential units and ground floor commercial uses.

The location of the Project near major transit services 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. This 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, as a mixed-use transit-oriented development, advances a number of specific goals and objectives contain in the Central City Community Plan. These include:

Objective 1-1: To promote development of residential units in South Park.

Policy 1-1.1: Maintain zoning standards that clearly promote housing and limit ancillary commercial to that which meets the needs of neighborhood residents or is compatible with residential uses.

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

The 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 Plan is to facilitate the expansion of housing choices in order to attract new, economically and ethnically diverse households (page III-1).” This project clearly promotes new housing opportunities for Downtown Los Angeles by proposing the addition of 410 dwelling units to South Park’s housing stock. Furthermore, the new residential units in South Park will not remove existing residential units or displace residents, but would instead revitalize underutilized surface parking lots and low-rise commercial structures. The Project will contribute to the City’s rental housing stock and will be comprised of a mix of unit sizes within the Buildings A and B as follows:

<table>
<thead>
<tr>
<th>Unit Size</th>
<th>Site A Unit Count</th>
<th>Site B Unit Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studios</td>
<td>114</td>
<td>71</td>
</tr>
<tr>
<td>One Bedroom</td>
<td>82</td>
<td>63</td>
</tr>
<tr>
<td>Two Bedroom</td>
<td>47</td>
<td>22</td>
</tr>
<tr>
<td>Three Bedroom</td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td>Total Units</td>
<td>248</td>
<td>162</td>
</tr>
</tbody>
</table>

Site A 248 units plus Site B 162 units = 410 units
The proposed 42,000 square feet commercial/retail space located at ground level will meet the needs of the residents, be compatible with the residential units and activate Pico Boulevard, Flower Street and Hope Street. The commercial/retail space is ancillary to the residential units, but is a vital component of the Project that will help tie into the lively urban environment of the Staples Center, Convention Center and LA Live.

**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 proposed project will include a total of 42,000 square feet of commercial/retail space on the ground floor, Building A will include 28,800 square feet and Building B 13,200 square feet. The retail space will benefit the residents of the building, residents of adjacent buildings, employees that work nearby and visitors of the Convention Center, Staples Center and LA Live. The proposed commercial space also provides employment opportunities for area residents and creates a linkage between jobs and housing.

**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.

**Downtown Street Standards**

On April 24, 2009, the City Council adopted a General Plan Amendment (Case No. CPC-2008-4502-GPA) to the Central City Community Plan to: (a) re-designate selected streets from Major and Secondary Highways to Modified Major and Modified Secondary Highways; (b) revise Chapter V of the Central City Community Plan text to incorporate Downtown Design Guide, Urban Design Standards and Guidelines; and (c) concurrently amend the Transportation Element to revise the Urban Design Chapter and amend the Street Designations for a subarea generally bounded by the 101 Freeway on the north, the 110 Freeway on the west, the 10 Freeway on the south, and San Pedro and Alameda Streets on the east. In addition, the City Council approved the recommendation to continue efforts of the Ad Hoc Downtown Street Standards Committee (DSSC). The DSSC includes representatives from City Planning, Bureau of Engineering, Department of Transportation, Community Redevelopment Agency, and Council Districts 9 and 14, and was formed to evaluate the Downtown street system block-by-block and to develop revised street standards that balance traffic flow with other important street functions including transit routes and stops, pedestrian environments, bicycle routes, building design and site access. The modified street standards are known as the Downtown Street Standards and require the following cross section:
• Flower Street is a Modified Secondary Highway, which requires a 35-foot half-width roadway within a 50-foot half-width right-of-way and an additional three-foot average sidewalk easement.
• Hope Street is a Modified Secondary Highway, which requires a 28-foot half-width roadway within a 43-foot half-width right-of-way and an additional three-foot average sidewalk easement.
• Pico Boulevard is a Modified Secondary Highway; however, following the adoption of the Downtown Street Standards, the DSSC re-evaluated this roadway and agreed to revise the cross section for Pico Boulevard between Flower Street and Broadway. The new standard requires a 28-foot half-width roadway within a 40-foot half-width right-of-way and an additional three-foot average sidewalk easement.

As revised by the Downtown Street Standards Committee, the Project complies with the above cross sections.

**Transportation Element**

The City's Transportation Element was adopted by City Council on September 8, 1999. The Transportation Element of the General Plan guides development of a citywide transportation system with the goal of ensuring the efficient movement of people and goods. The Transportation Element recognizes that primary emphasis must be placed on maximizing the efficiency of existing and proposed transportation infrastructure through advanced transportation technology, reduction of vehicle trips, and focused growth in proximity to public transit. The project is consistent with the following objectives, policies and programs:

**Objective 3: Support development in regional center, community centers, major economic activity areas and along mixed-use boulevards as designated in the Community Plans.**

*Policy 3.12: Promote the enhancement of transit access to neighborhood districts, community and regional centers, and mixed-use boulevards.*

*Policy 3.13: Enhance pedestrian circulation in ... appropriate locations in regional centers and along mixed use boulevards; promote direct pedestrian linkages between transit portals/platforms and adjacent commercial development through facilities orientation and design.*

The project proposes a pedestrian-oriented environment by locating high-density residential with ground floor retail uses in close proximity to public transportation and the jobs rich environment of Downtown. Residents who live in the proposed project are within walking distance to the Convention Center, Staples Center, LA Live and other commercial, institutional, cultural and recreational amenities reducing the need for automobile transportation. In addition, the project is conveniently located to local and major bus lines, as well as the Blue Line/Expo Line Rail Station at Pico Boulevard and Flower Street, and would create direct pedestrian connections between the new Project and the Metro transit infrastructure, in express conformity with the Transportation Element's policies and objectives.
Housing Element

The City's Housing Element for 2006-2014 was adopted by City Council on January 14, 2009. The project is consistent with the following objectives, policies and programs:

**Goal 1:** A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy, sanitary and affordable to people of all income levels, races, ages, and suitable for their various needs.

**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.

**Policy 1.1.4:** Expand location options for residential development, particularly in designated Centers, Transit Oriented Districts and along Mixed-Use Boulevards.

**G. Infill Opportunities - Downtown Center:** Encourage development of additional housing in the Downtown Center through incentives and identification of infill opportunities and through appropriate rezoning and General Plan changes. Through the Transfer of Floor Area Rights (TFAR) incentive, enable the transfer of unutilized floor area to desired development sites and collect public benefit fees (see program below, "Downtown TFAR Public Benefit Fee") to support the development of community amenities and affordable housing.

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

**Policy 2.2.6:** To accommodate projected growth to 2014 in a sustainable way, encourage housing in centers and near transit, in accordance with the General Plan Framework Element, as reflected in Map ES.1.

The project requests a Transfer of Floor Area from the Convention Center to Site A for 86,466 square feet to allow 232,501 square feet in lieu of the allowable floor area of 146,034 square feet and a Floor Area Deviation to increase the floor area of Site B by 47,818 square feet to allow 145,339 square feet in lieu of the allowable floor area of 97,521 square feet. Permitting the transfer and increase of floor area allows the applicant to develop more residential units, which increases the housing stock in the South Park District, a community recognized for mixed-use and high density residential housing. Furthermore, permitting the increase in floor area also helps the City to accommodate growth in Downtown and at the same time locate growth in close proximity to a transit rich area, specifically, the Metro Pico/Flower Station. The project will provide high-density housing along and near several transportation lines. These lines include the Blue Line/Expo Line rail, several major Metro Transit Authority Lines, the DOT Dash Lines, Orange County Bus Lines and the Santa Monica Blue Bus. These transportation lines allow for access to employment centers in all parts of the metropolitan area and help reduce the number of vehicles on the road.

**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 collections, and other such pertinent improvements, which is or will be compatible with existing and future development on neighboring properties.

Development of the Project Site A and B into two mixed-use residential and commercial buildings comprised of 42,000 square feet of commercial/retail space and 410 dwelling
units would be consistent and compatible with the neighboring properties. The properties to the north across Pico Boulevard are improved with commercial buildings that range from one-story to four-stories, a vacant four-story hotel, a surface parking lot and a north-south running alley. At the northeast corner of Pico Boulevard and Flower Street is the MTA Metro Pico Station. From the Pico Station, access is provided to the 7th Street/Metro Center subway station, which provides direct connections to the Metro Red and Purple Lines and beyond to the regional transit network. The properties to the south, across Cameron Lane (named alley), are improved with a mix of residential and commercial uses that include one- and two-story commercial buildings, a three- and four story residential building and a one-story building for religious use. The properties to the west are surface parking lots (Site A), beyond which is Flower Street, beyond that is a four-story residential building (Oviatt Hotel) and a five-story residential building (City Lights) and then Figueroa Street. The properties to the east are a surface parking lot, a one-story restaurant and one-story commercial building (which are all located on Site B), beyond that are one- and two-story commercial buildings and then Grand Avenue.

Building Arrangement (height, bulk and setbacks)

The proposed Project does fully comply with Section 3.A, Sidewalks of the Downtown Design Guide. The Downtown Design Guide Section 3.A.1. states the following:

A building may project over the required sidewalk easement above a height of 40 feet and below a depth of five feet 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.

As a result of comments received from the Commission on October 24, 2012, Buildings A and B have been redesigned to comply with the Downtown Design Guide and do not project over the required sidewalk easement. The exterior walls of Buildings A and B do not project into the average sidewalk easement, however, architectural elements like balconies and building framing on levels 3, 6 and 7 do project into the average sidewalk easement, which is allowed by the LAMC.

The proposed Project does comply with Section 3.B., Setbacks of the Downtown Design Guide by providing setbacks appropriate to the adjacent land use and district. The Downtown Design Guide has identified Pico Street as a Retail Street, which is a street that requires at least 75-percent of the project's street frontage along the ground floor space to be designed to accommodate retail, professional office or live/work uses. The project complies with the provisions for Retail Streets as Building A occupies 285 feet or 90 percent of commercial/retail space on Pico Boulevard and Building B occupies 188 feet or 88 percent of commercial/retail space on Pico Boulevard for more than a minimum depth of 25 feet. The project complies with the permitted Street Wall Setbacks prescribed by the South Park District/Neighborhood and the adjacent ground floor uses. For the proposed ground floor commercial/retail space, the project is required to provide a minimum average zero-foot setback (minimum zero feet and maximum five feet). The applicant proposes no setback and no setback is required adjacent to ground-floor retail.

The proposed Project complies with Section 6, Massing and Street Wall of the Downtown Design Guide by providing a mid-rise massing type and street wall height consistent with the South Park District/Neighborhood south of Pico Boulevard, which requires the primary or front façades of buildings to maintain a minimum street wall height of 35 feet. The project proposes two, seven-story buildings that are each 88 feet ten inches with architectural elements up to 91 feet in height and therefore complies with the minimum street wall height requirement. Additionally, projects in South Park south of
Pico Boulevard on retail streets are required to provide a minimum 80 percent of project frontage to be lined with building street wall at back of the setback. The Project for Buildings A and B, proposes an attractive contemporary design composed of varying complementary building materials and elements to provide articulation and a building design that promotes a lively street appearance. Building materials consist of transparent and translucent color glass, and metal panels that provide a smooth clean, high quality detail to the frame elements and to selected vertical panels and soffits. Frame elements neatly contain plaster walls which are articulated with joints, creating rhythm and scale. As conditioned, the Project would comply with building arrangement requirements.

Off-Street Parking Facilities and Loading Areas

The applicant has requested a variance to reduce the overall amount of parking required in Buildings A and B. The applicant has requested to provide 299 parking spaces in lieu of 449 parking spaces in Building A (inclusive of 154 covenanted parking spaces) and has also requested to provide 163 parking spaces in lieu of 186 spaces in Building B. The Project will provide a total of 462 parking spaces for 410 residential units and 42,000 square feet of commercial space, as shown below.

