



DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT

City Planning Commission

Date: January 12, 2016
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: February 25, 2016
Appeal Status: Zone Change/TFAR appealable to City Council by applicant if disapproved in whole or in part. Zone Variance, CDO Plan Approval and Site Plan Review appealable to City Council.
Expiration Date: January 20, 2017

Case No.: CPC-2014-2947-TDR-ZC-ZV-CDO-SPR
CEQA No.: ENV-2014-2948-MND
Related Cases: VTT-72342-CN
Council No.: 14 – Huizar
Plan Area: Central City
CDO: Broadway Theater and Entertainment Community Design Overlay
Other Overlay: Downtown Design Guide
Certified NC: Downtown Los Angeles
GPLU: Regional Center Commercial
Zone: [Q]C2-4D-CDO-SN
Applicant: Joe Bednar, Agoura Oaks, LLC
Representative: Kate Bartolo, Kate Bartolo & Associates

PROJECT LOCATION: 951-959 South Broadway and 215 West Olympic Boulevard. Legally described as Lots: 10, 11, and FR 12; Block: BLK B; Tract: John G. Downey Tract.

PROPOSED PROJECT: The demolition of an existing surface parking lot, and the construction of a 15-story, 164-foot, 6-inch tall mixed-use development. The Project will contain 163 residential condominiums and approximately 6,406 square feet of ground floor commercial space. A total of 202 vehicle parking spaces and 186 bicycle parking spaces would be provided at the ground level and in four subterranean levels. The proposed Project would consist of a total of 189,960 square feet of floor area. The Project would export approximately 31,055 cubic yards of dirt.

REQUESTED ACTIONS:

1. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, Find the previously adopted Mitigated Negative Declaration (ENV-2014-2948-MND) and associated Mitigation Monitoring Program adequately serves as the environmental clearance.
2. Pursuant to Los Angeles Municipal Code (LAMC) Section 14.5.6, approval of a Transfer of Floor Area Rights (TFAR) from the Los Angeles Convention Center

(Donor Site) at 1201 S. Figueroa Street for the approximate amount of 65,982 square feet to the project site (Receiver Site) permitting a maximum FAR of 9.2:1 and 189,960 square feet of floor area in lieu of a 6:1 FAR which permits 123,978 square feet of floor area.

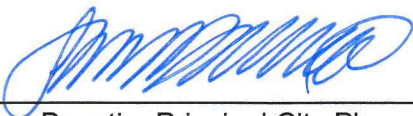
3. Pursuant to LAMC Section 12.32, a Zone Change to amend Ordinance No. 180,871 as follows:
 - a. Modify [Q] Condition Number 6.c. to allow limited rooftop projections of up to 8 feet for a pool and transparent guard wall above the 150-foot height maximum and within the 30-foot setback required for all portions of buildings above 150 feet.
 - b. Modify [Q] Condition Number 7 to allow penthouse units to project 9-feet 6-inches above the 150-foot maximum without meeting the minimum lot coverage of 30 percent required for portions of buildings over 150-feet.
4. Pursuant to LAMC Section 12.27, a Zone Variance from LAMC Section 12.21 A.16(e)(2)(iii) to deviate from the siting requirements for long-term bicycle parking to locate 131 of the 163 long-term bicycle spaces on the subterranean parking levels in lieu of the ground floor.
5. Pursuant to LAMC Section 13.08, a Design Overlay Plan Approval within the Broadway Theater and Entertainment District Community Design Overlay (Broadway CDO).
6. Pursuant to LAMC Section 16.05 a Site Plan Review for a project which results in 50 or more residential units.

RECOMMENDED ACTIONS:

1. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, **Find** the previously adopted **Mitigated Negative Declaration (ENV-2014-2948-MND)** and **associated Mitigation Monitoring Program** adequately serves as the environmental clearance.
2. **Approve**, and **Recommend** the City Council **Adopt** the requested **Transfer of Floor Area Rights** from the Los Angeles Convention Center (Donor Site) at 1201 S. Figueroa Street for the approximate amount of 65,982 square feet to the project site (Receiver Site) permitting a maximum FAR of 9.2:1 and 189,960 square feet of floor area in lieu of a 6:1 FAR which permits 123,978 square feet of floor area.
3. **Approve**, and **Recommend** the City Council **Adopt a Zone Change** to amend Ordinance No. 180,871 as follows:
 - a. Modify [Q] Condition Number 6.c. to allow limited rooftop projections of up to 8 feet for a pool and transparent guard wall above the 150-foot height maximum and within the 30-foot setback required for all portions of buildings above 150 feet.

- b. Modify [Q] Condition Number 7 to allow penthouse units to project 9-feet 6-inches above the 150-foot maximum without meeting the minimum lot coverage of 30 percent required for portions of buildings over 150-feet.
4. **Dismiss as Not Necessary** the requested **Variance** from LAMC Section 12.21 A.16(e)(2)(iii) to deviate from the siting requirements for long-term bicycle parking to locate 131 of the 163 long-term bicycle spaces on the subterranean parking levels in lieu of the ground floor.
 5. **Approve** the requested **CDO Plan Approval** for a mixed-use project in the Broadway CDO.
 6. **Approve** the requested **Site Plan Review** for a project that creates a maximum 189,960 square feet of development including 163 residential units and 6,406 square feet of retail/commercial uses.
 7. **Adopt** the attached **Findings**.
 8. **Advise** the applicant that pursuant to the State Fish and Wildlife Code Section 711.4, a Fish and Wildlife Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

VINCENT P. BERTONI, AICP
Director of Planning



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PROJECT ANALYSIS

PROJECT SUMMARY

The Applicant, Agoura Oaks, LLC, is seeking approvals for a Transfer of Development Rights, a Zone Change to modify two [Q] Qualified Conditions, a Zone Variance, a Community Design Overlay (CDO) Plan Approval and Site Plan Review for a Project that includes 163 residential condominium units and 6,406 square feet of ground-floor commercial and retail space in a 15-story building on a 20,663 square foot site. The Site currently contains a surface parking lot, which would be removed in order to accommodate the Project.

The Project site has frontage along South Broadway and West Olympic Boulevard. Parking is contained in four subterranean levels and one at-grade level. Commercial/retail spaces will line the ground floor along Broadway and Olympic Boulevard. The required sidewalk easement for the Olympic Boulevard frontage will be averaged to create a public open space with a 43-foot height on Olympic Boulevard. The Project would contain a total of 189,960 square feet of development, resulting in a Floor Area Ratio (FAR) of 9.2:1.

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 the Project Site (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"). The project was heard by the Agency Board on December 12, 2016 at which time the Agency Board voted to approve the transfer of floor area with conditions that five percent of the additional units made possible by the transfer of floor area include mobility features and two percent include vision/hearing features.

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 Project Site was sold on May 16, 2013 and the TFAR request was filed on August 13, 2014, therefore the sale price has been used in calculating the Public Benefit Payment. A Public Benefit Payment of \$1,275,168.76 will be required for the proposed project.

Requested Actions

Transfer of Floor Area Rights

The Applicant is requesting a Transfer of Floor Area Rights (TFAR) for the amount not to exceed 65,982 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 the Project Site. This transfer will result in a project that exceeds the base floor area ratio otherwise permitted, from 6:1 to 9.2:1. The underlying zone and height district classification allow a floor area ratio of 13:1 for this site; however, the current zoning "D" development limitation applied to the site limits the floor area ratio to 6:1. Pursuant to Ordinance 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.

Zone Change – [Q] Qualified Condition Numbers 6.c and 7 of Ordinance 180,871

The Applicant is requesting a Zone Change to modify [Q] Qualified Condition Numbers 6.c and 7 of Ordinance 180,871. The Ordinance, which became effective on October 26, 2009, established the Broadway Theater and Entertainment District Design Guide (Community Design Overlay District or CDO) and associated [Q] Qualified Conditions which contain requirements for use and design. [Q] Condition Number 6.c requires portions of buildings above 150 feet be stepped back from the front and side property lines a minimum of 30 feet. [Q] Condition Number 7 requires that portions of buildings above 150 feet maintain a lot coverage of no less than 30 percent and no more than 40 percent. The Applicant is requesting a Zone Change to deviate from these requirements to allow a rooftop pool and guard wall to project above 150 feet within the required setback and to allow for penthouse units to project 9-feet, 6-inches above 150 feet with a lot coverage of less than 30 percent.

The proposed project includes a related case for a Vesting Tentative Tract for one master lot and two airspace lots for a maximum of 163 residential condominium units and 8 commercial condominium units. VTT-72342-CN was filed on August 11, 2014 and was deemed complete and vested on September 15, 2014. The Advisory Agency approved the tract on October 13, 2016 and no appeals were filed, therefore the project is vested and not subject to Measure JJJ.

Variance – Bicycle Parking

The Applicant initially requested a Variance from the siting requirements for long-term bicycle spaces in LAMC Section 12.21 A.16(e)(2)(iii), however, the applicant has stated that the Variance is no longer required.

Community Design Overlay Plan Approval

The Applicant is requesting a Plan Approval for a project in the Broadway Theater and Entertainment CDO.

