

FINDINGS OF FACT (CEQA)

The project was issued Mitigated Negative Declaration ENV-2016-4711-MND on April 12, 2018. Potential negative impacts could occur from the project's implementation due to:

- Biological Resources
- Hazards and Hazardous Materials
- Noise
- Public Services
- Transportation
- Tribal Cultural Resources

The Deputy Advisory Agency, adopts Mitigated Negative Declaration No. ENV-2016-4711-MND and finds that it reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition No. 14 and 15 of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, Stormwater Ordinance, etc.), which are specifically intended to mitigate such potential impacts on all projects.

In accordance with Section 21081.6 of the Public Resources Code (AB3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in Condition Nos. 14 and 15.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract No. 74760, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The Land Use Element of the General Plan consists of the 35 Community Plans within the City of Los Angeles. The project site is located within the Central City Community Plan, which establishes goals, objectives, and policies for future development at a neighborhood level. Additionally, through the Land Use Map, the Community Plan designates parcels with a land use designation and zone. The Land Use Element is further implemented through the Los Angeles Municipal Code (LAMC). The zoning regulations contained within the LAMC regulates, but is not limited to, the maximum permitted density, height, parking, and the subdivision of land.

The subdivision of land is regulated pursuant to Article 7 of the LAMC. Specifically, Section 17.05 C requires that the vesting tentative tract map be designed in compliance with the zoning regulations applicable to the project site. The project site is located within the Central City Community Plan, which designates the site with a High Density Residential land use designation. The land use designation lists the R5 Zone as the corresponding zones. The Project Site is zoned [Q]R5-4D-O, which is consistent with the land use designation. The project site has approximately 50,611 gross square feet of lot area and is located within the Greater Downtown Housing Incentive Area. The site is not subject to any density restrictions but is limited to a FAR of 6:1 per the "D" Limitations contained in

Ordinance No. 164307 (SA2645). The project is seeking a Transfer of Floor Area Rights (TFAR) for the approximate amount of 354,277 square feet of floor area to the Project site, permitting an FAR of 13:1 and 657,943 square feet of floor area, as permitted within the Central City Redevelopment Project Area.

In addition to LAMC Section 17.05 C, LAMC Section 17.06 B requires that the tract map be prepared by or under the direction of a licensed surveyor or registered civil engineer. The tract map was prepared by Lawrence Wilson, Licensed Land Surveyor with the State of California (No. 6712), and contains information regarding the boundaries of the project site, as well as the abutting public rights-of-way, existing and proposed dedication, and improvements of the tract map. The tract map indicates the tract number, notes, legal description, contact information for the owner, applicant, and engineer, as well as other pertinent information as required by LAMC Section 17.06 B. Therefore, the proposed map demonstrates compliance with LAMC Sections 17.05 C, 17.06 B, and 12.22 C.27 and is consistent with the applicable General Plan.

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

For purposes of a subdivision, design and improvement is defined by Section 66418 of the Subdivision Map Act and LAMC Section 17.02. Design refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout. Pursuant to Section 66427(a) of the Subdivision Map Act, the location of the buildings is not considered as part of the approval or disapproval of the map by the Advisory Agency. Easements and/or access and "improvements" refers to the infrastructure facilities serving the subdivision. LAMC Section 17.05 enumerates the design standards for a tract map and requires that each map be designed in conformance with the Street Design Standards and in conformance with the General Plan. As indicated in Finding (a), LAMC Section 17.05 C requires that the tract map be designed in conformance with the zoning regulations of the project site. The Project Site is zoned [Q]R5-4D-O, which is consistent with the land use designation. The project site has approximately 50,611 square feet of gross lot area and is located within the Greater Downtown Housing Incentive Area. The site is not subject to any density restrictions but is limited to a FAR of 6:1 per the "D" Limitations contained in Ordinance No. 164307 (SA2645). The project is seeking a Transfer of Floor Area Rights (TFAR) for the approximate amount of 354,277 square feet of floor area to the Project site, permitting an FAR of 13:1 and 657,943 square feet of floor area, as permitted within the Central City Redevelopment Project Area.

The tract map was distributed to and reviewed by the various city agencies of the Subdivision Committee that have the authority to make dedication, and/or improvement recommendations. The Bureau of Engineering reviewed the tract map for compliance with the Street Design Standards. The Bureau of Engineering has recommended improvements to the public right-of-way along Olympic Boulevard and Hill Street, consistent with the standards of the Mobility Element and Downtown Street Standards. In addition, the Bureau of Engineering has recommended all necessary street improvements be made to comply with the Americans with Disabilities Act (ADA) of 2010. The Bureau of Street Lighting has requested that new street lights be installed on Olympic Boulevard and Hill Street. As conditioned, the design and improvements of the proposed subdivision are consistent with the applicable General Plan.