<table>
<thead>
<tr>
<th></th>
<th>Site A Parking</th>
<th>Site B Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>266</td>
<td>173</td>
</tr>
<tr>
<td>Covenant</td>
<td>154</td>
<td>0</td>
</tr>
<tr>
<td>Retail</td>
<td>29</td>
<td>13</td>
</tr>
<tr>
<td>Total</td>
<td>449</td>
<td>186</td>
</tr>
</tbody>
</table>

Total Required Site A 449 + Site B 186 = 635 spaces

Total Provided Site A 299 + Site B 163 = 462 spaces

Parking for each building would be at-grade and within two subterranean parking levels. Vehicular access would be provided via the alley (Cameron Lane), which runs east-west and is located to the rear of each building. Providing access from the alley has the benefit of removing existing curb cuts along Pico Boulevard and Hope Street, which would improve circulation and the overall streetscape appearance. Project Site A is zoned [Q]R5-2D-O and is not required to provide a commercial loading area pursuant to Section 12.21 C.6; whereas, Project Site B is zoned C2-2D-O and is required to provide a commercial loading area with a minimum area of 1,000 square feet as the proposed gross floor area is 367,540 square feet. Building B includes a 1,000-square-foot commercial loading area with a minimum width of 45 feet and minimum depth of 20 feet, which is accessible from the alley. Providing vehicular access and the loading area from the alley complies with Section 5, Parking and Access of the Downtown Design Guide, which requires access to parking, service and loading be from the alley and shared.
wherever feasible. With the granting of a variance, the Project would comply with off-
street parking requirements.

The Bicycle Parking Ordinance, which applies to projects citywide, became effective on
March 13, 2013. It includes design standards and siting requirements as well
requirements for short- and long-term bicycle parking. Pursuant to the requirements of
LAMC 12.21 A.4, 12.21 A.4(c), 12.21 A.16 and 12.21.1 A.5 (the Bicycle Parking
Ordinance 182,386), the project is required to provide a total of 502 bicycle parking
spaces. The Downtown Design Guide includes a requirement of one bicycle parking
space for every two residential units, which amounts to 209 bicycle parking spaces.
When originally submitted the Project did not comply with the bicycle requirements of the
LAMC and the Downtown Design Guide. The applicant has submitted revised plans that
include the minimum LAMC required bicycle parking spaces; however, the bicycle
parking does not meet all the bicycle siting requirements specified in LAMC Section
12.21 A.16(e)(2).

Lighting

The plans submitted show the illuminated underside of open canopies over roof terraces
for each building directing the eye skyward and articulating the building tops. The plans
also show vertical offset linear lighting along the west elevation at the Flower Street
façade of Building A, which is integrated into the building design and contributes to the
night-time experience in downtown. Other than the roof terrace and Flower Street face
lighting, the plans submitted do not show the location or type(s) of lighting for the project.
The Applicant has been required in the Conditions of Approval to provide a plan
illustrating the location of exterior lighting demonstrating 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 LAMC requires 25 percent landscaping in common open space area, or 2,648
square feet for Site A and 1,794 square feet for Site B. Project Site A will incorporate
153 square feet of landscaping located in planters in the entry court; 2,200 square feet of
landscaping in planters that surround the pool, BBQ and lounge areas on the second
level courtyard; and 295 square feet on the 7th floor roof deck for a total of 2,648 square
feet or 25 percent. Project Site B will incorporate 131 square feet of landscaping located
in planters in the entry court; 1,393 square feet of landscaping in planters that surround
the pool, BBQ and lounge areas on the second level courtyard; and 270 square feet on
the 7th floor roof deck for a total of 1,794 square feet or 25 percent.

<table>
<thead>
<tr>
<th>Site A</th>
<th>Landscape Area</th>
<th>Site B</th>
<th>Landscape Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Common Open Space</td>
<td></td>
<td>Common Open Space</td>
<td></td>
</tr>
<tr>
<td>Entry Court (1st Floor)</td>
<td>268 SF</td>
<td>Entry Court (1st Floor)</td>
<td>228 SF</td>
</tr>
<tr>
<td>Courtyard (2nd Floor)</td>
<td>1,572 SF</td>
<td>Courtyard (2nd Floor)</td>
<td>1,318 SF</td>
</tr>
<tr>
<td>Deck (7th Floor)</td>
<td>295 SF</td>
<td>Deck (7th Floor)</td>
<td>270 SF</td>
</tr>
<tr>
<td>Total Landscape Area</td>
<td>2,648 SF</td>
<td>Total Landscape Area</td>
<td>1,794 SF</td>
</tr>
</tbody>
</table>
Additionally, the Project will incorporate new street trees in the sidewalk; however, the number of street trees provided does not comply with the Downtown Design Guide Section 9.F. Street Trees, which requires street trees be planted in conjunction with each project and spaced not more than an average of 25 feet on center. Project Site A contains 315 feet of street frontage along Pico Boulevard, and 145 feet of street frontage along Flower and Hope Streets, thus requiring at least 12 trees on Pico Boulevard and five street trees on Hope Street. The project has proposed to provide 11 trees on Pico and four trees on Hope. The project frontage adjacent to Flower Street contains rail infrastructure for the Blue and Expo lines, thus street trees could not be located in the parkway as this may pose a problem with overhead equipment. Project Site B contains 213 feet of street frontage along Pico Boulevard and 145 feet of street frontage along Hope Street, thus requiring at least eight trees on Pico Boulevard and five street trees on Hope. The applicant has proposed to provide six trees on Pico and four trees on Hope. The Project will be required in the Conditions of Approval to comply with the Downtown Design Guide Section 9.F. Street Trees to meet spacing requirements for trees in the public right-of-way. As conditioned, the Project will comply with landscaping requirements.

<table>
<thead>
<tr>
<th></th>
<th>Site A</th>
<th></th>
<th>Site B</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Street</td>
<td>Street Trees</td>
<td>Street</td>
</tr>
<tr>
<td>Street</td>
<td>Frontage</td>
<td>Required</td>
<td>Provided</td>
</tr>
<tr>
<td>Pico Boulevard</td>
<td>315 FT</td>
<td>12</td>
<td>11</td>
</tr>
<tr>
<td>Hope Street</td>
<td>145 FT</td>
<td>5</td>
<td>4</td>
</tr>
<tr>
<td>Flower Street</td>
<td>145 FT</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Trash Collection

Buildings A and B will provide trash collection within the building, which will be located on the first level within the at-grade parking area. Access to collect trash will be from the rear of the building via the alley, thus minimizing the effect on traffic on Pico Boulevard and Hope Street.

Fences and/or Walls

The Project does not incorporate fences and/or walls.

C. Any project containing residential uses 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 specific dedicated areas for residential, social and recreation functions. The applicant proposes 21,548 square feet of open space on Site A and 14,432 square feet on Site B, which will provide common outdoor and indoor space for the residents. The common open space consists of an outdoor recreation area located on the 2nd floor of Site A as well as Site B. The outdoor open space areas will include swimming pools, fireplaces, BBQs, water features, banquets, and landscaped areas. Additionally, Grand Hope Park is located in close proximity to the Project site and provides a public green space. Therefore, the open space and recreation rooms
provided on-site and the nearby public park provide appropriate amenities and recreational facilities for the Project's residents and are expected to minimize impacts on neighboring properties.

2. Transfer of Floor Area Rights – Pursuant to Sections 14.5.6, and 14.5.8 through 14.5.12 of the Municipal Code. The Applicant requests a Transfer of Floor Area Rights from the Los Angeles Convention Center Site at 1201 S. Figueroa Street, a City-owned property, to the subject property at 1308 S. Flower and 516, 520, 524, 526, 530 and 534 W. Pico Boulevard (Site A) for an amount not to exceed 86,466 square feet, resulting in an increase in the maximum floor area ratio otherwise permitted, from 3:1 to 4.84:1.

<table>
<thead>
<tr>
<th>Project Site</th>
<th>Buildable Areas (SF)</th>
<th>Existing FAR Rights</th>
<th>Floor Area Rights (SF)</th>
<th>Requested FAR Rights</th>
<th>Requested Floor Area Rights (SF)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site A</td>
<td>48,678</td>
<td>3:1</td>
<td>146,035</td>
<td>4.78:1</td>
<td>232,501</td>
</tr>
</tbody>
</table>

Total Requested TFAR = 86,466 SF (i.e., 232,501 SF minus 146,035 SF)

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, Site A, is located on one full city block bounded by Pico Boulevard to the north, Cameron Lane (named alley) to the south, Flower Street to the west and Hope Street to the east. Site A is located within the Central City Community Plan Area, and the increase in Floor Area generated by the proposed Transfer is appropriate and well-suited with respect to location and access to public transit and other modes of transportation. The Project site is situated across Pico Boulevard from the Metro Pico/Flower Station. The Pico Station serves the Blue Line and Expo Line with connecting service at the 7th Street/Metro Center Station to the Metro Red and Purple Lines. From this station, the Metro Red Line provides access to Hollywood and the San Fernando Valley, with connecting service to the Metro Orange Line (serving the west Valley and Chatsworth). The Metro Red Line and Purple Line serve Downtown including Los Angeles Union Station, with connecting service to the Metro Gold Line (serving Pasadena and East Los Angeles), Amtrak passenger rail, Metrolink commuter rail, and bus service for regional and local lines. The Metro Purple Line also serves Koreatown. The Metro Blue Line originates at the 7th Street/Metro Center station and provides access from downtown Los Angeles to downtown Long Beach, as well as connecting service to the Metro Green Line (serving Norwalk, Redondo Beach, and LAX via shuttle). Given the immediate proximity of the Project site to the Pico Station and the 7th Street/Metro Center subway station, strong transit use is anticipated by residents, guests, visitors and employees of the site. The Receiver Site is also served by multiple bus and shuttle lines, including: Metro 30, 439 and 730 on Pico Boulevard, Metro 450, Orange County Transportation Authority 701, 721, Commuter Express 438 and 448 on Flower Street, Metro 37, 70, 71, 76, 78, 79, 96, 378, 439, and 770, Big Blue Bus on Grand Avenue, and Metro 81, 442, 450, 460 and Commuter Express 438 and 448 on Figueroa Street.
The Transfer is appropriate at this location since high density mixed-use developments are encouraged in areas that provide a variety of transit options. The Project’s convenient location would encourage the use of transit by residents and their guests, employees and visitors. This would reduce the number of single occupancy vehicle trips created by the increase in development intensity due to the transfer of floor area.

The proposed project constitutes an infill development that makes more intensive use of a site which is already well-served by existing infrastructure, including access to robust transportation alternatives. Regional access to the Receiver Site is provided by the Pasadena/Harbor Freeway (I-110/SR 110), located approximately 0.4 miles to the west; the Hollywood Freeway (US – 101), located approximately 1.8 miles to the north; and the Santa Monica Freeway (I-10) located approximately 1.3 miles to the south. These three freeways also provide access to the Golden State/Santa Ana Freeway (I-5) to the north, and the San Bernardino Freeway (I-10) and Pomona Freeway (SR-60) to the east and southeast, respectively. Local access to the Project Site is provided by the surrounding streets: Pico Boulevard, Flower Street, Hope Street and Cameron Lane. Local vehicular access to the Receiver Site would be provided via Cameron Lane, a named alley, to the rear of the Project providing direct access to driveways that lead to at-grade and two levels of subterranean parking containing approximately 302 parking spaces to ensure that adequate on-site parking and appropriate ingress and egress would facilitate compatibility with other development in the surrounding neighborhood.