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 189,960 square feet on a 20,663 square foot site. The Project proposes a total of 163 dwelling units, 6,904 square feet of retail/commercial spaces, and 202 parking spaces.

Mitigated Negative Declaration

A Mitigated Negative Declaration was prepared as Case No. ENV-2014-2948-MND.

Case No. ENV-2014-2948-MND was prepared and circulated for public review on December 31, 2015 and the circulation period ended on January 20, 2016. The project will incorporate all mitigation

measures set forth in ENV-2014-2948-MND to ensure project impacts remain less than significant with respect to biological resources, cultural resources, land use and planning, noise, public services, and transportation and traffic.

ENV-2014-2948-MND, was adopted by the Deputy Advisory Agency on October 13, 2016. 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 MND adequately analyzed the project and no additional environmental clearance is necessary. 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 land use designation for the Project Site is Regional Center Commercial with a corresponding zone of C2. The Project Site has a zoning classification of [Q]C2-4D-CDO-SN. The site is permitted to be developed with residential and commercial uses and is in Height District 4.

The "D" designation for the Project Site denotes a development limitation, which subject to certain provisions limits the developable floor area to six times the buildable area of the site (6:1 FAR). Although the Project Site is subject to such provisions, the developable floor area may be increased to 13 times the buildable area of the site (13:1 FAR), through a transfer of floor area request.

Description of the Property

The Project Site consists of three parcels on an approximately 0.47 acre site (20,663 square feet of lot area) and is generally bounded by Broadway to the east, Olympic Boulevard to the south, Blackstone Court (alley) to the west, and an existing 11-story live/work building with ground floor retail (the Western Costume Building) to the north. The Project Site includes addresses 951-959 South Broadway, and 215 West Olympic Boulevard. The Project Site's topography is relatively flat and the site is currently developed with a surface parking lot, which will be demolished to accommodate the proposed project.

Regional access to the Project Site is provided by the Pasadena/Harbor Freeway (I-110/SR 110), located approximately 0.6 miles to the west; the Hollywood Freeway (US - 101), located approximately 1.4 miles to the north; and the Santa Monica Freeway (I-10) located approximately 0.7 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 Broadway, Olympic Boulevard and Blackstone Court. Broadway is a two-way north-south street immediately to the east of the Project Site and is designated as a Modified Avenue II. Olympic Boulevard is a two-way east-west street immediately to the south of the Project Site and is designated as a Modified Avenue I.

Surrounding Zones and Uses

The site is surrounded by [Q]C2-4D-CDO-SN, C2-4D-O-SN, and [Q]R5-4D zoned properties that are developed with mixed-use and commercial buildings.

North: The properties to the north are zoned [Q]C2-4D-CDO-SN and contain the 11-story Western Costume Building, which is being adapted into residences with ground floor retail.

East: The properties to the east are zoned [Q]C2-4D-CDO-SN and contain two-seven story commercial buildings.

South: The properties to the south are zoned C2-4D-O-SN and contain one story restaurant and commercial buildings.

West: The properties to the west are zoned [Q]R5-4D, and contain a one-story commercial building.

Streets and Circulation

Broadway: Adjoining the property to the east is a Modified Avenue II and is required to have a right-of-way of 80 feet and a half right-of-way of 40 feet, consisting of a 28-foot half roadway plus a 12-foot sidewalk and a 5-foot sidewalk easement.

Olympic Boulevard: Adjoining the property to the south is a Modified Avenue I and is required to have a right-of-way of 106 feet and a half right-of-way of 55 feet, consisting of a 40-foot roadway plus a 15-foot sidewalk and an 8-foot average sidewalk easement.

Relevant Cases

Ordinance 181,574: Effective March 27, 2011, this ordinance establishes standards and approval procedures for the Transfer of Floor Area Rights in the Central City TFAR Area; to effect maximum coordination between the Community Redevelopment Agency and the City; to provide for the keeping of records of available Floor Area Rights within the Central City TFAR Area; to provide for an accounting of allocations of Public Benefit Payments and TFAR Transfer Payments derived from the Transfer of Floor Area Rights; and to facilitate those Transfers that generate Public Benefits.

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-2009-874-CDO-ZC – On September 1, 2009 the City Council adopted a Community Design Overlay (CDO) on Broadway between 2nd Street and Olympic Boulevard and a Zone Change to impose [Q] Qualified Conditions on the subject properties to further implement the goals of the CDO.

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 the 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-2005-1122-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-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-1994-225-CPU: On January 8, 2003, the City Council adopted the Central City Community Plan Update.

Ordinance No. 164,307: Subarea Number 2395 Effective January 30, 1989 resulting in a Zone Change from C5-4 to C2-4D with Development "D" Limitation for a Floor Area Ratio of 6 to 1 with exceptions for the Transfer of Floor Area.

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. 137,557: Effective December 26, 1968, this ordinance amended 12.21A4(i)3 to expand the area covered by the parking standards amended by Ordinance No. 137,036.

Ordinance No. 137,036: Effective July 31, 1968, the City Council adopted the Exception Downtown Business District, which amended the parking requirements in LAMC Section 12.21A4(i) for commercial parking in projects downtown. (Amended by Ord. No. 137,557.)

Ordinance No. 129,944: Effective April 29, 1965, this ordinance establishes Fire District No. 1 for the Downtown, Hollywood, Wilshire, Beverley-Fairfax, Crenshaw, Century City, Westwood, Van Nuys, Venice and San Pedro areas amends the LAMC Sec. 91.1705(a) which establishes exterior wall heights.

Downtown Context

The Project site is located in Downtown Los Angeles, in the South Park District, which is bordered by the Financial Core to the west, Historic Downtown to the north, and the City Markets District to the east.

Transit Access

The Project site is located approximately 0.4 miles from the 7th Street/Metro Center Metro Station, which is served by the Metro Red, Purple, Blue, and Expo 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 Purple Line also serves Koreatown. The Metro Blue and Expo Lines serving Long Beach and Santa Monica. The Metro Red and Purple Lines also provide connections to Union Station and the Gold Line (serving Azusa and East Los Angeles), Amtrak passenger rail, Metrolink commuter rail, and bus service for regional and local lines. 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). The Expo Line originates at the 7th Street/Metro Center station and provides access from downtown Los Angeles to downtown Santa Monica.

Metro operates many local and limited stop routes within reasonable walking distance (one-quarter mile) of the Project Site. Metro bus lines 2/302, 4, 10, 14, 28/728, 37, 66, 70/770, 71, 76, 78/378, 79, 81, 83, 90, 91, 94/794, 96 all have stops within one-quarter mile of the project site. In addition the Big Blue Bus R10 and DASH D and E lines have stops near the site. Given the proximity of the Project site to the 7th Street/Metro Center subway station and other transit options, strong transit use is anticipated by residents, guests, visitors and employees of the site.

Vehicular Access and Parking

The Project proposes a total of 202 parking spaces in four subterranean levels and one at-grade level, all within the building footprint. The ground floor will be lined by commercial/ retail uses, a residential lobby, and a public open space. Vehicular access to the site will take place at grade level via one driveway on Olympic Boulevard and one driveway along Blackstone Court. The ground floor will also include a loading zone off of the alley.

Urban Design Studio

The Planning Department's Urban Design Studio reviewed the proposed project through the Professional Volunteer Program (PVP) on January 14, 2016. PVP comments focused on building articulation, balconies, entrances, and viability of retail spaces. The PVP felt the building design and articulation should be simplified and that articulation should be reduced, resulting in a strong wall with more solid than void and that the cornice should be the same color as the rest of the facade. The PVP also expressed concerns regarding the balconies and thought some of the balconies should be removed. The applicant has averaged the required sidewalk easement along Olympic Boulevard to create a public open space. The open space is surrounded by the building on three sides and the building overhangs the open space starting at 43-feet. The PVP felt this opening should relate better to the Broadway entrance. Additionally, the PVP expressed concerns regarding the viability of the retail space at the western edge of the Olympic Boulevard facade. This retail space is adjacent to the alley and separated from the other retail spaces by a driveway. The PVP thought locating the bicycle parking at this location would be a better use of the space.

The applicant has revised the balconies to be flush with the building face along the Broadway facade, eliminating projecting balconies on this facade except for those meant to mimic a fire escape at the northern end of the Broadway facade. The applicant has also revised the Broadway entrance to further

highlight it as the main entrance. No additional revisions have been made to the plans as a result of these comments.

Walkability Checklist Discussion

The proposed project includes a new mixed-use building that is well-sited, with building orientation optimizing pedestrian access. Vehicle access is limited to one driveway on Olympic Boulevard and the alley, leaving the Broadway frontage free of curb cuts. The building will have a prominent lobby entrance on Broadway and short-term bicycle parking will be accessible from Broadway and Olympic Boulevard. The Project contains commercial/retail frontage at the ground level along both Broadway and Olympic Boulevard.

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, removal of an existing billboard, and public open space. The building is 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 two existing curb cuts and driveways from Broadway. The parking is primarily provided in subterranean levels and at ground level, all within the building footprint. Parking on the ground level will be completely lined by retail and a residential lobby along Broadway and Olympic Boulevard. No parking is provided above the ground level, allowing active uses to completely line the Broadway and Olympic facades. The project will also provide improvements in the alley as part of a direct provision of public benefits required under TFAR. 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 Historic Broadway Sign Supplemental Use District.