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

The project site consists of seven contiguous lots totaling approximately 50,611 gross square feet (1.16 acres) in area. The site has approximately 145 feet of frontage along the southerly side of West Olympic Boulevard and approximately 350 feet of frontage along the easterly side of South Hill Street. The property is currently developed with a surface parking lot. The site is zoned [Q]R5-4D-O and is located within the Central City Community Plan, which designates the site for Low High Density Residential land uses. The site is not located within a Specific Plan area, but is located within the Greater Downtown Housing Incentive Area, Adaptive Reuse Incentive Area, City Center Redevelopment Project Area, Transit Oriented Communities (Tier 3), Methane Zone, and Los Angeles State Enterprise Zone.

The Project is the demolition of an existing surface parking lot and the construction, use, and maintenance of a 60-story mixed-use building (760 feet in height) with 700 residential dwelling units and 15,000 square feet of ground floor commercial/retail space. The Project includes 657,943 square feet of floor area on the 50,611 gross square-foot site, resulting in a Floor Area Ratio (FAR) of 13:1. The Project proposes a total of 1,075 vehicle parking spaces within seven subterranean levels and Levels One through Four above grade. A total of 708 long-term and 78 short-term bicycle parking spaces are proposed, along with approximately 86,976 square feet of open space and amenity areas for residents on the site. Seven street trees would be removed from the public right-of-way; 184 new trees are proposed, including 42 street trees.

The tract has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division, prior to the recordation of the map and issuance of any permits. Therefore, the site will be physically suitable for the proposed type of development.

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

The adjacent property to the north, across Olympic Boulevard, is zoned [Q]R5-4D and developed with a vacant one-story mini-shopping center. The adjoining property to the south is zoned [Q]R5-4D and developed with the Mayan Theater. The adjacent properties to the east, across the public alley, are zoned C2-4D-O-SN and developed with one-story commercial buildings and a 12-story commercial office building. The adjacent properties to the west, across Hill Street, are zoned [Q]R5-4D-O and developed with a commercial corner building and a surface parking lot. The site is located approximately 3,500 feet (0.7 miles) from Interstate 110 to the west and Interstate 10 to the east.

The project entails the construction of a 60-story mixed-use building (760 feet in height) with 700 residential dwelling units and 15,000 square feet of ground floor commercial/retail space. The project site has approximately 50,611 square feet of gross lot area and is located within the Greater Downtown Housing Incentive Area. The site is not subject to any density restrictions but is limited to a FAR of 6:1 per the "D" Limitations contained in Ordinance No. 164307 (SA2645). The project is seeking a Transfer of Floor Area Rights (TFAR) under incidental Case No. CPC-2016-4710-TDR-MCUP-SPR for the approximate amount of 354,277 square feet of floor area to the Project site, permitting an FAR of 13:1 and 657,943 square feet of floor area, as permitted within the Central City Redevelopment Project Area. Additionally, prior to the issuance of a demolition, grading, or building permit, the project would be required to comply with conditions herein and applicable

requirements of the LAMC. As conditioned the proposed tract map is physically suitable for the proposed density of the development.

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

The project site, as well as the surrounding area, are presently developed with structures and do not provide a natural habitat for either fish or wildlife. Any demolition, grading, and construction will be conducted per the requirements of the Los Angeles Municipal Code and associated permits needed to perform such work. These permits also restrict work hours to mitigate noise pollution.

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

There appears to be no potential public health problems caused by the design or improvement of the proposed subdivision. The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet statewide ocean discharge standards.

The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

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

As required by LAMC Section 12.03, the project site has a minimum of 20 feet of frontage along Olympic Boulevard and Hill Street, which are public streets. The project site consists of parcels identified as Lots 9, 10, and 12-15 of the E.H. Workman Tract and Lot A of Tract No. 1814 and is identified by the Assessor Parcel Map Nos. 5139-013-003, 5139-013-004, 5139-013-005, 5139-013-006, 5139-013-015, 5139-013-017, and 5139-013-018. There are no known easements acquired by the public at large for access through or use of the property within the proposed subdivision, as identified on the tract map. Necessary easements for utilities will be acquired by the City prior to the recordation of the proposed parcel map.

Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision.

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

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

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

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

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

These findings shall apply to both the tentative and final maps for Tract No. 74760.