The increase in Floor Area generated by the proposed Transfer will result in a project that is compatible with other existing and proposed developments and the City’s supporting infrastructure. The Receiver Site is located in the South Park District, surrounded by a mix of low- to high-rise buildings. The structures that immediately surround the Project site include low-rise commercial buildings to the north, mid-rise multi-family residential buildings to the west, a surface parking lot and low-rise commercial buildings to the east and low- to mid-rise buildings with commercial and residential uses to the south. However, the Receiver Site is in close proximity to high-rise mixed-use buildings like Evo (24 stories), Luma (19 stories) and Elleven (12 stories), which are one block north of the Site. The Receiver Site is in close proximity to the 32-story AT&T office building (formerly known as SBC Tower, Transamerica Building and Occidental Life Building). Additionally, the Receiver Site is in close proximity to two projects located at 1340 S. Figueroa Street and 1406 S. Figueroa Street, which were approved for mid-rise mixed-use buildings (1340 S. Figueroa Street was approved for two seven-story mixed use buildings and 1406 S. Figueroa Street was approved for a seven-story mixed use building). The Receiver Site is located one block east of the Los Angeles Convention Center, two blocks (0.22 miles) southeast of the Staples Center and two blocks (0.36 miles) southeast of LA Live.

The proposed Receiver Site is centrally located near frequent transit services, would be compatible with densely developed surroundings, and would be in close proximity to jobs, housing, and a wide range of uses and public services. The intensity and mix of the proposed residential and commercial uses are compatible with the current density and mix of uses in the area, and will contribute to the establishment of a 24-hour community in downtown Los Angeles. The Transfer is appropriate for the long-term development of the Central City because it will enable the Project to include 89,466 square feet of new residential and commercial space in the South Park District, contributing to the revitalization and modernization of downtown Los Angeles including job creation and increased City tax revenue generation, maintaining the strong image of downtown as the major center of the metropolitan region, and serving as a linkage and catalyst for other downtown development.
B. The Project is consistent with the purposes and objectives of the Redevelopment Plan.

The project is located in the City Center Redevelopment Project Area, established 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 (Section 105) of the City Center Redevelopment Plan as follows:

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.

The Receiver Site (Project Site A) would remove a large surface parking lot and construct 248 apartment units and 28,800 square feet of retail/commercial space. Further, the Project would provide streetscape and landscape improvements along Pico Boulevard, Flower and Hope Streets. Altogether, these 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.

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.

The Project would provide a mixed-use development of high density 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.

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.

The Project provides density appropriate to reinforce the Central City as the center of the Los Angeles metropolitan region. The employment and residential dwelling unit opportunities support a fair share of regional growth and development.

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.

The Project furthers the development and rehabilitation of economic enterprises in Downtown. It will provide retail and commercial opportunities. Further, the Project is within short walking distance to Staples Center, Nokia Theater, LA Live and the rest of the Los Angeles Sports and Entertainment District (LASED). The new residents will shop, eat, entertain and work at local business establishments and will enhance employment opportunities and the 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.
The Project site consists of a large surface parking lot that would be replaced with a vibrant mixed-use development that will activate the streetscape and provide new residents to shop, eat and work at various neighborhood establishments.

**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.**

Project Site A would provide 248 apartments and 28,800 square feet of commercial uses and would further a modern, efficient and balanced urban environment for people, including a full range of around-the-clock activities and uses in close proximity to LA Live and LASED.

**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.**

The Project provides density appropriate for the Central City and helps to reinforce Downtown 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.**

The Project is immediately adjacent to the Expo and Blue lines, in close proximity to a significant number of bus lines. The Project's proximity to mass transit, as well as easy freeway and major highway access helps to facilitate and encourage 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.**

The Project proposes wide sidewalks with landscape and streetscape improvements, as well as usable open space in the highly developed urban environment of Downtown Los Angeles. The Project provides private and common open space. Additionally, some common open space areas would be open to the entire community. Altogether, these improvements will aid in the creation of a cohesive social fabric.

**Objective 10: To develop and implement public art into the urban fabric, integrating art into both public and private developments.**

The Project would greatly enhance the interface between the public and private realm through design, materials, colors and streetscape improvements that would enhance the urban 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.**

There are no key landmarks nor any structures on-site of architectural, historic or cultural merit that could be adaptively reused.
Objective 12: To provide a full range of employment opportunities for persons of all income levels.

In addition to temporary construction opportunities for skilled trades, the Project Site A would provide 28,800 square feet of new commercial space that would provide many job opportunities for the local community.

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.

Without any public subsidy, the Project Site A would provide 248 apartments close to employment and available to all ethnic, social and economic groups. As many of the units would be smaller in size than typical suburban type of developments, the Project would provide housing opportunities for a wide and diverse array of income groups.

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.

The Project is supportive of the City, County and State addressing the needs of the various social, medical and economic problems of Central City residents. To this end, the Project will directly provide as part of the public benefit payment to certain recipients in the local community of the Central City area. Furthermore, the increase in property and sales taxes will benefit the local and greater community such that additional funds would be available to address the needs of the local community.

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 Project has been reviewed by the Downtown Los Angeles Neighborhood Council (DLANC). DLANC submitted a letter of support for the Project that was dated August 14, 2012. Through the environmental and entitlement review process, the Project proponents have worked to further an atmosphere of cooperation among various interest groups in the Downtown area. In addition, Section 508.3 South Park Development Area, of the Redevelopment Plan states that the South Park Development Area is to achieve a mixed-use live/work community, consisting of a housing-commerce community featuring open space. As indicated in this section, a major share of land use shall be devoted to housing. The identified appropriate land uses on private land includes service establishments, retail/wholesale stores, high and medium density housing where compatible with existing and proposed development. The project’s proposed commercial uses and high-density housing will be consistent with the vision of the South Park Development Area in Section 508.3 to achieve a mixed-use live/work community. Based on the above, the project would be consistent with the objectives of the City Center 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, and by contributing a total Public Benefit Payment of $935,510 (based on a formula that includes the Transfer of 86,466 square feet) and a TFAR Transfer Payment of $432,330 (based on the Transfer of 86,466 square feet multiplied by $5.00), in accordance with the TFAR Ordinance No. 181,574. The Public Benefit Payment consists of a 50 percent cash payment of $467,755 to the Public Benefit Payment Trust Fund, and 50 percent public benefits that are directly provided.

<table>
<thead>
<tr>
<th>Project Site A</th>
<th>50% Public Benefit Payment Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$935,510</td>
</tr>
</tbody>
</table>

The Applicant has proposed to directly provide public benefits as streetscape improvements and has also proposed to directly provide monies to proposed recipients that include: Los Angeles Streetcar, Inc; South Park Business Improvement District; California Hospital Medical Center for the Hope Street Margolis Family Center; and Metro Charter School in the amounts shown below, which totals 50 percent or $467,755 of the Public Benefit Payment.

<table>
<thead>
<tr>
<th>Project Site A</th>
<th>Direct Provision of Public Benefits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Streetscape Improvements</td>
<td>$254,026</td>
</tr>
<tr>
<td>Los Angeles Streetcar, Inc.</td>
<td>$148,304</td>
</tr>
<tr>
<td>South Park Business Improvement District</td>
<td>$35,425</td>
</tr>
<tr>
<td>California Hospital Medical Center – Hope Street Family Center</td>
<td>$15,000</td>
</tr>
<tr>
<td>Metro Charter School</td>
<td>$15,000</td>
</tr>
<tr>
<td>Direct Provision Total</td>
<td>$467,755</td>
</tr>
</tbody>
</table>

**Streetscape Improvements**

The applicant has proposed to directly provide public benefits in the amount of $254,026 as streetscape improvements, which include the following: enhanced concrete paving along Pico Boulevard, Flower Street and Hope Street; decorative tree lighting for seven
trees on Pico and four trees on Hope; a curb bump out/realignment at the southwest corner of Pico Boulevard and Hope Street; enhanced paving for the length of Cameron Lane (named alley); enhanced asphalt crosswalk on Pico Boulevard; and street furniture. Below is a table detailing the number of benches, bicycle racks, trash receptacles and custom newspaper rack enclosures that are provided along the Project street frontages.

<table>
<thead>
<tr>
<th>Site</th>
<th>Benches</th>
<th>Bicycle Racks</th>
<th>Trash Receptacles</th>
<th>Newspaper Rack</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pico Boulevard</td>
<td>6</td>
<td>4</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Flower Street</td>
<td>0</td>
<td>2</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Hope Street</td>
<td>0</td>
<td>2</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>6</strong></td>
<td><strong>8</strong></td>
<td><strong>7</strong></td>
<td><strong>2</strong></td>
</tr>
</tbody>
</table>

The Applicant has provided a cost summary for all the streetscape improvements, which includes the unit cost for each item, the estimated total cost of the City standard and the estimated total cost of the enhancement. For improvements that may already be required (i.e. improve alley) it is necessary to establish the City standard (baseline amount), which is then deducted from the estimated total cost of the enhancement to determine the amount that could then qualify toward the direct provision of the Public Benefit Payment.

**Los Angeles Streetcar, Inc**

The Applicant has proposed to directly provide public benefits in the amount of $148,304 to the Los Angeles Streetcar, Inc (LASI). The funds will be utilized for the design and construction of station platforms that will widen the sidewalk and create other streetscape improvements for the Downtown L.A. Streetcar project specifically along 11 Street between Hope and Flower Streets, which is within a distance of 0.4 miles from the Receiver Site.

**South Park Business Improvement District**

The Applicant has proposed to directly provide public benefits in the amount of $35,425 to the South Park Business Improvement District (SPBID). The funds will be utilized to design, build, furnish and maintain green space opportunities, such as parklets, pocket parks and curb pop-outs; enhancing the streetscape with new planters, trees, tables, chairs and bike racks. The funds will also be utilized to enhance the area around the Metro Pico/Flower Station with enhanced signage and landscaping. The funds will be used along Flower Street between 12th Street and Pico Boulevard and the north side of Pico Boulevard between Flower Street and Hope Street, as well as other areas within South Park, which is within a distance of 0.0 to 0.4 miles from the Receiver Site.

**California Hospital Medical Center - Hope Street Margolís Family Center**

The Applicant has proposed to directly provide public benefits in the amount of $15,000 to the California Hospital Medical Center for the Hope Street Margolís Family Center. The funds will be utilized for maintenance, operation and programming of the Hope...
Street Margolis Family Center and pocket park located at Venice Boulevard and Hope Street, which is within a distance of 0.2 miles from the Receiver Site.

Metro Charter School

The Applicant has proposed to directly provide public benefits in the amount of $15,000 to the Metro Charter School. The funds will be utilized for the afterschool program from the end of the school day to 6:00 p.m. Metro Charter School is located at 320 W. 15th Street, Suite 143, Los Angeles, CA 90015 and is within a distance of 0.2 miles of the Receiver Site.

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.

Project Site A (Receiver Site) is located within the Central City Community Plan and has a High Medium Residential land use designation. The Central City Community Plan describes the Transfer of Floor Area Ratio (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 Transfer is in conformance with the Community Plan and other relevant policy documents in that the Community Plan provides for transfers of floor area up to 6:1 floor area ratio on parcels in Height District 2D and that the Transfer allows for the Project to advance a number of specific objectives and policies contained in the Community Plan, including:

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

The TFAR would facilitate development of a mix of uses, including market-rate housing, and is centrally located on a transit corridor, which would allow residents to easily access their residences and connect them to their jobs Downtown or throughout the City.

Objective 1-1: To promote development of residential units in South Park.

Policy 1-1.1: Maintain zoning standards that clearly promote housing and limit ancillary commercial to that which meets the needs of neighborhoods residents or is compatible with residential uses.

Policy 1-1.2: To increase the range of housing choices available to Downtown employees and residents.

Policy 1-1.3: To foster residential development which can accommodate a full range of incomes.

Objective 2-1: To improve Central City’s competitiveness as a location for offices, business, retail and industry.

Policy 2-1.2: To maintain a safe, clean, attractive and lively environment.
Objective 2-2: To retain the existing retail base in Central City.

Policy 2-2.1: Focus on attracting businesses and retail uses that build on existing strengths of the area in terms of both the labor force, and businesses.