The public realm and sidewalk will be improved with the reduction in curb cuts and the addition of canopy trees in the rights of way abutting Broadway and Olympic Boulevard. Utilities will be placed underground or screened from view. The improvements required under the Broadway Streetscape Master Plan are being provided for this block by the developer of the project across the street at 928 S. Broadway.

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 February 25, 2016, raised in letters submitted to the file, raised at the Professional Volunteer Program meeting, 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.

Historic Compatibility

The project site is located adjacent to the Broadway Theater and Commercial District, a National Register Historic District, and immediately adjacent to the Western Costume Building, a contributor to the district. As a result of the historic significance of the project site, the proposed project has been

evaluated in relation to the historic context and modifications have been made to the project to ensure its historic compatibility.

Buildings within the Broadway Historic District have not historically included balconies. There are a few examples of recent conversions from fire escapes to balconies on historic buildings, however these are limited. The converted balconies are most often not on the primary façade and they retain the look of the fire escape without dominating the building façade or altering the architectural style of the building. The original iteration of the proposed project included projecting balconies on both the Broadway and Olympic facades, which had the effect of dominating the building façade. While balconies are generally desirable for multi-family buildings, and can provide private open space for residents, given the lack of context on Broadway, Mitigation Measures are included in the Mitigated Negative Declaration that minimize balcony projections from the façade of the building. As a result, the project design was revised as shown on Exhibit A, and the projecting balconies on the Broadway facade have been removed. The building now contains one row of balconies on the Broadway facade that mimic the look of a fire escape. The remaining balconies on Broadway are recessed, creating more solid space and minimizing the appearance of balconies. The projecting balconies remain on the Olympic Boulevard facade, however the building maintains a strong, solid corner at the intersection of Broadway and Olympic Boulevard.

Proximity to the Western Costume Building

The proposed building will be adjacent to the Western Costume Building, a contributor to the Broadway Theater and Commercial Historic District and will observe a zero foot setback from the property line. Impacts to this building in terms of noise and vibration were analyzed as part of the Mitigated Negative Declaration. Environmental mitigation measures are required for construction and earthwork activities that have the potential to cause temporary vibration and noise impacts to the adjacent building. The measures include preparing a structure monitoring plan to survey vibration impacts inside the Western Costume Building during construction as well as the use of temporary sound barriers and alarms for when vibration levels exceed an acceptable threshold. As such, temporary vibration and noise impacts would be mitigated to a less than significant level.

CONCLUSION

Based on the information submitted, public input including the public hearing, the project's compliance with the Broadway CDO, the Downtown Design Guide and 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 Site Plan Review, CDO Plan Approval and Zone Change, dismiss as not necessary the Variance for bicycle parking location, and recommend approval for the requested Transfer of Floor Area. The Project will redevelop underutilized lots with a transit-oriented urban-infill mixed use project that will offer ground floor retail/commercial space with a residential tower 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]C2-4D-CDO zoning (except for the herein requests), it is consistent with the Broadway CDO and 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 in a transit rich area. The Project would be consistent with all Elements

of the General Plan, will meet the goals of the Central City Community Plan and will meet the standards and guidelines of the Broadway CDO and the Downtown Design Guide.

[Q] QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the “Q” Qualified classification.

Definitions

Prevailing Setback: The most commonly reoccurring line between the property line and the vertical exterior façade of one or more building on the same block or street frontage. Along Broadway, the prevailing setback in many cases coincides with the property line or is offset from the property line between six (6) inches and one (1) foot.

Streetwall: The vertical exterior facade of one or more buildings adjacent and parallel to the sidewalk. The cumulative façade effect created on a pedestrian oriented corridor when structures are built to the edge of the front property line and each side property line or the prevailing setback.

Uses

1. The following uses are prohibited:
 - Auto-related and other vehicular uses, excluding parking
 - Adult entertainment uses, as defined and regulated by Los Angeles Municipal Code Section 12.70,
 - Hostess Dance Halls,
 - Tattoo Parlors,
 - Pawnshops,
 - Recycling centers.
 - Storage uses (except for minor accessory storage uses),
 - Medical Marijuana Dispensaries and Rehabilitation Facilities,
 - Penny Arcades (including video or amusement arcades), and
 - Equipment Repair shops.
2. The following uses shall be prohibited on the ground floor up to a depth of 25 feet from the streetwall:
 - Residential uses, except for residential lobbies,
 - Jewelry manufacturing,
 - Parking,
 - All office uses, including all medical uses, and
 - Institutional uses, such as educational and philanthropic institutions, except for libraries, museums and other arts-related uses.
3. Ground floor commercial uses shall be built to the property line or prevailing setback, whichever applies.
4. Surface parking lots as a main use are prohibited.

Building Form and Massing

5. With the exception of additions to the rear of the building, any alterations or additions to existing buildings shall be built to the property line or maintain the prevailing setback, where a prevailing setback is different from the property line. Storefronts and building entryways

may be recessed as long as the main structural elements (structural bays) are built to the property line or prevailing setback, as applicable. In no event shall the setback exceed two feet.

6. All new buildings shall be built to any property line abutting Broadway and any perpendicular street. The following shall also apply:
 - a. The minimum streetwall (building wall along the sidewalk) shall be 100 feet in height and, south of 4th Street, the maximum shall be 150 feet in height. Heights below 100 feet may be permitted by an action of the Zoning Administrator, in accordance with LAMC Section 12.24X.
 - b. Not less than 95% of the streetwall shall be built to the property line or prevailing setback.
 - c. For new buildings or additions south of Fourth Street, portions of buildings above 150 feet shall be stepped back from the front and side property lines a minimum of 30 feet, except for a pool and associated transparent guard wall, which may be located less than 30 feet from the property and may project up to 8-feet above 150 feet.
 - d. A break in the streetwall (building wall along the sidewalk) may be permitted for a distance not to exceed the linear feet required for pedestrian and vehicular access, when vehicular access cannot be obtained from a side street or an alley as determined by the Director of Planning, in consultation with the Department of Transportation (DOT).
7. The lot coverage for portions of buildings over 150 feet shall be no less than 30% of the lot and no more than 40% of the lot, except for a pool and penthouse units, which may project up to one-story above 150 feet without maintaining a lot coverage of at least 30 percent.

Parking

8. No parking shall be permitted between the building and any abutting street.
9. Parking shall be located to the rear of the building, underground or enclosed within a structure.
10. Ground floor commercial uses at a minimum depth of 25 feet shall be provided in any parking structure fronting Broadway or any perpendicular street.

Ground Floor Treatment

11. The minimum floor-to-ceiling height of the ground floor of any new building shall be 15 feet.
12. All new construction or the addition of floor area to an existing building or structure fronting substantially or in part on a public street shall provide at least one ground floor pedestrian entrance to each premise or storefront from a public street or pedestrian walkway. Entrances to residential lobbies or primary building lobbies shall be more prominent than other entrances along the public street.

13. A minimum of 70 percent of the building facade at the ground level abutting Broadway shall consist of doors and transparent windows.

Urban Design

14. Corporate establishments and formula or retail businesses shall be designed to comply fully with the Broadway Design Guide.

Mechanical Equipment

15. All structures on the roof, including air conditioning units, mechanical equipment, vents, skylights, solar panels, parapets etc., shall not be visible from the street at ground level. Any roof projections shall be located a minimum of 5 linear feet from the roof edge. Any roof projections within 10 linear feet from the roof edge shall be limited to a height of 5 feet. Roof projections located greater than 10 linear feet from the roof shall be permitted per LAMC.
16. Required restaurant venting shall be installed on a secondary facade and integrated with the design of the building whenever feasible.

Signage

17. Signage shall comply with L.A.M.C. Article 4.4, Sections 14.4.1 through 14.4.20. In no case shall the total sign area for wall signs for a single building exceed 1.5 square feet for each foot of linear building frontage.
18. Each business or tenant shall be permitted one pedestrian sign limited to a maximum of six (6) square feet in size.
19. The following signs are prohibited:
 - a. billboards,
 - b. supergraphic signs,
 - c. canister (cabinet) signs;
 - d. pole signs;
 - e. monument signs;
 - f. temporary signs;
 - g. inflatable signs; and
 - h. animated signs.

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, Central Project Planning, 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.** The Project Site shall be limited to a maximum of 163 dwelling units and on the ground floor 6,406 square feet of commercial/retail use.
3. **Ground Floor.** Individual tenant spaces must be built with a depth not less than 25 feet and a floor-to-ceiling height of not less than 15 feet.
4. **Setbacks.** The penthouse units shall be set back a minimum of 30 feet from the edge of the building along the Broadway and Olympic Boulevard frontages.
5. **Height.** The building height shall not exceed an overall height to the top of penthouse units of 164-feet, 6-inches. The height to the top of the parapet shall not exceed 150 feet. Height shall be measured according to the Los Angeles Municipal Code (LAMC). Any structures on the roof, such as air conditioning units and other equipment shall be fully screened from view of any abutting properties and shall comply with height, location and screening requirements of [Q] Condition Number 15.
6. **Parking.** The project shall provide a minimum number of parking spaces as permitted by the LAMC, and a maximum number of 202 parking spaces. No parking spaces are required for the commercial use. Parking provided in excess of code requirements shall be designated for residents of the Western Costume Building, adjacent to the project site at 947 South Broadway.
7. **Electric Vehicle Parking.** The project shall include at least 20 percent of the total code-required parking spaces capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating ampacity. Of the twenty percent EV Ready parking, five percent of the total code required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of either the required 20 percent or five percent results in a fractional space, round up to the next whole number. A label stating "EVCAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

8. **Bicycle Parking.** The project shall provide bicycle parking spaces in compliance with LAMC Section 12.21 A.16.
9. **Broadway Streetscape.** The applicant shall provide infrastructure, landscaping, and lighting along the Broadway frontage of the project consistent with the Broadway Streetscape Plan, if not already implemented.
10. **Alley Access.** Blackstone Court (alley) shall be kept open and free of gates at all times.
11. **Metro.** Metro Bus Operations Control shall be contacted regarding construction activities that may impact Metro bus lines.
12. **Broadway Community Design Overlay.** Final plans shall reflect that the Project is consistent with the following:
 - a. The building shall provide an open and unlocked pedestrian entrance open to the public at the front of the building on Broadway during business hours.
 - b. A minimum of 70 percent of the ground floor facades shall be transparent.
 - c. The front entries of the building shall be in conformance with the illustrations provided in Exhibit A. Windows and exterior doors shall use clear, non-reflective glass. The front windows shall be recessed a minimum of three inches from the building plane. Ground floor glass and materials shall, to the greatest extent practicable, be graffiti-resistant. The applicant shall provide glass specifications to the Department of City Planning, Central Project Planning Bureau for review and approval prior to the issuance of permits.
 - d. An 18-24 inch black granite bulkhead shall be provided at the base of the storefront and columns.
 - e. If included, all security grilles shall be transparent. The mechanical housing of exterior security grilles shall be appropriately screened. Final plans shall include details of security grilles, if proposed, and sections showing location and screening of mechanical housing.
 - f. The exterior materials and colors shall match the illustrations and materials in Exhibit A. Window and storefront systems shall be bronze anodized aluminum. Any new material proposed shall be in a color scheme consistent with Exhibit A. All metal cladding shall have a matte finish and shall not be shiny. All vents, gutters, downspouts, electrical conduits, etc. shall be painted to match the color of adjacent surfaces, unless being used expressly as a trim or accent element. Changes to material may be permitted with approval by the Department of City Planning, Central Project Planning Bureau.
13. **Open Space.** The Project shall provide the following amounts of open space, landscaped common open space, and trees:
 - a. A minimum of 17,900 square feet of open space shall be provided. A maximum of 25 percent of the total open space shall be provided in recreation rooms.
 - b. In the event that the number of residential units is reduced, the minimum amount of open space shall be recalculated per LAMC requirements.
 - c. A minimum of 41 trees shall be provided on site. 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. At least 50 percent of the provided trees shall be canopy trees in conformance with Downtown Design Guide Section 7. If the number of street

trees is reduced, the landscape plans shall be revised and the trees shall be located elsewhere on site to the satisfaction of the Department of City Planning.

14. **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. Broadway has been re-designated to a Modified Avenue II, which requires a 28-foot half-width roadway within a 40-foot half-width right-of-way and a 12-foot sidewalk with a 5-foot sidewalk easement.
 - b. Olympic Boulevard has been re-designated to a Modified Avenue I, which requires a 40-foot half-width roadway within a 55-foot half-width right-of-way, and a 15-foot sidewalk and an 8-foot average sidewalk easement.
15. **Olympic Boulevard Sidewalk Easement.** The required 8-foot average sidewalk easement along Olympic Boulevard shall be combined into a 50-foot by 24-foot open space as shown on Exhibit A. This area shall have a clear height of at least 40 feet and shall remain open to the public at all times.
16. **Signage.** The approval of this application does not constitute approval of a signage plan. The applicant shall submit a detailed signage plan to the Department of City Planning for approval pursuant to the Historic Broadway Sign Supplemental Use District prior to the issuance of any signs for the project. No additional signs including, but not limited to, temporary banners or exterior merchandise displays shall be permitted on the street facing facades of the subject property unless otherwise permitted through subsequent approval. Final plans, pursuant to this action, shall not show signage.
17. **Exterior and Storefront Lighting.** The ground floor and other exterior lighting shall be detailed in the final plans. Any new exterior light fixtures shall be compatible with the architectural style of the building. The entryways shall be illuminated to distinguish the entrance, accent it and enhance pedestrian safety. The applicant shall illuminate the ground floor commercial space from within, both during and after business hours, to the greatest extent possible. The storefront and sidewalk shall provide down-cast or other lighting to illuminate both features to the greatest extent possible. The building's architectural features shall be illuminated to the greatest extent possible, by accent up-lights directed on ledges, lights on entry arches, or other highlighting illumination for architectural details. Exterior lighting shall be low-voltage and shielded such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above. Intense lighting that is used solely for advertising purposes or lighting that uses flashing, strobe, motion, or multi-color elements shall not be used.
18. **Mechanical and Building Equipment.** No mechanical equipment, such as air conditioner units, window vents, fans, etc., shall project beyond any window facing Broadway. Any rooftop or other mechanical equipment such as HVAC, satellite dishes, exhaust fans, solar panels, etc., shall be screened from the view to the greatest extent possible. Any other equipment, such as rain gutters, spouts, electrical conduits, etc., shall also be screened to the greatest extent possible, painted to match building colors if necessary.
19. **Construction Equipment.** The project contractor shall use either plug-in electric or solar powered on-site generators to the extent feasible.

TFAR Conditions

- 20. Floor Area.** Development shall not exceed a 9.2:1 Floor Area Ratio (FAR) and a total floor area of 189,960 square feet. 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. The base lot area used to calculate the base floor area shall be 20,663 square feet at a 6:1 FAR. Changes to the Project that result in a twenty percent decrease in floor area, or more, shall require new entitlements.
- 21. TFAR Transfer Payment.** The Project is subject to and shall pay a TFAR Transfer Payment in conformance 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 total amount of floor area authorized to be transferred from the Los Angeles Convention Center by this action shall not exceed 65,982 square feet. The total floor area of the Project Site shall not exceed 189,960 square feet.
 - b. The Applicant shall provide a TFAR Transfer Payment consistent with LAMC Section 14.5.10. in the amount of \$5 per square foot, or \$329,910, for the transfer of 65,982 square feet from the Los Angeles Convention Center to the Project Site.
- 22. Public Benefit Payment.** The Project is subject to and shall pay a Public Benefit Payment in conformance with Section 14.5.6 through 14.5.12 of the Code.
- a. The Applicant shall provide a Public Benefit Payment consistent with LAMC Section 14.5.9. in the amount of \$1,275,168.76 provided that at least 50 percent (or \$637,584.38) of the Public Benefit Payment consist of cash payment by the applicant to the Public Benefit Trust Fund. Direct provision payments shall be paid directly to the recipients and not to the City of Los Angeles. Proof shall be provided in the form of a cleared check or bank statement and a letter signed by the Executive Director of each organization. Consistent with the TFAR Ordinance, the Project shall provide 50 percent (or \$637,584.38) of the Public Benefit Payment by directly providing the following public benefits:
 - i. The construction of off-site improvements adjacent to the property in Blackstone Court (alley) as described in Exhibit A landscape plans in the amount of \$132,158.74. Improvements shall include geometric scored concrete paving with three linear bands of turf block pavers, a green screen wall, planting and irrigation, and lighting. The parapet planter shall not be considered an off-site improvement. The applicant shall demonstrate that the proposed geometric scored concrete paving and turf block pavers are beyond the standard cost of alley improvements required by the Bureau of Engineering. If it is determined that alley improvements are required by the Bureau of Engineering, the Applicant shall provide a revised Public Benefits Cost Summary excluding the standard cost of the required public right-of-way improvements.
 - ii. A payment to the Los Angeles Streetcar, Inc. in the amount of \$155,618.85 (24.41%). The funds shall be utilized for engineering, design, and operations of the Downtown Los Angeles Streetcar.
 - iii. A payment to Chrysalis in the amount of \$14,858.08 (2.33%). The funds shall be utilized towards job training and new jobs for homeless and recently homeless persons hired by Chrysalis specific to its contract with the Historic Downtown Business Improvement District.

- iv. A payment to Deep Green Housing and Community Development in the amount of \$233,819.28 (36.67%). The funds shall be utilized to provide physical and space improvements to convert the basement space in the 49 unit Coronado Place affordable housing project into an Outreach and Support Services Center and to operate homeless outreach services.
- v. A payment to the Los Angeles Neighborhood Initiative (LANI) in the amount of \$101,129.43 (15.86%). The funds shall be utilized to fund projects that support Bringing Back Broadway initiatives, such as streetscape and pedestrian improvements, including façade lighting.
- b. At the time of issuance of the Certificate of Occupancy for the project, the applicant shall provide an update to the file from each recipient of direct provisions detailing how the money has been spent thus far.
- 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.