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

The proposed Transfer would increase the redevelopment potential of the Receiver Site by facilitating a dense mixed-use development that reinforces and enhances the existing South Park District, which currently accommodates a broad range of uses and job opportunities and attractions. The Project would include 28,800 square feet of retail/commercial space on the ground floor that would provide job opportunities. Additionally, the new retail/commercial space would enhance the existing retail base in the area and support the needs of office workers, residents, and visitors. Furthermore, the retail/commercial space would attract visitors who would contribute to the existing and proposed retail base and would be able to easily access the nearby tourist and convention sites through the use of existing robust public transportation infrastructure. The ground-level commercial uses and pedestrian-oriented design will activate the street frontages and contribute to lively environment.

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.

Policy 2-4.1: Promote night life activity by encouraging restaurants, pubs, night clubs, small theaters, and other specialty uses to reinforce existing pockets of activity.

As stated previously, the proposed Transfer will help support an active, 24-hour community downtown by enabling the Project to provide a dense mix of complementary uses that serve workers, residents, and visitors around the clock. The Receiver Site is well situated to accommodate increased density due to its transit-oriented location and surrounding built-up context. The Project utilizes the Transfer of Floor Area provision of the Municipal Code to achieve a floor area ratio of 4.78:1, which would take an underutilized site that contains a surface parking lot and convert it into a mixed-use development that serves a variety of goals and objectives in the Central City.

Objective 11-1: To keep downtown as the focal point of the regional mobility system accommodating internal access and mobility needs as well.

Objective 11-3: To provide an internal circulation system with a focus of connecting specific pairs of activity centers to a system that provides greater geographic coverage of Downtown, thus giving the Downtown traveler more choices and more flexibility.

Objective 11-4: To take advantage of the district's easy access to two mass transit rail lines, the freeway system, and major boulevards that connect Downtown to the region.

Internal Circulation System Policy: Increase pedestrian orientation in the district.

Objective 11-6: To accommodate pedestrian open space and usage in Central City.
Policy 11-6.1: Preserve and enhance Central City’s primary pedestrian-oriented streets and sidewalks and create a framework for the provision of additional pedestrian friendly streets and sidewalks which complement the unique qualities and character of the communities in Central City.

Urban Design Objective: To develop a street hierarchy to serve transit, traffic, pedestrian, open space, and truck access needs in a coordinated manner.

Urban Design Objective: To provide an extensive, well-formed and well-maintained pedestrian network.

As highlighted above, the Transfer would result in a Project that includes enhanced streetscape improvements for the benefit of Downtown residents, workers, and visitors. The Project would enhance the pedestrian environment by providing amenities such as benches, trash receptacles, bike racks, pedestrian-oriented lighting, as well as by increasing the pedestrian orientation of the district through site design. The proposed building arrangement emphasizes a street wall with facades designed to promote pedestrian interest along primary street frontages and pedestrian sidewalks. The ground floor retail/commercial space would also contribute to lively, pedestrian-oriented streets. The Project is also ideally located for pedestrian access given its proximity to the Metro Pico/Flower Station with connecting service to the 7th Street/Metro Center subway station and its location at the crossroads of numerous major transit routes.

The Community Plan also incorporates the urban design criteria described in the Downtown Design Guide. Pages 6-7 of the Design Guide outline “Design Principles for Creating a Livable Downtown,” including the following:

“Employment Opportunities. Maintain and enhance the concentration of jobs, in both the public and private sectors, that provides the foundation of a sustainable Downtown.”

“Housing Choices. Provide a range of housing types and price level that offer a full range of choices, including home ownership, and bring people of diverse ages, ethnicities, household sizes and incomes into daily interaction.”

“Transportation Choices. Enable people to move around easily on foot, by bicycle, transit, and auto. Accommodate cars but fewer than in the suburbs and allow people to live easily without one.”

“Recognize individual projects are the ‘building blocks’ of great streets and neighborhoods. This requires particular attention to the way the building meets the sidewalk, providing a transition to pedestrian scale and elements that activate the street.”

“Respect historically significant districts and buildings, including massing and scale, and neighborhood context, while at the same time, encouraging innovative architectural design that expresses the identity of contemporary Los Angeles.”

“Accommodate vehicular access and parking in a way that respects pedestrians and public spaces and contributes to the quality of the neighborhood.”
"Express an underlying design philosophy (a 'big idea') that is articulated and supported by all aspects of building design and initially conveyed through design sketches, drawings, and specifications."

"Sustainability is the overarching goal of the Design Guide and essential to the concept of a livable Downtown."

The proposed Project is planned so as to fulfill each of these important design principles, by: providing employment opportunities within the ground floor commercial/retail space; providing housing choices that will serve a diverse population of downtown residents; utilizing proper site design that orients the building to create a pedestrian friendly environment along adjacent sidewalks while at the same time minimizing vehicle and pedestrian conflicts by utilizing the alley for vehicles ingress and egress; and, taking full advantage of its transit-rich location by locating high-density residential development adjacent to a Metro rail station.

3. Floor Area Deviation – Pursuant to Sections 14.5.7, 14.5.9 and 14.5.11 through 14.5.12 of the Municipal Code. The Applicant requests a Floor Area Deviation to the subject property at 1306 S. Hope Street, 416, 418, 420, 422, 424, 426, 430, 432 and 434 W. Pico Boulevard (Site B) for an amount not to exceed 47,818 square feet, resulting in an increase in the maximum floor area ratio otherwise permitted from 3:1 to 4.47:1.

<table>
<thead>
<tr>
<th>Project Site Buildable Areas</th>
<th>Buildable Area (SF)</th>
<th>Existing FAR Rights</th>
<th>Existing Floor Area Rights (SF)</th>
<th>Requested FAR Rights</th>
<th>Requested Floor Area Rights (SF)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site B</td>
<td>32,507</td>
<td>3:1</td>
<td>97,521</td>
<td>4.47:1</td>
<td>145,339</td>
</tr>
</tbody>
</table>

Total Requested TFAR = 47,818 SF (i.e., 145,339 SF minus 97,521 SF)

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

The project site is within the highly urbanized South Park District in the southwest part of Downtown Los Angeles with a mix of entertainment, commercial and multi-family residential land uses. The South Park District has been slated for high-density development, and is intended to serve as a vibrant neighborhood for the significant concentration of housing, new retail and entertainment uses provided by the LA Live Project located within the Los Angeles Sports and Entertainment District (LASED Specific Plan area).

Currently, Pico Boulevard is characterized by buildings of varying heights and scales ranging from low scale commercial buildings to mid-rise multi-family residential buildings to large scale facilities such as the Los Angeles Convention Center (approximately 90 feet tall) at Pico Boulevard and Figueroa Street. The Project site is near the Staples Center (approximately 150 feet tall), and the proposed Farmers Field located northwest of the project site, respectively. The Project site is also adjacent to the LASED Specific Plan area, adopted by City Council on September 4, 2001, which approved a maximum of 3.75 million square feet of entertainment/mixed-use development that requires a minimum of 500 dwelling units and 1,400 hotel rooms and includes a variety of uses.
including hotel, retail, entertainment residential, live theater, move theater, office, medical clinic/sports medicine center, tourism and related uses.

The structures that immediately surround the Project site include low-rise commercial buildings to the north, mid-rise multi-family residential buildings (four- and five-story buildings) to the west along Pico Boulevard between Flower and Figueroa Street, a surface parking lot and low-rise commercial buildings to the east and low- to mid-rise buildings with commercial and residential uses to the south. However, the Receiver Site is in close proximity to high-rise mixed-use buildings like Evo (24 stories), Luma (19 stories) and Elleven (12 stories), which are one block north of the Site. This Site is in close proximity to the 32-story AT&T office building (formerly known as SBC Tower, Transamerica Building and Occidental Life Building). Additionally, the Receiver Site is in close proximity to two projects located at 1340 S. Figueroa Street and 1406 S. Figueroa Street, which were approved for mid-rise mixed-use buildings (1340 S. Figueroa Street was approved for two seven-story mixed use buildings and 1406 S. Figueroa Street was approved for a seven-story mixed use building). The Receiver Site is located one block east of the Los Angeles Convention Center, two blocks (.22 miles) southeast of the Staples Center and two blocks (.36 miles) southeast of LA Live. Development of the project site into mixed-use residential and commercial building would be consistent and compatible with the established land use patterns in the area. The proposed Project will create 410 new housing units in the South Park Neighborhood District of the Central City Community Plan area.

The Downtown Design Guide Section 3.B., identifies the Project site along Pico Boulevard as a Retail Street, which requires projects to provide a specified amount of ground floor space to be designed to accommodate retail, professional office or live/work uses. The project proposes ground floor commercial/retail space for Site B along the Pico Boulevard frontage, thus complying with this provision of the Downtown Design Guide. The project would continue the development of mixed-uses that are commercial and residential in keeping with other surrounding projects. Furthermore, the location of the project makes it an ideal site for high density residential, as it is located within walking distance of jobs, transit, and retail. The conversion of the existing surface parking lot, one-story restaurant and one-story commercial building would not result in the displacement of any residential uses. Additionally, the proximity of the site to jobs would help with the jobs housing balance in Downtown. Overall, as the project site is located near the Los Angeles Convention Center, the LASED and located in the South Park District which supports high-density development, the project is in proper relation to the adjacent uses and the development of the community.

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

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. The Central City Community Plan area is composed of nine districts and the proposed project is located in the South Park District. The Central City Community Plan states (page1-7):

"South Park is recognized to be a mixed-use community with a significant concentration of housing. This thriving residential community includes the proximate citing of auxiliary support services such as retail and commercial developments that provide employment opportunities for area residents. Towards that end, and in the interest of creating a linkage between jobs and
housing, the development of substantial, community benefitting commercial projects will be encouraged."

The South Park neighborhood south of Pico Boulevard is designated as High Medium Residential and Community Commercial in the Central City Community Plan. The proposed project will create high-density housing ground floor retail/commercial uses on lots that are underutilized. The project is designed to create a synergy between the building and the street, allowing for a vital, pedestrian experience along Pico Boulevard. This project will be located on lots presently utilized as surface parking lot, a one-story restaurant and a one-story building with three tenant spaces. The project will revitalize the underutilized lots by creating commercial and housing uses for the South Park area, without removing any existing residential units.

The proposed project will create 13,200 square feet of commercial/retail use on the ground floor and 162 dwelling units on floors two through seven in the South Park neighborhood of the Central City Plan area. The ground floor commercial space along will serve residents of the building and be open to the general public. Outdoor seating would be included to create a vibrant outdoor experience along the Pico Boulevard sidewalk which is provided as a public benefit. Also, the commercial uses will likely be open in the evening, while the residents of the subject building will be part of the around-the-clock activities in the area. This will help tie into the lively, urban environment of the Staples Center, Convention Center and LA Live.

The project will provide high-density housing along and near several transportation lines. These lines include the Blue Line rail, several major Metro Transit Authority Lines, the DOT Dash Lines, Orange County Bus Lines and the Santa Monica Blue Bus. These transportation lines allow for access to employment centers in all parts of the metropolitan area and help reduce the number of vehicles on the road. Thus, the project will not be materially detrimental to the character of development in the immediate neighborhood.

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

The proposed project is in harmony with the Central City Community Plan and the Downtown Design Guide, which are a part of the General Plan. The following will discuss the project's consistency with the General Plan and various elements, including the Central City Community Plan, the Housing Element and the Transportation Element.

Central City Community Plan

The Community Plan recognizes that the Central City is overwhelmingly a governmental, commercial and manufacturing center, and that residentially zoned land accounts for less than five percent of the total land area. However, the Plan also recognizes that the "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. This project, indeed, promotes new housing opportunities for Downtown Los Angeles.

The proposed development is consistent with the following Central City Community Plan residential land use objectives:

Objective 1-1: To promote development of residential units in South Park.
Policy 1-1.1: Maintain zoning standards that clearly promote housing and limit ancillary commercial to that which meets the needs of the neighborhood residents or is compatible with residential uses.