Environmental Conditions

- 23. Habitat Modification (Nesting Native Birds, Non-Hillside or Urban Areas).** The project will result in the removal of vegetation and disturbances to the ground and therefore may result in take of nesting native bird species. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).
- 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 or 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 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.
- c. 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.

24. Tree Removal (Public Right-of-Way).

- a. 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. Removal of trees in the public right-of-way requires approval by the Board of Public Works.
- b. The required Tree Report shall include the location, size, type, and condition of all existing trees in the adjacent public right-of-way and shall be submitted for review and approval by the Urban Forestry Division of the Bureau of Street Services, Department of Public Works (213-847-3077).
- c. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway, and on the site, on a 1:1 basis, shall be required for the unavoidable loss of significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) trees in the public right-of-way.
- d. All trees in the public right-of-way shall be provided per the current Urban Forestry Division Standards.

25. Cultural Resources/Historic Resources.

- a. Balconies on the Broadway façade shall not project from the building face, except for the one row of balconies at the north end of the façade, which may project as long as the balcony material is mostly transparent metal railings.
- b. The balconies at the south end of the Broadway façade shall not project beyond the edge of the building towards Olympic Boulevard.
- c. Balconies along the Broadway façade shall be comprised of a solid material similar to adjacent facades.

- 26. Land Use (Noise).** Environmental impacts to future occupants may result from this project's implementation due to mobile noise. However, these impacts will be mitigated to a less than significant level by the following measures: All exterior windows having a line of sight of a Boulevard or Avenue shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Class (STC) value of 50, as determined

in accordance with ASTM E90 and ASTM E413, or any amendment thereto. The applicant, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

27. Increased Noise Levels (Demolition, Grading, and Construction Activities).

- a. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- b. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- c. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- d. A temporary noise barrier such as, but not limited to, plywood structures or flexible sound control curtains extending eight feet in height and capable of sound attenuation of at least 10 dBA shall be erected around the perimeter of the construction site (excluding the northern property line where adequate space is not available) to minimize the amount of noise during construction on the nearby noise-sensitive uses.

28. 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.

29. Increased Noise Levels. Environmental impacts to the adjacent residential properties may result due to noise generated on the site. However, this potential impact will be mitigated to a less than significant level by the following measure:

- a. All new construction work shall be performed so as not to adversely affect the historic designations surrounding the Project Site. Specifically, this mitigation measure is provided to ensure vibration from construction of the proposed project does not adversely impact nearby buildings, which include the following structures: (a) the Western Costume Building, at 939 S. Broadway. Prior to commencement of construction, a qualified structural engineer shall survey the existing foundations and structures of the nearby buildings listed above, and provide a plan to protect them from potential damage. Pot holing or other destructive testing of below grade conditions on the project site and immediately adjacent historical resources may be necessary to establish baseline conditions and prepare the shoring design. If feasible, the project and shoring designs shall avoid pile driving within twenty-five feet of immediately adjacent historical resources. The shoring design shall specify threshold limits for vibration causing activities.
- b. The monitoring program shall survey for vertical and horizontal movement, as well as vibration thresholds. If the thresholds are met or exceeded, or noticeable structural damage becomes evident to the project contractor, work shall stop in the area of the affected building until measures have been taken to stabilize the affected building to prevent construction related damage to historic resources.
- c. The performance standards of the structure monitoring plan shall including the following:
 - i. The qualified structural engineer shall monitor vibration during the pile driving or other vibration-causing construction activities to ensure that the established impact threshold and shoring design is not exceeded. If feasible,

alternative means of setting piles such as predrilled holes or hydraulic pile driving shall be employed to avoid exceeding the impact threshold established. At the conclusion of vibration causing activities, the qualified structural engineer shall issue a follow-on letter describing damage, if any, to immediately adjacent historical resources and recommendations for any repair, as may be necessary, in conformance with the Secretary's Standards. Repairs shall be undertaken and completed in conformance with all applicable codes including the California Historical Building Code (Part 8 of Title 24) prior to issuance of any temporary or permanent certificate of occupancy for the new building.

- ii. The structure monitoring program shall be submitted to the Department of Building and Safety and received into the case file for the associated discretionary action permitting the project prior to initiating any construction activities.
- d. To avoid or minimize potential construction vibration damage and annoyance to the adjacent Western Costume Building, the contractor shall install and maintain at least two continuously operational automated vibrational monitors on the adjacent Western Costume Building during construction. The monitors must be capable of being programmed with two predetermined vibratory velocities levels: a first-level alarm equivalent to a 0.45 inches per second at the face of the building and a regulatory alarm level equivalent to a 0.5 inches per second at the face of the building. The monitoring system must produce real-time specific alarms (via text message and/or email to on-site personnel) when velocities exceed either of the predetermined levels. In the event of a first-level alarm, feasible steps to reduce vibratory levels shall be undertaken, including but not limited to staggering concurrent activities and utilizing lower-vibratory techniques. In the event of an exceedance of the regulatory level, feasible steps to reduce vibratory levels shall be undertaken, including but not limited to staggering concurrent activities and utilizing lower-vibratory techniques.
- e. The Applicant shall erect a temporary acoustic sound attenuation blanket along the south façade of the Western Costume Building covering all south facing windows and the light well. The acoustic blanket shall have a minimum 1-inch thickness and shall be capable of achieving a 20 dBA attenuation factor. The sound attenuation blanket(s) may be draped from the roof of the Western Costume building with adequate separation from the façade of the structure to allow for indirect light and air trespass, and/or can be mounted on poles positioned within the Project Site.
- f. A construction noise monitoring program shall be instituted to field check the construction noise levels from within interior residential spaces of the Western Costume Building. The construction noise monitoring program shall demonstrate that the interior noise levels are 45 dBA or below during construction activities on the Project Site. The monitoring plan shall consist of periodic noise samples throughout the construction process and shall include a minimum of four 15-minute Leq measurements and at least one 24-hour CNEL measurement. Noise monitoring logs shall be submitted to the case file during and after construction.

30. **Public Services (Police – Demolition/Construction Sites).** Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.

31. Transportation (Haul Route).

- a. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.

32. Safety Hazards.

- a. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- b. The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

33. Transportation/Traffic.

- a. Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc.) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.
- b. Temporary pedestrian facilities should be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.
- c. Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.
- d. Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.
- e. The existing Metro bus stop on Olympic Boulevard along the south side of the project site, shall be maintained or relocated during the construction and operation phase of the project, consistent with the needs of Metro Bus Operations. The applicant shall provide an approved relocation plan prior to issuance of permits.

Administrative Conditions

- 34. 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.
- 35. 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.

36. **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.
37. **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.
38. **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.
39. **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.
40. **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.
41. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all of the information contained in these conditions shall be recorded by the property owners in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heir, or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a Certified Copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject case file.
42. **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.
43. **Indemnification and Reimbursement of Litigation Costs.** Applicant shall do all of the following:
 - (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval

- of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
 - (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
 - (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
 - (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the Applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the Applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the Applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the Applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

FINDINGS

1. **Zone Change** – Pursuant to Section 12.32 of the Municipal Code, the Applicant requests a Zone Change to modify [Q] Qualified Condition Numbers 6.c and 7 of Ordinance 180,871. The Ordinance, which became effective on October 26, 2009, established the Broadway Theater and Entertainment District Design Guide (Community Design Overlay District or CDO) and contains [Q] Qualified Conditions which provide requirements for use and design. [Q] Condition Number 6.c requires portions of buildings above 150 feet be stepped back from the front and side property lines a minimum of 30 feet, and [Q] Condition Number 7 requires that portions of buildings above 150 feet maintain a lot coverage of no less than 30 percent and no more than 40 percent. The Applicant is requesting a Zone Change to modify these Q Condition requirements in order to allow for a rooftop pool and guard wall to project above 150 feet within the required setback, and to allow for penthouse units to project 9-feet, 6-inches above 150 feet while maintaining a lot coverage of less than 30 percent.

General Plan/Charter Findings

- A. *General Plan Land Use Designation.* 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 land use designation for the Project Site is Regional Center Commercial. The Project Site has a zoning classification of [Q]C2-4D-CDO. The site is permitted to be developed with residential and commercial uses and is in Height District 4.

The “D” designation for the Project Site denotes a development limitation, which subject to certain provisions limits the developable floor area to six times the buildable area of the site (6:1 FAR). Although the Project Site is subject to such provisions, the developable floor area may be increased to 13 times the buildable area of the site (13:1 FAR), through a transfer of floor area request.

The Project proposes a 15-story residential tower on a 20,663 square-foot corner site with frontage along South Broadway and West Olympic Boulevard. The building height will be 150 feet to the top of the parapet, with one-story penthouse units projecting above that. The penthouse units will observe the required 30-foot setback from the Broadway and Olympic Boulevard property lines.

The [Q] Conditions for the property were established by Ordinance 180,171. The Ordinance, which became effective on October 26, 2009, established the Broadway Theater and Entertainment District Design Guide (Community Design Overlay District or CDO) and contains [Q] Qualified Conditions which contain requirements for use and design. [Q] Conditions Number 6 and 7 contain requirements for the streetwall and tower placement and massing for new buildings. The historic streetwall along Broadway, south of 4th Street, maintains a height between 100 and 150 feet. Ordinance 180,871 replaced a [Q] Condition restricting building heights to a maximum of 150 feet. Ordinance 180,871 allows unlimited height, but requires a 100 foot minimum and 150 foot maximum streetwall for projects south of Fourth Street. In allowing taller development, the [Q] Conditions of Ordinance 180,871 and the requirements of the Broadway CDO intended to mitigate impacts to the historic district by requiring taller developments to step back the tower portion above 150 feet and to limit the overall lot coverage of the tower, thereby maintaining the historic streetwall. The proposed project meets the 150

foot height limit for the streetwall and includes several penthouse units and a pool on the roof. The [Q] conditions were aimed at buildings with a podium and a tower, however the proposed project does not have a true tower component, only one-story of penthouse units. The penthouse units will observe the required setback but will not meet the minimum lot coverage. In addition the applicant proposes locating a pool on the rooftop open space which, along with the required guard wall, will slightly exceed the 150 foot height limit and will be located within the required setback. The pool and transparent guard wall will exceed the 150 height limit by up to eight feet.

The Applicant is requesting a Zone Change to modify these Q Condition requirements in order to allow the penthouse units and rooftop pool.

The requested Zone Change would not change the zone of the property, but would modify [Q] Condition Numbers 6.c and 7 to permit the pool and guard wall projections in the rooftop setback and to permit the penthouse units to exceed the 150-foot height limit while not meeting the minimum tower lot coverage. The project will still meet the intent of the ordinance by providing a 150 foot street wall with minimal projections above that. The proposed projections would have limited, if any visibility from the street and would not impact the historic streetwall. The zone change would be consistent with the General Plan Land Use Designation and is in substantial conformance with the purposes intent and provisions of the General Plan as reflected in the adopted Community Plan.

B. *General Plan Text.*

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, Mobility, 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 has a land use designation of Regional Center 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, and the projections would not impact land use, mobility, noise, safety, housing, conservation, or any other General Plan 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 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.

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 Project site is currently underutilized and improved with a surface parking lot and billboard. The Applicant proposes to revitalize the site with a mixed-use residential and commercial building that will provide ground floor commercial/retail uses and residential units contained in 15-story building. The Project site is at an optimal location for high-density development as it is located in close proximity to many transit options including the 7th Street/Metro Center Metro Station which includes the Metro Red, Purple, Blue and Expo Lines, providing service to North Hollywood, Koreatown, Long Beach, and Santa Monica, as well as connections to Union Station and the Gold Line, Metrolink and Amtrak. The site is also served by multiple bus and shuttle lines. The project site is also located adjacent to the Broadway Theater and Commercial District which is characterized by theaters, hotels, shopping areas, and other uses that serve existing residents, downtown area workers, and visitors. The project takes advantage of the location by offering a mixed use project with 163 residential units and ground floor retail/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 Zone Change would be consistent with several goals and policies of the Framework Element.

In addition, amending the [Q] conditions to allow for the penthouse and pool projections will enable the project to provide rooftop amenities that will enhance future residents' quality of life. The modifications will meet the intent of the ordinance and will not negatively impact the project or the district.

Mobility Element

The City's Mobility Plan 2035 was adopted by City Council on January 20, 2016. The Mobility 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 Mobility 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 and improvements to pedestrian and bicycle infrastructure. The project is consistent with the following objectives, policies and programs:

2.3 Pedestrian Infrastructure: Recognize walking as a component of every trip, and ensure high-quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.

2.10 Loading Areas: Facilitate the provision of adequate on- and off-street loading areas.

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

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

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. The project provides an off-street loading area, bicycle parking, and a pedestrian oriented residential lobby and ground floor retail. The modifications to [Q] conditions regarding portions of buildings above 150 feet will not impact the project's ability to provide residential units in close proximity to transit and to provide neighborhood serving retail uses in close proximity to public transportation and the many pedestrians and shoppers who patronize the Broadway District. Residents who live in the proposed project are within walking distance to many 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 7th Street/Metro Center Metro Station, in express conformity with the Mobility Element's policies and objectives.

Housing Element

The City's Housing Element for 2013-2021 was adopted by City Council on December 3, 2013. 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: Provide an adequate supply of rental and ownership housing for households in order to meet current and projected levels.

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

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

Policy 2.2.3: Promote and facilitate a jobs/housing balance at a citywide level.

The project requests a Zone Change to [Q] Condition Numbers 6.c and 7 to permit a rooftop pool and associated guardrail to project above 150 feet within the required 30-foot setback and to allow penthouse units to project above 150 feet while maintaining a lot coverage of less than 30 percent. This will enable the project to provide a mix of unit types and to provide rooftop amenities for residents. The creation of 163 new condominium units will also provide the opportunity for ownership in Downtown, a neighborhood that is already jobs-rich. The proposed units are somewhat smaller than other units Downtown, designed to offer a more affordable option to live in Downtown. Furthermore, permitting the deviations from the tower setback and massing requirements in the [Q] conditions still results in a building that meets the spirit and intent of the regulations while also helping the City to accommodate growth in Downtown and at the same time locate growth in close proximity to a transit rich area. The project will provide high-density housing along and near several transportation lines. These lines include the Red, Purple, Blue and Expo Rail Lines, several major Metro Transit Authority Lines, and DOT Dash Lines. 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.

- C. *Community Plan Text. The Central City Community Plan provides an official guide to the development of the Community, proposing locations for various types of land use. The Central City Community Plan was adopted January 8, 2003. Following are the land use goals, objectives, and policies that are relevant to the revision of the [Q] Condition Number 11 regarding floor-to-ceiling height:*

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

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

The proposed project will include a total of 6,406 square feet of commercial/retail space on the ground floor. The retail space will benefit the residents of the building, residents of adjacent buildings, as well as the employees that work nearby and visitors to Downtown. The proposed commercial space also provides employment opportunities for area residents and creates a linkage between jobs and housing. The proposed residential units will provide a mix of unit sizes contributing to the range of housing choices in Downtown, while locating new residents near existing transit infrastructure. The mix of uses will contribute to an active, 24-hour Downtown. Revising the [Q] conditions to allow for the rooftop pool and penthouse units will contribute to a range of housing types and will allow for amenities for future residents, increasing the viability of the project and enhancing the quality of life for future residents. The project will still meet the spirit and intent of the [Q] conditions and will maintain a 150-foot height to the top of parapet, which is consistent with the adjacent historic building.

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 163 new dwelling units to the Broadway housing stock. Furthermore, the new residential units in the Broadway District will not remove existing residential units or displace residents, but would instead revitalize an underutilized surface parking lot into a mixed-use building that will contribute to the historic nature of the nearby Broadway Theater and Commercial District. The Project will contribute to the City’s housing stock and will be comprised of a mix of 99 one-bedroom units and 64 two-bedroom units.

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 and discussed in the Site Plan Review findings, the project substantially complies with the requirements of the Downtown Design Guide.

Zone Change Findings

- D. *Zone Change Findings. Pursuant to Section 12.32 of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.*

The Project proposes a 15-story mixed-use building on a 20,663 square-foot corner site with frontage along South Broadway and West Olympic Boulevard. Parking is contained in four subterranean levels and one at-grade level, lined by retail. Commercial/retail spaces will line the ground floor along Broadway and Olympic Boulevard. The Project would contain a total of 189,960 square feet of development, resulting in a Floor Area Ratio (FAR) of 9.2:1. 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 the Project Site (Receiver Site), pursuant to Ordinance No. 181,574 and Section 14.5.6 B. of the Los Angeles Municipal Code (LAMC).

The Applicant is requesting a Zone Change to modify [Q] Qualified Condition Numbers 6.c and 7 of Ordinance 180,871. The Ordinance, which became effective on October 26, 2009, established the Broadway Theater and Entertainment District Design Guide (Community Design Overlay District or CDO) and contains [Q] Qualified Conditions which regulate use and design of development. [Q] Condition Number 6.c requires portions of buildings above 150 feet be stepped back from the front and side property lines a minimum of 30 feet. [Q] Condition Number 7 requires that portions of buildings above 150 feet maintain a lot coverage of no less than 30 percent and no more than 40 percent.

[Q] Condition Number 6.c

The Applicant is requesting a Zone Change to deviate from the requirement that portions of buildings above 150 feet be stepped back from the front and side property lines a minimum of 30 feet. The proposed project will have a height of 150 feet to the top of parapet with penthouse units on the roof set back 30 feet from the street frontages. In addition, the project proposes a rooftop pool which will require a transparent guard wall. The pool and the guard wall will be located within the 30 foot setback and will exceed the 150 foot height by up to eight feet. [Q] Condition 6 is intended to preserve the historic 150-foot street wall, while still allowing for larger developments by requiring the tower portions of buildings over 150 feet be set back. The proposed rooftop elements will be located within this setback, but will have limited, if any visibility and will not impact the streetwall.

The proposed project will meet the spirit and intent of the [Q] Conditions and will result in a building that is built to the property line with a 150 streetwall that is consistent with the adjacent historic building. The modifications will allow the project to provide rooftop amenities for future residents, activating an underutilized property and reducing the potential for blighted conditions and vandalism. As such, the modification of [Q] Condition Number 6.c is in conformity with public necessity, convenience and general welfare.