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

The granting of the Floor Area Deviation to increase the floor area of Site B by 47,818 square feet is in conformance with the spirit and intent of the Central City Community Plan, an element of the General Plan. With the development of 162 residential units in an area identified for high-density residential uses, the proposed project fulfills the primary residential land use objective of the Community Plan. The project will contribute to the City's rental housing stock and will be comprised of a mix of unit sizes on floors two through seven within the seven-story building, as shown below:

<table>
<thead>
<tr>
<th>Unit Type</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studios</td>
<td>71</td>
</tr>
<tr>
<td>One-Bedroom</td>
<td>63</td>
</tr>
<tr>
<td>Two-Bedroom</td>
<td>22</td>
</tr>
<tr>
<td>Three-Bedroom</td>
<td>6</td>
</tr>
<tr>
<td>Total Units</td>
<td>162</td>
</tr>
</tbody>
</table>

The proposed Project complies with the above policy as it will create 162 residential units and a ground floor that includes commercial uses. The Project site's close proximity to the MTA Blue Line/Expo Line Station at Pico Boulevard and Flower Street, as well as the close proximity to the DASH and other MTA bus lines, also supports the granting of additional floor area to increase the residential density.

Housing Element

The City's Housing Element for 2006-2014 was adopted by City Council on January 14, 2009. The project is consistent with the following objectives, policies and programs:

Goal 1: A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy, sanitary and affordable to people of all income levels, races, ages, and suitable for their various needs.

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.

Policy 1.1.4: Expand location options for residential development, particularly in designated Centers, Transit Oriented Districts and along Mixed-Use Boulevards.

G. Infill Opportunities - Downtown Center: Encourage development of additional housing in the Downtown Center through incentives and identification of infill opportunities and through appropriate rezoning and General Plan changes. Through the Transfer of Floor Area Rights (TFAR) incentive, enable the transfer of unutilized floor area to desired development sites and collect public
benefit fees (see program below, “Downtown TFAR Public Benefit Fee”) to support the development of community amenities and affordable housing.

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

Policy 2.2.6: To accommodate projected growth to 2014 in a sustainable way, encourage housing in centers and near transit, in accordance with the General Plan Framework Element, as reflected in Map ES.1.

The project requests a Floor Area Deviation to increase the floor area of Site B by 47,818 square feet to increase the project's overall floor area to 145,339 square feet in lieu of the allowable floor area of 97,521 square feet. Permitting the increase of floor area allows the applicant to develop more residential units, which increases the housing stock in the South Park District, a community recognized for mixed-use and high density residential housing. Furthermore, permitting the increase in floor area also helps the City to accommodate growth in Downtown and at the same time locating growth in close proximity to a transit rich area specifically the Metro Pico/Flower Station. The project will provide high-density housing along and near several transportation lines. These lines include the Blue Line/Expo Line rail, several major Metro Transit Authority Lines, the DOT Dash Lines, Orange County Bus Lines and the Santa Monica Blue Bus. These transportation lines allow for access to employment centers in all parts of the metropolitan area and help reduce the number of vehicles on the road.

Transportation Element

The City's Transportation Element was adopted by City Council on September 8, 1999. The project is consistent with the following objectives, policies and programs:

Objective 3: Support development in regional center, community centers, major economic activity areas and along mixed-use boulevards as designated in the Community Plans.

The project proposes a pedestrian-oriented environment by locating a mixed-use development with ground floor commercial/retail use and high-density residential above in close proximity to public transportation and the jobs rich environment of Downtown. Residents who live in the proposed Project are within walking distance to the Convention Center, Staples Center, LA Live and other commercial, institutional, cultural and recreational amenities reducing the need for automobile transportation. In addition, the Project is conveniently located to local and major bus lines, as well as the Blue Line/Expo Line Rail Station at Pico Boulevard and Flower Street.

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

The Project is located in the City Center Redevelopment Project Area. The City Center Redevelopment Plan was adopted by City Council on May 15, 2002. The City Center Redevelopment Plan has the primary objective of eliminating and preventing blight in the Redevelopment Project Area. The project will meet several of the objectives of the City Center Redevelopment Plan. The following are objectives from the City Center Redevelopment Plan:

Objective 2: To further the development of Downtown as a major center in the Los Angeles metropolitan region, within the context of the Los Angeles General Plan as
envisioned by the General Plan Framework, Concept Plan, Citywide 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 that is appropriate and which is economically and functionally attracted to it.

Objective 5: To guide growth and development, reinforce viable functions and facilitate the redevelopment, revitalization or rehabilitation of deteriorated or 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 a major center of the Los Angeles region.

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, street trees and places designed for walking and sitting.

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 for the City's low-and moderate income housing available to residents of the 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 proposed project would further the implementation of the Redevelopment Plan objectives by:

- Contributing toward the development of Downtown Los Angeles as a major city center through the construction of a mixed-use project that would provide 162 new residential units and a ground floor with 13,200 square feet of commercial space in the South Park District of Downtown Los Angeles;

- Creating additional housing opportunities through the construction of 162 new residential units within Building B and an overall total of 410 new residential units within Buildings A and B, which will prepare and allow the Central City to expand regional growth and development;

- Facilitating the redevelopment of a surface parking lot and two one-story commercial buildings, which are currently underutilized and unattractive;

- Creating around-the-clock activities, including housing and retail uses in the Central City area;

- Contributing toward the creation of a symbol of pride and identity in Central City through developing well designed buildings that will revitalize the neighborhood;
• Creating new housing supply with 162 residential units (and an overall total of 410 new residential units within Buildings A and B) and employment opportunities in the Central City area;

• Providing high-density housing close to employment concentrations and public transportation; and

• Providing mixed-use buildings that will contribute toward establishing an atmosphere of cooperation among businesses, special interests groups and residents.

In addition, Section 508.3 South Park Development Area, of the Redevelopment Plan states that the South Park Development Area is to achieve a mixed-use live/work community, consisting of a housing-commerce community featuring open space. As indicated in this section, a major share of land use shall be devoted to housing. The project's proposed commercial uses and high-density housing will be consistent with the vision of the South Park Development Area in Section 508.3 to achieve a mixed-use live/work community. Based on the above, the project would be consistent with the objectives of the City Center Redevelopment Plan.

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

For a Floor Area Deviation, which is an increase in floor area 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 requests an increase in floor area of 47,818 square feet, which results in a public benefit equivalency of approximately $715,890, in accordance with the TFAR Ordinance No. 181,574. The Public Benefit Payment consists of a 50 percent cash payment of $357,945 to the Public Benefit Payment Trust Fund, and 50 percent public benefits that are directly provided of $357,945.

<table>
<thead>
<tr>
<th>Project Site B, Public Benefit Payment</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>50% Public Benefit Cash Payment</td>
<td>$357,945</td>
</tr>
<tr>
<td>50% Public Benefit Direct Provision</td>
<td>$357,945</td>
</tr>
<tr>
<td>Public Benefit Payment Total</td>
<td>$715,890</td>
</tr>
</tbody>
</table>

The Applicant has proposed to directly provide public benefits as streetscape improvements and has also proposed to directly provide monies to proposed recipients that include: Los Angeles Streetcar, Inc; South Park Business Improvement District;
California Hospital Medical Center for the Hope Street Margolis Family Center; and Metro Charter School in the amounts shown below, which totals 50 percent or $357,945 of the Public Benefit Payment.

<table>
<thead>
<tr>
<th>Project Site B: Streetscape Improvements</th>
<th>Direct Provision of Public Benefits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Streetscape Improvements</td>
<td>$175,258</td>
</tr>
<tr>
<td>Los Angeles Streetcar, Inc.</td>
<td>$101,694</td>
</tr>
<tr>
<td>South Park Business Improvement District</td>
<td>$60,993</td>
</tr>
<tr>
<td>California Hospital Medical Center</td>
<td>$10,000</td>
</tr>
<tr>
<td>Hope Street Margolis Family Center</td>
<td></td>
</tr>
<tr>
<td>Metro Charter School</td>
<td>$10,000</td>
</tr>
<tr>
<td>Direct Provision Total</td>
<td>$357,945</td>
</tr>
</tbody>
</table>

**Streetscape Improvements**

The Applicant has proposed as part of the direct provision for the Public Benefit Payment: enhanced concrete paving along Pico Boulevard and Hope Street; decorative tree lighting for six trees on Pico and four trees on Hope; a curb bump out/realignment at the southeast corner of Pico Boulevard and Hope Street; enhanced paving alley paving (Cameron Lane); enhanced asphalt crosswalk on Pico Boulevard and Hope Street; and street furniture. Below is a table detailing the proposed streetscape improvements to be provided along the Project street frontages.

<table>
<thead>
<tr>
<th>Site B</th>
<th>Benches</th>
<th>Bicycle Racks</th>
<th>Trash Receptacles</th>
<th>Newspaper Rack</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pico Boulevard</td>
<td>5</td>
<td>3</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Hope Street</td>
<td>0</td>
<td>2</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>2</td>
</tr>
</tbody>
</table>

The Applicant has provided a cost summary for all the streetscape improvements, which includes the unit cost for each item, the estimated total cost of the City standard and the estimated total cost of the enhancement. For improvements that may already be required (i.e. improve alley) it is necessary to establish the City standard (baseline amount), which is then deducted from the estimated total cost of the enhancement to determine the amount that could then qualify toward the direct provision of the Public Benefit Payment.
Los Angeles Streetcar, Inc

The Applicant has proposed to directly provide public benefits in the amount of $101,694 to the Los Angeles Streetcar, Inc (LASI). The funds will be utilized for the design and construction of station platforms that will widen the sidewalk and create other streetscape improvements for the Downtown L.A. Streetcar project specifically along 11th Street between Hope and Flower Streets, which is within a distance of 0.4 miles from the Receiver Site.

South Park Business Improvement District

The Applicant has proposed to directly provide public benefits in the amount of $60,993 to the South Park Business Improvement District (SPBID). The funds will be utilized to design, build, furnish and maintain green space opportunities, such as parklets, pocket parks and curb pop-outs; enhancing the streetscape with new planters, trees, tables, chairs and bike racks. The funds will also be utilized to enhance the area around the Metro Pico/Flower Station with enhanced signage and landscaping. The funds will be used along Flower Street between 12th Street and Pico Boulevard and the north side of Pico Boulevard between Flower Street and Hope Street, as well as other areas within South Park, which is within a distance of 0.0 to 0.4 miles from the Receiver Site.

California Hospital Medical Center - Hope Street Margolis Family Center

The Applicant has proposed to directly provide public benefits in the amount of $10,000 to the California Hospital Medical Center for the Hope Street Margolis Family Center. The funds will be utilized for maintenance, operation and programming of the Hope Street Margolis Family Center and pocket park located at Venice Boulevard and Hope Street, which is within a distance of 0.2 miles from the Receiver Site.

Metro Charter School

The Applicant has proposed to directly provide public benefits in the amount of $10,000 to the Metro Charter School. The funds will be utilized for the afterschool program from the end of the school day to 6:00 p.m. Metro Charter School is located at 320 W. 15th Street, Suite 143, Los Angeles, CA 90015 and is within a distance of 0.2 miles of the Receiver Site.

F. 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.

A Mitigated Negative Declaration, ENV-2012-1666-MND-REC2, was prepared for the proposed Project. 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 (and incorporated into the Conditions of Approval herein), there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. 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.
4. Variance – Pursuant to Section 12.27 of the Municipal Code, the Applicant requests a Variance from Section 12.21 G.2 to permit a reduction in the amount of required open space to be provided on Site A and Site B.

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

Strict application of the provisions of open space requirements in LAMC Section 12.21 G.2 (Ordinance No. 171,753) to provide the required amount of usable open space per dwelling unit, the required on-site trees per dwelling unit and the required amount of required landscaping in common open space areas for both Site A and Site B would result in practical difficulties or unnecessary hardships inconsistent with the general purpose of the zoning regulations. The open space requirements are based on a suburban development model, which creates practical difficulties on high density urban development.

The proposed project is located within the Greater Downtown Housing Incentive Area (Ordinance No. 179,076), which encourages residential development within the Downtown area through the use of modified LAMC Sections for density, yards, buildable area, open space, and a allows for a floor area bonus system for projects that voluntarily provide a prescribed percentage of units for affordable housing. These modified standards are suitable for dense urban areas like the Central City Community Plan area, while at the same time providing incentives to produce new housing in the Downtown area. Pursuant to the Greater Downtown Housing Incentive Area (Ordinance 179,076) and LAMC Section 12.22 C.3(d), the proposed project will utilize the open space incentive that there shall be no prescribed percentage of the required open space that must be provided as either common open space or private open space. Although the Greater Downtown Housing Incentive Area (Ordinance 179,076) eliminated the percentages of private and common open space, the total per unit open space requirement shall still be provided as well as the minimum landscape planting requirement.

Below is a table that shows the amount of required and provided total usable open space. On Site A, the applicant proposes to provide 21,548 square feet (.49 acres) of open space in lieu of 26,800 square feet (.62 acres) on a 48,678-square-foot site. On Site B, the applicant proposes to provide 14,432 square feet (.33) in lieu of 17,600 square feet (.40 acres) of open space on a 32,507-square-foot site. Although the applicant is requesting a reduction in the required open space on Sites A and B, the applicant does provide the one tree on-site per four dwelling units and 25 percent landscaping in common open space areas on Sites A and B as required in the open space requirements of LAMC Section 12.21 G.2. On Site A, the applicant provides the required 62 trees on-site/parkway. On Site B, the applicant provides the required 41 trees on-site/parkway. On Site A, the applicant provides the required 2,648 square feet of landscaping in common open space areas. On Site B, applicant provides 1,794 square feet of landscaping in common open space areas.
Open Space

The zoning ordinance requires 100 square feet of open space for units with less than three habitable rooms, 125 square feet of open space for units with three habitable rooms and 175 square feet of open space for units with more than three habitable rooms generating the need to provide 26,800 square feet of open space on Site A and 17,600 square feet of open space on Site B. Both Site A and B will provide common open space at the ground floor in an entry court, a court yard and a fitness/recreation center on the second floor level and a deck area on the seventh floor. Both Site A and B will provide private open space in private balconies on floors two through seven for residential units. The proposed open space is provided in the following configuration:

In addition to recreation facilities, the Project site proposes landscaping and streetscape improvements along surrounding streets, thus adding an attractive amenity for the Project residents and the community as well. The applicant provides the required 62, 24-inch box trees on-site, 11 trees will be located in the parkway and 51 trees will be located on the podium level. The applicant provides the required 41, 24-inch box trees on site, 10 trees will be located in the parkway and 31 trees will be located on the podium level.
The Project provides 25 percent landscaping in common open space area or 2,648 square feet for Site A and 1,794 square feet for Site B as required by the LAMC. Project Site A will incorporate 153 square feet of landscaping located in planters in the entry court; 2,200 square feet of landscaping in planters that surround the pool, BBQ and lounge areas on the second level courtyard; and 295 square feet of landscaping on the seventh floor deck for a total of 2,648 square feet (25 percent). Project Site B will incorporate 131 square feet of landscaping located in planters in the entry court; 1,393 square feet of landscaping in planters that surround the pool, BBQ and lounge areas on the second level courtyard; and 270 square feet of landscaping on the seventh floor deck for a total of 1,794 square feet (25 percent). The proposed landscaping in common open space areas for Project Sites A and B are shown below:

<table>
<thead>
<tr>
<th>Site A Landscape Area</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Entry Court (1st Floor)</td>
<td>153 SF</td>
</tr>
<tr>
<td>Courtyard (2nd Floor)</td>
<td>2,200 SF</td>
</tr>
<tr>
<td>Deck (7th Floor)</td>
<td>295 SF</td>
</tr>
<tr>
<td><strong>Total Landscape Area</strong></td>
<td><strong>2,648 SF</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Site B Landscape Area</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Entry Court (1st Floor)</td>
<td>131 SF</td>
</tr>
<tr>
<td>Courtyard (2nd Floor)</td>
<td>1,393 SF</td>
</tr>
<tr>
<td>Deck (7th Floor)</td>
<td>270 SF</td>
</tr>
<tr>
<td><strong>Total Landscape Area</strong></td>
<td><strong>1,794 SF</strong></td>
</tr>
</tbody>
</table>

While on-site open space has many aesthetic and environmental benefits, it is unrealistic for a Downtown high density project to achieve consistency with a Code provision designed for a more suburban and less dense development. The Project's proposed open space maximizes the area available to the residents to enjoy recreational uses, such as the pools, spas, lounge areas and BBQs. The total usable open space required creates an unnecessary hardship by requiring the Project to reduce units thereby diminishing the contribution to Community Plan goals in order to achieve a standard design for a different building type.

The total usable open space required makes it difficult to build a high-density residential project in Downtown. Sites A and B are located in the South Park District of Downtown, which is an urban area planned for high-density uses and where real estate is at a premium. Providing additional open space on site would result in a loss of residential units and/or ground floor commercial space, which would pose a hardship on both the applicant and the community. Such a hardship is unnecessary in this case because the subject property is located on sites that are in close proximity to several existing public recreation areas within walking distance.

The Grand Hope Park is located on Hope Street between 9th Street and Olympic Boulevard and is approximately three blocks (or .4 miles) to the north of the subject Project; Gilbert Lindsay Plaza is located on Figueroa Street between Pico Boulevard and 12th Street and is approximately two blocks (or .1 mile) to the west; and Pershing Square is located at Olive Street and 6th Street and is approximately one mile northeast. Other public recreation spaces include Maguire Gardens at Fifth Street and Flower Street is approximately .9 miles to the north; Angels Knoll at 4th and Hill Streets is approximately (1.1 miles) to the north; Spring Street Park on Spring between 4th and 5th Streets is approximately 1.3 miles to the northeast and Grand Park between Spring Street and Grand Avenue is approximately 1.5 miles to the north of the subject Project.

Like other Downtown projects, past and present, meeting the strict interpretation of the Code's requirement would be impractical and would make the project infeasible. A reduction from the open space requirements is necessary and appropriate in this part of
the City as Downtown residents choose to live in the city center because of its high density and proximity to transportation alternatives, cultural and entertainment options. Thus, for the reasons stated above, strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose of the zoning regulations.

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

The site's size, location adjacent to the Expo and Blue lines, and ability to appropriately locate high density housing near transit combine to create a special circumstance not applicable to other property in the same zone or vicinity. Project Sites A and B together total a 1.86 acre site that would accommodate 410 apartments in a jobs-rich environment without displacing existing residential units.

Site Size

Site A contains 48,678 square feet (1.11 acres) and Site B contains 32,507 square feet (0.75 acres) for a total of 1.86 acres. Site A is an entire city block bounded by Pico Boulevard on the north, Flower Street on the west, Hope Street on the east and Cameron Lane (named alley) to the south, while Site B takes up half a city block and is bounded by Pico Boulevard on the north, Hope Street on the west, a three-story commercial building on the east and Cameron Lane (named alley) to the south. Both sites contain significantly more lot area than the vast majority of the surrounding development sites. The large Project site generates a special circumstance because it is capable of containing a large amount of dwelling units. Through a series of entitlement requests, the Project site allows for the design of an integrated site plan that interfaces appropriately with the mid- to high-rise mixed-use buildings in the South Park area.

The vast majority of the projects in the area have or will occur on substantially smaller development sites. The Glass Tower project located at 1050 South Grand was entitled for 128 units on a 37,789 square foot lot in the [Q]R5-4D-O zone. The Hanover project located at 950 South Figueroa Street was entitled for 156 units on a 21,623 square foot lot in the C2-4D zone. The Evo project located at 1155 S. Grand Avenue was entitled for 316 units on a 50,622 square foot lot in the [Q]R5-4D-O. The large size of the site and the development potential creates a special circumstance that does not generally apply to other property in the same zone and vicinity.

High Density Housing

The special circumstance of the site is its ability to locate high-density apartments within walking distance of the Downtown's multitude of jobs and transit without eliminating any existing residential units. Most redevelopment projects include the displacement of existing units. The demolition of the two one-story commercial buildings and the conversion of the existing surface parking lots will not result in the displacement of any housing units.

By locating the project on the periphery of the Financial Core District and near the Historic Downtown District, City Markets District, Convention Center and LA Live provides 410 apartments for residents to live within walking distance of their jobs. This Project creates an opportunity to enhance the jobs to housing balance in the City of Los Angeles specifically in downtown. The site is located near a series of mass transit alternatives including the Blue and Expo Line Metro Station at Pico Boulevard and
Flower Street, several major Metro Transit Authority Lines, the DOT Dash Lines, Orange County Bus Lines and the Santa Monica Blue Bus. These transportation lines allow for access to employment centers in all parts of the metropolitan area and help reduce the number of vehicles on the road. This proximity to rail, to a number of bus lines, and to the other neighborhoods in Downtown Los Angeles makes the subject property a prime location for increased density that can be supported by the public transit, jobs, and services in the area.

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

The subject site is located in the South Park District of Downtown, an urban area planned for high density uses. The LAMC was written for primarily suburban type developments and is not responsive to the issues facing high-rise urban development. Providing LAMC required open space, on-site trees and landscaped common open space areas would result in a loss of residential units which is contrary to the City's goal of achieving a better jobs to housing balance in the City and particularly in Downtown.

The LAMC requires the Project to provide 28,800 square feet of open space on Site A and 17,600 square feet of open space on Site B, which is more than 54 percent of the lot area for each site. The LAMC also requires the planting of a total of 103 trees on-site (62 trees on Site A and 41 trees on Site B). Further, the LAMC requires a significant portion of the common area to be landscaped (2,648 square feet on Site A and 1,794 square feet on Site B). The required open space, amount of landscaping, and the number of required trees are triggered by the proposed number of residential units. Compliance with the LAMC open space requirements on properties located Downtown is a challenge. However, the applicant has provided the required 103 trees and 25 percent landscaping for common open space areas when applicants often request relief. Additionally, applicants also build below the permitted residential density to comply with such strict provisions or build commercial uses which do not have these open space requirements.

Developments in the South Park area of Downtown, similar to that proposed for the subject site, have been granted relief from the City's open space requirements. Projects listed below have received approval for similar requests for reduced open space requirements:

- 1155 S. Grand Avenue (Evo), Case No. ZA-2005-1867-ZV-CU-YV-ZAA-SPR
- 710-798 S. Grand Avenue, Case No. ZA-2005-7403-CU-ZV-SPR
- 1050 S. Grand Avenue, (Glass Tower) Case No. ZA-2005-1041-ZV-ZAA-SPR
- 1111 S. Grand Avenue, (Elleven and Luma), Case No. ZA-2003-9146-ZV-ZAA
- 1050 S. Flower Street, (Metropolitan Lofts), Case No. ZA-2003-5986-ZV-YV-ZAA

Existing buildings being converted to residential uses Downtown under the Adaptive Reuse Ordinance are not required to comply with open space requirements. In fact, the Grand Avenue Lofts, located at 1100 S. Grand Avenue received approval to provide zero open space for their new construction units (ZA-2003-2656-ZV-ZAA-ZAD), thereby providing a precedent for zero open space for new construction in downtown.

The applicant is not requesting to provide zero open space, which been granted to other developments in the same zone and vicinity, but rather a reduction in the required amount of total usable open space similar to other nearby projects in South Park. The
granting of this variance for open space is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone or vicinity.

\[ D. \text{ The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.} \]

The granting of this variance will permit the construction of a project materially beneficial to the public welfare. The Project helps create a critical mass of residents required to create the urban environment envisioned by the City for the South Park area. By focusing the majority of its square footage on housing it addresses one of the City's urgent needs, the creation of housing. Additionally, it locates housing adjacent to the Pico Station with access to the Blue and Expo Lines with connecting service at the 7th Street/Metro subway station as well as various bus lines. The Project would create less traffic than many by-right alternatives by locating residents in close proximity to various transportation options. The high quality architectural design includes many sustainable design aspects including housing near transit and employment opportunities which further promotes the public welfare.