[Q] Condition Number 7

The Applicant is requesting a Zone Change to deviate from the requirement that portions of buildings above 150 feet maintain a lot coverage of no less than 30 percent and no more than 40 percent. The project is proposing locating one story of penthouse units above 150 feet, however the penthouse units will have a lot coverage of less than 30 percent. The penthouse units will project 9-feet, 6-inches above 150 feet and will maintain the required 30 foot setback from the front and side property lines along Broadway and Olympic Boulevard. [Q] Condition 7 is intended to preserve the historic 150-foot street wall, while still allowing for larger developments by requiring the tower portions of buildings over 150 feet to maintain a lot coverage of between 30 and 40 percent. Ordinance 180,871 replaced a previous ordinance that contained

a [Q] Condition limiting height to 150 feet. In replacing this ordinance the intent was to allow taller development while minimizing impacts to the historic district. [Q] Condition Number 7 is intended to regulate the massing of tower elements that could now be introduced. The penthouse units will comply with the maximum lot coverage but not the minimum. The project will meet the spirit and intent of the [Q] Condition and will result in a building that is built to the property line with a 150 streetwall that is consistent with the adjacent historic building. The proposed penthouse units will have limited, if any visibility from the street and the modifications will allow the project to provide a range of unit types for future residents, activating an underutilized property and reducing the potential for blighted conditions and vandalism. As such, the modification of [Q] Condition Number 7 is in conformity with public necessity, convenience and general welfare.

All other [Q] Conditions contained in Ordinance 180,871 will be retained to protect the best interests of and to assure a development that is compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of any future project that may be proposed for the site.

The proposed Zone Change to modify Ordinance No. 180,871 for the subject site is also in conformity with good zoning practice. The recommended Zone Change preserves and strengthens an existing, viable mixed-use area – the Broadway Theater and Entertainment District – with the introduction of a new, compatible mixed-use project. The project will maintain the 150-foot streetwall with limited, if any, visibility of elements above. This will ensure a pedestrian oriented development compatible with existing historic development. This will not have a negative impact in the success of the project or its compatibility with the adjacent Historic District.

Furthermore, the recommended Zone Change enhances the viability of the Broadway District and South Park Neighborhood by allowing for the development of a new mixed-use project that is compatible with the adjacent Broadway Theater and Entertainment Historic District. It will revitalize an underutilized, surface parking lot with a new, 15-story mixed-use building. The recommended Zone Change is consistent with the Regional Center Land Use Designation, the Broadway CDO, and the Downtown Design Guide.

The requested Zone change to modify [Q] Conditions of Ordinance 180,871 is therefore compatible with the existing development of the community, consistent with the Central Community Plan and is consistent with public necessity, convenience, general welfare and good zoning practice. The action, as recommended, has been made contingent upon compliance with the "Q" Conditions imposed herein.

- 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 951-959 South Broadway and 215 West Olympic Boulevard for an amount not to exceed 65,982 square feet, resulting in an increase in the maximum floor area ratio otherwise permitted, from 6:1 to 9.2:1.

Project Site Lot Area (SF)	Existing		Requested		Transfer
	Floor Area Ratio	Floor Area (SF)	Floor Area Ratio	Floor Area (SF)	Max Floor Area Rights Transferred (SF)
20,663	6:1	123,978	9.2:1	189,960	65,982

- 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 is bounded by the Western Costume Building to the north, Broadway to the east, Olympic Boulevard to the south, and Blackstone Court (alley) to the west. The Project Site 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 approximately 0.4 miles from the 7th Street/Metro Center Metro Station, which is served by the Metro Red, Purple, Blue and Expo 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 Purple Line serves Koreatown, with future service to West Los Angeles. The Metro Blue Line serves Long Beach with connections to the Metro Green Line. The Expo Line serves Santa Monica. The Metro Red Line and Purple Line also serve Downtown including Los Angeles Union Station, with connecting service to the Metro Gold Line (serving Azusa and East Los Angeles), Amtrak passenger rail, Metrolink commuter rail, and bus service for regional and local lines.

Metro operates many local and limited stop routes within reasonable walking distance (one-quarter mile) of the Project Site. Metro bus lines 2/302, 4, 10, 14, 28/728, 37, 66, 70/770, 71, 76, 78/378, 79, 81, 83, 90, 91, 94/794, 96 all have stops within one-quarter mile of the project site. In addition the Big Blue Bus R10 and DASH D and E lines have stops near the site. Given the proximity of the Project site to the 7th Street/Metro Center subway station and other transit options, strong transit use is anticipated by residents, guests, visitors and employees of the site.

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 Project Site is provided by the Pasadena/Harbor Freeway (I-110/SR 110), located approximately 0.6 miles to the west; the Hollywood Freeway (US - 101), located approximately 1.4 miles to the north; and the Santa Monica Freeway (I-10) located approximately 0.7 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 Broadway, Olympic Boulevard and Blackstone Court. The Project will ensure compatibility with other development in the surrounding neighborhood by providing all parking within the building, removing two existing driveways along Broadway and limiting vehicle access to Olympic Boulevard and the alley.

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. Immediately surrounding the Project site are one- to seven-story commercial buildings and the 11-story Western Costume Building, a contributor to the Broadway Theater and Commercial District, a National Register Historic District. The project site and those sites to the north, east, and south have a land use designation of Regional Center Commercial. The properties to the west have a land use designation of High Residential.

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 189,960 square feet of residential and commercial uses 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 would remove a surface parking lot and construct 163 residential units and 6,406 square feet of retail/commercial space. The existing surface parking lot has two driveways along Broadway, a billboard, and other large signage. Further, the Project would eliminate two curb cuts and provide landscape improvements along Broadway and Olympic Boulevard. 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. 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 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.

The Project Site would provide 163 residential units and 6,406 square feet of new 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 existing transit, entertainment and commercial uses.

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 within approximately 0.4 miles of the Metro Red, Purple, Blue and Expo Lines, and 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 street trees, public open space along Olympic Boulevard, as well as usable open space for residents in the highly developed urban environment of Downtown Los Angeles. The Project provides public, private and common open space and will provide green alley improvements along the project frontage in Blackstone Court. Altogether, these improvements will aid in the creation of a cohesive social fabric.

Objective 11: To preserve key landmarks which highlight the history and unique character of the City, blending old and new in an aesthetic realization of change or growth with distinction, and facilitating the adaptive reuse of structures of architectural, historic or cultural merit.

There are neither key landmarks nor any structures on-site of architectural, historic or cultural merit that could be adaptively reused. The Project is however adjacent to the Broadway Theater and Entertainment Historic District and is adjacent to the Western Costume Building, a contributor to the National Register Historic District. The Project includes a building height that continues the street wall of the adjacent buildings with corresponding cornice lines and will utilize architectural details and materials to maintain compatibility with the nearby historic resources while providing new, modern architecture. The project will introduce minimal projections above the streetwall, but will set back the projections from the property lines and will incorporate compatible materials in order to achieve growth in the historic district while blending old and new.

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 would provide 6,406 square feet of new commercial that would provide 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 would provide 163 residential units 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, and a range of one and two bedroom units will be offered, 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 will directly provide support 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 January 13, 2015, with a recommendation that the applicant provide pedestrian walkways during construction of the project in connection with any planned sidewalk closures. Maintaining pedestrian access during construction is required as part of Condition of Approval Number 50 – Transportation/Traffic.

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 \$1,275,168.76 (based on a formula that includes the Transfer of 65,982 square feet) and a TFAR Transfer Payment of \$329,910 (based on the Transfer of 65,982 square feet from the Convention Center 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 \$637,584.38 to the Public Benefit Payment Trust Fund, and 50 percent public benefits that are directly provided.

Public Benefit Payment	
50% Public Benefit Cash Payment	\$637,584.38
50% Public Benefit Direct Provision	\$637,584.38
Public Benefit Payment Total	\$1,275,168.76

The Applicant has proposed to provide off-site improvements in the alley adjacent to the project site as well as directly provide public benefits by providing monies to proposed recipients, the

Los Angeles Streetcar, Inc (LASI), Chrysalis, Deep Green Housing and Community Development, and the Los Angeles Neighborhood Initiative (LANI) in the amounts shown below, which totals 50 percent or \$637,584.38 of the Public Benefit Payment.

Direct Provision of Public Benefits		
Recipient	Percentage	Total
Off-Site Improvements	20.73%	\$132,158.74
Los Angeles Streetcar, Inc	24.41%	\$155,618.85
Chrysalis	2.33%	\$14,858.08
Deep Green	36.67%	\$233,819.28
LANI	15.86%	\$101,129.43
Direct Provision Total	100%	\$637,584.38

Off-Site Improvements

Blackstone Court

The Applicant has proposed to provide off-site improvements to Blackstone Court, the alley immediately adjacent to the project site. The applicant will construct and maintain a greenscape and hardscape amenity the length and width of the alley that is adjacent to the proposed project. The funding would be applied to offset a portion of the alley improvement costs. The alley improvements are intended to create a shared space in the alley which will still maintain access for loading and deliveries but will also provide a well-lit aesthetically pleasing space for pedestrians. Included in the proposed improvements are lighting, a green screen trellis wall along the backside of the building and geometric-scored concrete paving and three linear bands of turf block pavers with natural grass and permeable surfaces.