The granting of this variance will not adversely affect the residents of the Project or the surrounding property as the applicant plans to provide approximately 21,548 square feet (or 80 percent) of the open space for Site A and 14,432 square feet (or 62 percent) of open space for Site B. Additionally, the applicant plans to provide 2,648 square feet (or 25 percent) of landscaping in exterior common open space areas for Site A and 1,794 square feet (25 percent) for Site B. This amount of open space and landscaping is more than adequate on this particular site to provide a number of recreational amenities for the residents. While it is true a majority of the open space is internal to the site, the Project does provide wide, landscaped sidewalks and other streetscape improvements. Additionally, the Project proposes courtyards and lounge areas on the second floor and a deck on the seventh floor that is open to the sky for the residents of each building. The open space areas of the Project will be attractively landscaped with trees and various species of plants and flowers. The second level courtyard on Site A will contain 51 trees, while Site B will contain 31 trees. These amenities will prove beneficial to the public welfare in creating open space areas.

\[ E. \text{ The granting of the variance will not adversely affect any element of the General Plan.} \]

The General Plan will not be adversely affected by the granting of these variances. In fact, the Project promotes many of the goals and policies of the General Plan. The following will discuss the Project's consistency with various elements of the General Plan, including the Central City Community Plan, the Housing Element and the Transportation element.

Central City Community Plan

The following Central City Community Plan residential land use objectives are consistent with the proposed development:

Objective 1-7: To promote development of residential units in South Park.

Objective 1-2: To increase the range of housing choices available to Downtown employees and residents.
With the development of a total of 410 dwelling units (Site A: 248 dwelling units and Site B: 162 dwelling units) in a high density area, the proposed project fulfills the primary residential land use objective of the Community Plan, which designates much of the South Park area as High Density Residential with corresponding residential zoning. The Community Plan's Policy in support of this objective seeks to "maintain zoning standards that clearly promote housing and limit ancillary commercial to that which meets the needs of neighborhood residents or is compatible with residential uses." A program of this policy seeks to "designate the Land Use for South Park for residential in all future redevelopment plans."

Another program seeks to implement policies as appropriate that "encourage residential development and promote transit-oriented, mixed-income and mixed-use neighborhoods downtown..." The Plan also seeks to increase the range of housing choices available to Downtown employees and residents. The Project encourages residential development and promotes transit-oriented and mixed-use opportunities in furtherance of the Plan's programs and policies. The Project clearly strives to meet the objectives, programs and policies of the Plan by expanding the number of residential units in an area that is already oriented to public transit and mixed-use projects.

The Central City Community Plan also identifies several significant residential land use issues (page I-13) that are addressed by the Project:

- Create a significant increase in housing for all incomes, particularly of middle income households.
- Lack of sufficient housing investment to achieve a "critical mass" in some underserved areas like South Park.
- Lack of neighborhood-oriented businesses to support residential uses.
- Lack of a strong sense of neighborhood identity.

The Project is designed to assist in resolving these many issues. The provision of 410 dwelling units creates a significant increase in housing for various income households in the area. Critical mass is achieved in the South Park area by the Project's site plan that emphasizes the placement of mid-rise buildings in a transitional area. The positioning of the mixed-use residential buildings is designed to allow residents and neighbors to use the retail uses on the ground floor that are also easily accessible on major thoroughfares. In addition, the Project will provide ground floor retail that will increase shopping opportunities for the primarily residential area developing on Figueroa Street and Flower Street. Not only will new residents in the Project's 410 units have available to them many retail options on the ground floor of each building, the residential population in the South Park area will have more shopping and dining opportunities within easy walking distance. The site plan is designed to achieve a critical mass of residents who can activate the streets and promote the ground floor retail uses. The retail uses on the ground floor will address the lack of neighborhood-oriented businesses, as these retail uses will serve the community, as well as residents. The development of a large vacant parcel of land into housing and retail uses will help to establish a neighborhood identity where none exists now.

**Objective 4-1:** To encourage the expansion and additions of open spaces as opportunities arise.

**Objective 4-2.1:** To foster physical and visual links between a variety of open spaces and public spaces in Downtown.
The Project will provide a significant portion of the required open space. By providing a total of 35,980 square feet of open space in recreational amenities (Site A 21,548 square feet and Site B 14,432 square feet), the Project goes a long way in attempting to achieve a requirement that is difficult to fulfill in a dense urban site. This open space includes a fitness center, pool, deck and terrace all located in a central courtyard created by the buildings' massing. The nearby Grand Hope Park and the Central Plaza of the LA Live project will only add to the open space provided as it is a short walk from the Project site. The close proximity of an existing public park and plaza, as well as other parks and public open spaces within reasonable walking distance, are all mitigating factors that provide nearby public open space for future residents.

The granting of this variance will not have any adverse effects on any element of the General Plan.

5. Variance – Pursuant to Section 12.27 of the Municipal Code, the Applicant requests a Variance from Section 12.21 A.4 to permit an overall reduction in the required parking for the residential uses. Pursuant to Section 12.27 of the Municipal Code, the Applicant requests a Variance from Section 12.21 A.5 to permit an increase in the amount of compact parking spaces for residential uses. Pursuant to Section 12.27 of the Municipal Code, the Applicant requests a Variance from Section 12.21 A.4 to allow parking spaces to be rented or sold separately from residential units.

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

Reduced Parking

Project Sites A and B together are required to provide 635 parking spaces and the applicant has proposed to provide 462 parking spaces inclusive of the 154 parking spaces required pursuant to a parking covenant. The Project seeks a parking variance to permit 116 residential parking spaces in lieu of the required 266 residential parking spaces for Project Site A. This is a reduction of 150 spaces from the total required residential amount. The Project seeks a parking variance to permit 150 residential parking spaces in lieu of the required 173 residential parking spaces for Project Site B. This is a reduction of 23 spaces from the total required residential amount. The Project initially requested a variance to provide less parking for commercial uses than otherwise required by the LAMC; however, the Project has been revised to provide the required parking spaces for commercial uses. The Project now requests relief only from residential parking requirements.
The LAMC sets forth certain requirements for general parking requirements for multifamily residential dwelling units. These general requirements, however, do not account for the specific design, existing parking covenants, the location of the project or its proximity to a mass transit area. Therefore, the strict application of LAMC required parking requirements will result in practical difficulties and unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.

Project Site A is a surface parking lot that is subject to an off-street parking covenant for a building at 660 S. Figueroa Street that requires the set aside of 154 parking spaces. The Project proposes to include all required covenanted parking spaces within subterranean, structured parking as part of the development of Project Site A, which provides a total of 299 parking spaces. The fact that this surface parking lot on Site A is encumbered with this parking covenant creates a hardship for the development of the new project.

Project Site A is located across the street from the Metro Pico/Flower Station, while Project Site B is one block east. The Pico Station serves the Blue Line and Expo Line with connecting service at the 7th Street/Metro Center Station to the Metro Red and Purple Lines, which provides access to Hollywood and the San Fernando Valley, with connecting service to the Metro Orange Line (serving the west Valley and Chatsworth). The Metro Red Line and Purple Line serve Downtown including Los Angeles Union Station, with connecting service to the Metro Gold Line (serving Pasadena and East Los Angeles), Amtrak passenger rail, Metrolink commuter rail, and bus service for regional and local lines. The Metro Purple Line also serves Koreatown. The Metro Blue Line provides access from downtown Los Angeles to downtown Long Beach, as well as connecting service to the Metro Green Line (serving Norwalk, Redondo Beach, and LAX via shuttle). Additionally, the Project site is also served by multiple bus and shuttle lines, including: Metro 30, 439 and 730 on Pico Boulevard, Metro 450, Orange County Transportation Authority 701, 721, Commuter Express 438 and 448 on Flower Street, Metro 37, 70, 71, 76, 78, 79, 96, 378, 439, and 770, Big Blue Bus on Grand Avenue, and Metro 81, 442, 450, 460 and Commuter Express 438 and 448 on Figueroa Street. The project takes advantage of the location by offering a mixed-use project with 410 residential units and ground floor commercial uses. The location and project features reduce the need for code required parking. Granting the parking variance meets the
general intent and purpose of the LAMC parking requirements, and will concurrently eliminate unnecessary hardships and practical difficulties that are not shared by similar properties in the project vicinity.

Compact Parking Spaces

The applicant requests relief from the Zoning Code regulation that requires a minimum of one standard parking space for each residential unit. For Site A, there are 248 dwelling units and 116 residential parking spaces of which 114 parking spaces (or 98 percent) would be compact stalls. When the covenanted parking spaces are taken into account, there would be 270 parking spaces provided of which 217 would be compact stalls (or 80 percent). For Site B, there are 162 dwelling units and 150 residential parking stalls of which 113 parking spaces (or 75 percent) would be compact stalls. The applicant initially requested a variance to provide more compact stalls for non-residential uses than what is otherwise allowed by the LAMC. The Zoning Code requires that not more than 40 percent of the required non-residential parking spaces can be compact. Site A proposes ten of the required 29 commercial spaces be compact stalls and Site B proposes three of the required 13 commercial space be compact stalls, which amounts to less compact stalls than what is otherwise allowed and therefore complies with the LAMC. A variance is no longer necessary for compact stalls for non-residential parking spaces.

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<tr>
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Total Required Site A 449 + Site B 186 = 635 spaces
Total Provided Site A 299 + Site B 163 = 462 spaces

The Project is proposed on two sites, Site A and B, within a high-density, urban area in Downtown Los Angeles. Each site proposes parking to be provided within two subterranean parking levels and one parking level at grade in the rear all within the building footprint. Nonetheless, the two subterranean parking levels along with the smaller parking area at grade are not large enough to accommodate the minimum circulation requirements and meet the required number of compact spaces. The area of the driving aisles and ramps used for circulation account for a significant portion of each floor plate. The LAMC's required ten-inch clear space at all walls and columns, large drive aisle widths, large turning radii and associated clear dimensions take up much of the area of each parking level, leaving a limited amount of space for the parking stalls.
In addition to the vehicular circulation, each parking level contains elevators and stair shafts, as well as equipment rooms. The strict application of the provisions of the zoning ordinance for minimum vehicular circulation requirements would result in practical difficulties and unnecessary hardships inconsistent with the general purpose of the zoning regulations.

Furthermore, the location of Sites A and B along a major transit corridor, Pico Boulevard, and their close proximity to local and regional rail and bus lines operated by the Los Angeles County MTA, Los Angeles DOT, Amtrak, Foothill Transit, Orange County Transportation Authority and the Big Blue Bus (City of Santa Monica) provide a wide range of transportation alternatives that will likely reduce the need for parking spaces as well as the need for standard spaces. The general purpose of the parking regulations is to require a particular number and type of parking spaces that would meet the needs of the community and the Project users. However, strict application of the Citywide zoning ordinance for the Project in Downtown would not permit the Project to be developed in as beneficial a manner to the community as is proposed in its current configuration.

Parking Spaces Independent of Residential Units

The applicant has requested a variance to rent or sell spaces separately from residential units; however, the LAMC does not require parking spaces to be tied to specific residential units and only requires that residential parking be provided based on a parking ratio to the number of habitable rooms in a dwelling unit. Required parking can result in a fractional number and therefore parking spaces cannot be assigned to specific residential units. Therefore the request for a variance to rent or sell spaces separately from residential units has been removed.

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

Project Sites A and B together are required to provide 635 residential parking spaces whereas the applicant has proposed to provide 462 residential parking spaces inclusive of the 154 parking spaces required pursuant to a parking covenant. The Project seeks a parking variance to permit 116 residential parking spaces in lieu of the required 266 residential parking spaces for Project Site A. This is a reduction of 150 spaces from the total required residential amount. The Project seeks a parking variance to permit 150 residential parking spaces in lieu of the required 173 residential parking spaces for Project Site B. This is a reduction of 23 spaces from the total required residential amount. The Project provides the required amount of commercial parking spaces and requests relief only from residential parking requirements.

There are special circumstances that do not apply to other property in the same zone and vicinity that necessitate permission to provide onsite parking that is reduced from the LAMC parking requirements and to provide an increase in compact parking stalls than what is otherwise allowed by the LAMC. The parking for Site A is constrained by an existing parking covenant that will continue to apply once the existing surface parking lot is redeveloped into the proposed mixed-use building. The project will satisfy that parking covenant within the structured, subterranean parking garages as part of the new buildings. The parking for the Project is constrained by the relatively small site area of Site A: 48,678 square feet and Site B: 32,507 square feet in a high-density urban area of Downtown, South Park. Both sites are also constrained by the minimum circulation requirements (drive aisles, turning radii, and associated clear dimensions) that take up a significant amount of each parking level.
The Framework Element designates the Project site within the “Downtown Center” and states the following (Long Range Land Use Diagram – Metro):

"An international center for finance and trade that serves the population of the five county metropolitan region. Downtown is the largest government center in the region and the location for major cultural and entertainment facilities, hotels, professional offices, corporate headquarters, financial institutions, high-rise residential towers, regional transportation facilities and the Convention Center, the Downtown Center is generally characterized by a floor area ratio up to 13:1 and high-rise buildings."

Although Downtown Los Angeles is a regional center, parking requirements and parking stall design requirements are the same for suburban areas of Los Angeles such as the Sunland-Tujunga area which has a rural nature as it is for the South Park area of Downtown. Additionally, the parking ratio requirements were adopted in 1972 and the parking stall design requirements were adopted in 1982, both of which are more than three decades old.

The location and site of the project is also unique. The site is comprised of two building sites, Site A along Pico Boulevard between Flower Street and Hope Street and Site B along Pico Boulevard between Hope Street and mid-block. The project will contain up to 383,141 square feet of building area (Site A: 235,727 square feet and Site B: 141,414 square feet), with a design that features modern architecture and commercial space to provide a range of retail goods and services along with residential dwellings. The project’s parking facilities are located at-grade and below the residential and commercial components of the project. The location of these parking facilities strategically reduces overall parking demand because the residential units are close to the parking, commercial, and retail facilities on the site, which minimizes the need for additional parking.

As previously stated, the site is located nearby to major transit infrastructure. Accordingly, the location of the project near these numerous transit options reduces the need for on-site parking facilities and standard parking spaces. Thus, the number of parking facilities proposed for the project, the required parking covenant, and the project’s transit-oriented location, are special circumstances that support the grant of this parking variance request.

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

There is other nearby mixed-use developments which have been granted an approval to provide less than the required parking and to provide less than the required standard size parking spaces. The “Evo” building is a 24-story, high-rise mixed-use development located at the northwest corner of 12th Street and Grand Avenue. The Evo building includes a total of 311 Joint Live Work condominium units and 6,620 square feet of retail uses. On July 13, 2005, a variance request to reduce the required one standard parking space per unit was approved under Case No. ZA-2005-1867-ZV-CU-YV. Of the 311 units, a total of 26 units were allowed to have one compact parking space per unit in lieu of the required minimum one standard parking space per unit.

Another similar project is the FIDM residential project, a proposed 21-story high-rise mixed-use development located at the northwest corner of Flower Street and Olympic
Boulevard. The FIDM residential building includes a total of 112 apartment units for students and 90,000 square feet of non-residential educational space. On June 27, 2008, a variance request to reduce the required one standard space per unit was approved under Case No. ZA-2005-2948-ZV-ZAA-SPR. Of the 112 residential units, a total of 63 units were allowed to have a compact space per unit in lieu of the minimum one standard space per unit. The FIDM building is located three blocks north of the subject site. Similarly, in Case No. ZA-2008-4718-ZV-SPR, a variance was granted for the Glass Tower mixed use development to allow 39 of the proposed 151 dwelling units to have one compact parking space per unit in lieu of the minimum one standard parking space per unit. Therefore, such variance request are necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity for the development of a similar mixed-use building in Downtown.

Furthermore, the variance is necessary for the preservation and enjoyment of substantial property rights and uses not generally possessed by other properties in the same zone and vicinity, but which, because of special circumstances and practical difficulties or unnecessary hardships, are denied for the site. As noted above, the site is subject to a parking covenant that requires off-street parking facilities on the site for a building located at 660 S. Figueroa Street. The project will continue to satisfy those requirements. By doing so, however, the site is burdened in ways that the surrounding properties are not.

One goal of the project is to transform the site from its existing use to a modern, mixed-use development that is consistent with the Central City Community Plan. The project will establish a level of design continuity and consistency for the entire development site. Granting the requested parking variance facilitates the development of a transit-oriented project on currently underutilized surface parking lots and low-rise one-story structures, in an area targeted for redevelopment.

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

Granting such parking variances will not be detrimental to the public welfare or injurious to the property in the same vicinity. The project will improve existing site conditions and enhance the public welfare and surrounding neighborhood. It will create a mixed-use environment of new, contemporary buildings that consist of newly constructed housing, neighborhood-oriented retail on the ground floor and parking facilities for these uses. The project proposes the construction of 248 residential units in Site A and 162 residential units in Site B, for a total of 410 units. Building A and B will also include ground floor retail uses totaling 42,000 square feet. An onsite subterranean parking structure with grade-level enclosed parking will be constructed for each building: Building A will contain 299 parking spaces and Building B will contain 163 parking spaces. This type of development will not be injurious or damaging to the site or other properties in the vicinity. While the grant of the variance will not be materially detrimental to the public welfare or injurious to other properties, its denial could result in detrimental effects on the property in the vicinity because the existing surface parking lots will remain underutilized parcels of land. The granting of this variance will contribute to the public welfare.

Additionally, the granting of such variances will not be materially detrimental to the public welfare in that the Project is located in a high-density, mixed-use urban area of the South Park District of Downtown Los Angeles, and properties surrounding and nearby the subject site are developed in similar scale and scope as the Project. The Project is
also compatible with the following residential developments that have been recently completed:

- Ellevan (1111 South Grand Avenue) 176 Joint Live Work condominiums with ground level retail
- Luma (1100 South Hope Street) 236 Joint Live Work condominium units with ground level retail
- Evo (1155 South Grand Avenue) 311 Joint Live Work condominiums with ground level retail
- Flower Street Lofts (1140 South Flower Street, 91 joint Live Work condominiums)
- Metropolitan Lofts (1050 South Flower Street, 274 multi-family apartments)
- Grand Avenue Lofts (1100 South Grand Avenue) 66 joint Live Work condominiums in an Adaptive Reuse building
- 717 Olympic (717 West Olympic Boulevard) 158 residential units and ground level retail.

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

The proposed Project, at the intersections of Pico Boulevard and Flower Street and Pico Boulevard and Hope Street, will include the construction of two mixed-use commercial and residential buildings ("Site/Building A and Site/Building B") that will include 410 residential units and 42,000 square feet of ground floor retail uses. Site A will consist of a total of 232,501 square feet – 28,800 square feet of retail uses, 248 residential units and 299 parking spaces with a total FAR of 4.78:1. Site B will consist of a total of 144,339 square feet – 13,200 square feet of retail uses, 162 residential units, and 163 parking spaces with a total FAR of 4.47:1. Both buildings will be constructed to a height of seven stories that are 88 feet ten inches in height (with architectural elements up to 91 feet). The 28,800 square feet of commercial tenant space in Building A would be located at the ground floor, with pedestrian access points at Pico Boulevard and Flower Street, Pico Boulevard and Hope Street and along Pico Boulevard. The 13,200 square feet of commercial tenant space in Building B would be located at the ground floor, with pedestrian access from Pico Boulevard and Hope Street and along Pico Boulevard. The Project will include a total of 462 parking spaces within two levels of subterranean and at-grade parking structure, where 635 parking spaces are required, and has thus requested a parking variance.

The parking variance will not adversely affect any element of the General Plan or Central City Community Plan, part of the Land Use Element. As described above, in the findings for the Transfer of Floor Area, Floor Area Deviation and Site Plan Review, the General Plan, the Framework Element, the Housing Element, and the Central City Community Plan all encourage mixed-use projects with housing and pedestrian-oriented commercial uses along major transit corridors. As a result, this project adheres to the various policies of these documents through the redevelopment of existing, underutilized surface parking lots and low-rise structures into two new seven-story mixed-use residential and commercial buildings adjacent to high-capacity transit.

The sites where the two new buildings will be located are currently underdeveloped with a surface parking lot on Site A and a surface parking lot and two, one-story commercial buildings on Site B. The project will include a variety of retail, commercial, and housing opportunities. This project will achieve the Central City Community Plan policies relating to the development of new housing and job opportunities near a major transit hub.

The project has been designed and conditioned to enhance the pedestrian environment along Pico Boulevard, Flower Street and Hope Street, especially relating to pedestrian
orientation. This project, including its proposed parking facilities and adherence to the existing parking covenant, further the enhancement of this site.
PUBLIC HEARING AND COMMUNICATIONS

Summary of Public Hearing Testimony and Communications Received

The Public Hearing on this matter was held at Los Angeles City Hall, 200 North Spring Street, 10th Floor Hearing Room 1020, Los Angeles, CA 90012 on Monday, June 17, 2013, at 10:00 AM.

1. Present: Approximately 8 people attended.
2. Speakers: 5 people provided testimony.
3. Tanner Blackman, representative of Councilmember Jose Huizar, Council District 14, was present and provided testimony that supported approval of the project.

Public Hearing Testimony Notes

Representative from CD 14

The representative provided testimony that recommended approval of the project because it will be a source of job creation.

SPEAKERS COMMENTS SUPPORTING THE PROJECT:

There were no speakers who spoke in support of the project.

SPEAKERS COMMENTS NOT SUPPORTING THE PROJECT:

There were no speakers who spoke in opposition of the project.

SPEAKERS COMMENTS CONCERNING THE PROJECT:

Speakers concerned about the project included nearby residents and business owners who had the following concerns:

- Impacts of parking on operations of the IM Temple at 1320 Hope Street.
- Traffic impacts related to ingress and egress on Cameron Lane.
- Impacts on parking due to the requested parking variances.
- Whether eminent domain is a process that will be used to develop the project.
- Timing of construction and operation for the Project as it relates to 1306 S. Hope Street and their restaurant in a one-story building located on the Project Site B.

Communications Received

Letters – Support:

The Department received one (1) letter of support from the Downtown Los Angeles Neighborhood Council (DLANC).
Letters – Concerns identified:

The Department has received two (2) letters from Governmental Agencies that were written in response to the Mitigated Negative Declaration (MND).

- Metropolitan Transportation Authority (Metro) – The letter states recommendations concerning issues that are germane to the Metro’s responsibilities in relation to the proposed Project. These comments have been incorporated as Condition of Approval No. 46.

- State of California Department of Transportation (Caltrans) – The letter explained concerns about the methodology for analyzing the State Highway System and project impacts that may result in unsafe conditions due to additional traffic congestion, unsafe queuing and difficult maneuvering. Additionally, the Department of City Planning coordinated with Los Angeles Department of Transportation in providing a response letter on September 16, 2013 which discussed the City’s methodologies and offered some solutions to account for cumulative impacts.

The Department has received one (1) letter written in response to the Mitigated Negative Declaration (MND).

- Joyce Dillard – The letter states that there needs to be current studies applied to an area where increased traffic is anticipated due to the pending NFL Stadium and Convention Center modernization. It also states that My Figueroa changes to Figueroa Street would have impacts and that there are insufficient studies and information for watersheds, water quality, water supply, low impact development, air quality management requirements in relationship to the State Implementation Plan, methane mitigation and ground water basins. Lastly, the letter states that the project warrants an Environmental Impact Report (EIR) as it changes impacts on the development throughout the area including the adjoining Community Plans.

The concerns identified at the public hearing held on June 17, 2013 and during the environmental public comment period were addressed in the Mitigated Negative Declaration (ENV-2012-1666-MND-REC2) and in this Staff Report.