Los Angeles Streetcar, Inc

The Applicant has proposed to directly provide public benefits in the amount of \$155,618.85 to the Los Angeles Streetcar, Inc (LASI). The funds would be utilized for development and operations of the Downtown LA Streetcar project.

Chrysalis

The Applicant has proposed to directly provide public benefits in the amount of \$14,858.08 to Chrysalis. The funds would be utilized to provide job training and support services for formerly homeless individuals to transition them to the workforce and to provide infrastructure maintenance of public sidewalks in the Historic Core area of Downtown.

Deep Green Housing and Community Development*671 S. Coronado Street*

The Applicant has proposed providing \$233,819.28 to Deep Green Housing and Community Development to convert a basement space in the 49-unit Coronado Place affordable housing project in a an Outreach and Support Services Center. The funding would pay for the renovation and remodeling improvements to the space; spanning design, layout, construction, change of use permitting, code compliance, and furniture, fixtures and equipment to make the space operational.

Los Angeles Neighborhood Initiative (LANI)*Bringing Back Broadway Initiatives*

The Applicant has proposed to directly provide public benefits in the amount of \$101,129.43 to Los Angeles Neighborhood Initiative (LANI). The funds would be utilized to fund projects that specifically benefit Bringing Back Broadway initiatives, and which include: streetscape improvements and facade lighting through and in concert with the Broadway Streetscape plans.

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

The Project Site (Receiver Site) is located within the Central City Community Plan and has a Regional Center Commercial 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 13:1 floor area ratio on parcels in Height District 4D 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 in a transit-rich area, which would allow residents to easily access their residences and connect them to their jobs Downtown or throughout the City.

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 attractions. The Project would include 6,406 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.

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 9.2:1, 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. (Page IV-8)

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 wide sidewalks, landscaping and street trees along street frontages and will provide a public open space with the averaged sidewalk easement on Olympic Boulevard. The Broadway Streetscape Improvements will be provided along both sides of this block of Broadway by the project across the street. As part of the public benefit payment, the applicant will also provide enhanced alley improvements adjacent to the project site. 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 7th Street/Metro Center Metro 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 removing driveways from Broadway and limiting vehicular access to the alley and one driveway on Olympic Boulevard, and by locating high-density residential development in a transit-rich area. Additionally, the Project respects the historic context of the neighborhood by providing a building that continues the existing street wall with cornice lines that correspond to the adjacent building.

3. **Variance** – Pursuant to Section 12.27 of the Municipal Code, the Applicant requests a Variance from Section 12.21 A.16(e)(2)(iii) to deviate from the siting requirements for long-term bicycle parking. However, the applicant has since stated that the project will fully comply with the bicycle parking requirements. Therefore, the request for a Variance from the bicycle parking siting requirements is **dismissed as not necessary**.
4. **Community Design Overlay Plan Approval** – Pursuant to Los Angeles Municipal Code Section 13.08, the Applicant requests a Community Design Overlay Plan Approval for a project in the Broadway CDO.
 - A. *The project substantially complies with the adopted Community Design Overlay Guidelines and Standards.*

As stated below, the project substantially complies with the CDO.

1. Respecting the Historic Context

GUIDELINE 1: Pursue creative and innovative contemporary designs for new buildings that will complement Broadway’s designated National Register Historic District.

The proposed mixed-use building meets the standards under Guideline 1 which require new construction to be pedestrian oriented and compatible with the existing mixed-use development along Broadway, while also being differentiated from the existing, historic buildings. The project is located within the vicinity of the Broadway Theater and Commercial District, a National Register Historic District, which is characterized by buildings with a common setback abutting the sidewalk, tripartite facades with ground level storefronts, and common building materials such as glazed terra cotta and cast stone with the most prevalent architectural style being Beaux Arts. The proposed building is compatible with existing development along Broadway, while also being differentiated enough to appear new. The proposed project maintains the historic 150-foot streetwall height and is close in height to the adjacent Western Costume Building. The project will consist of a tri-partite composition typically found in classical mid-rise construction. The building’s base at the ground level will be vertically divided into smaller bays and will feature a granite bulkhead, bronze anodized aluminum storefront system with clear glass, full-height storefront windows, transom windows, canopies, and medium grey glass fiber reinforced concrete (GFRC) panels. As conditioned, the mid-section of the building will utilize light grey

GFRC panels and will be articulated with bronze anodized aluminum windows, and solid balconies. The capital section of the building will utilize medium grey GFRC panels and a simple cornice.

As conditioned, the Project will not include projecting balconies on the Broadway facade except for a row of steel picket balconies reminiscent of fire escapes found on historic buildings along Broadway. The removal of projecting balconies along the Broadway facade will increase compatibility with nearby historic resources, which rarely included balconies. The building will closely match the height and form of adjacent historic resources, while still being differentiated.

2. Building Orientation and Frontage

GUIDELINE 2: Site buildings to promote pedestrian activity along the public right-of-way by placing business entrances on the street. Developments should not face inward but rather should be oriented towards the street to reinforce the existing character of the Broadway Corridor.

Guideline 2 requires that buildings be built to the front property lines and oriented to the street with parking located either at the rear of the building or underground and that the ground floor maintain a minimum floor-to-ceiling height of 15-feet. The Project is oriented towards Broadway and Olympic Boulevard and all parking is fully contained within the building, with no parking levels visible from the street. The building contains a prominent lobby entrance on Broadway and commercial/retail space along the remaining Broadway and Olympic Boulevard frontages. Each commercial/retail space is oriented towards the street with individual entries along Broadway and Olympic Boulevard. All 6,406 square feet of ground floor retail maintains a floor-to-ceiling height of at least 15 feet and a depth of at least 25 feet.

3. Setbacks

GUIDELINE 3: Encourage an inviting pedestrian environment and provide for streetwall continuity by locating new buildings at the property line or the prevailing setback, as applicable. Where permitted, additional setback areas should encourage active public uses through additional street trees, outdoor seating areas, kiosks, forecourts and arcades.

The project meets the standards under Guideline 3 by locating the building at the property line, which is consistent with the prevailing streetwall. The building will be built to all property lines. The building will have a height of 150 feet, which is consistent with nearby buildings.

4. Open Space

GUIDELINE 4: Encourage publicly accessible, urban open spaces as part of a project site design to invite and encourage pedestrian activity. Create inviting spaces, provide shade, screen unattractive areas, and enhance architectural detailing through the thoughtful and careful placement of landscaping. Paseos and arcades should accommodate pedestrian traffic and offer opportunities for amenities such as outdoor dining, sitting areas, and landscaping. The arcade presents the opportunity for pedestrian-oriented retail.

The Project has less than 300 feet of Broadway street frontage so it is not required to provide a paseo, however the Project will fulfill Standard 4e by averaging the sidewalk easement along Olympic Boulevard to create a 43-foot tall niche along Olympic Boulevard that will provide public open space. The project will also provide open space on the 2nd level and on the rooftop. In

addition, the applicant proposed providing alley improvements as part of the required TFAR public benefits.

6. Building Scale and Massing

GUIDELINE 6: Building and massing of new buildings should complement the existing urban form and the prevailing height of existing buildings while considering light, shadows, views, etc.

The proposed project consists of a 15-story building with a height of 150 feet to the top of parapet and one-story of penthouse units projecting 9-feet, 6-inches above the roof, setback 30 feet from the edge of the building. The building is built to the property lines and maintains the existing street wall while also closely matching neighboring buildings in height. As proposed, the Project would be built to the northern property line, adjacent to the Western Costume residential building, a contributor to the Broadway Theater and Commercial Historic District. The massing of the project is consistent with the urban form of the Broadway Historic District and will complement nearby buildings. The penthouse units will have little to no visual impact from the pedestrian level.

7. Building Articulation

GUIDELINE 7: Heighten visual interest and enhance pedestrian orientation by incorporating variation in the facades of buildings. These elements and variations may include: architectural features; changes in building materials, texture and color; generously sized, transparent display windows; arcades, canopies and awnings; cornices, and other details such as transom windows and overdoors. New developments should be governed by a formal architectural concept, like the existing historic structures, that exhibits variation in the basic principles of visual order to clarify buildings' uses and differentiate ground floor uses.

The Project fulfills the Standards under Guideline 7 by providing façade fenestration and articulation similar to those typical of the area. The building is divided into three parts with different materials and colors proposed for the base, middle and top. The ground floor maintains more than 70 percent transparency and includes large display windows which will utilize clear, non-reflective glass as conditioned. The ground floor is broken up into individual storefronts with traditional bulkheads and transoms and canopies to define entrances.

8. Entry Treatments

GUIDELINE 8: Each building should have a prominent main building entrance that allows pedestrians access to a main lobby from Broadway and any perpendicular side street to an active pedestrian environment.

The Broadway entrance to the residential lobby will be defined by a larger canopy, pedestrian lighting, and a backlit metal panel with an ornamental perforation pattern that will extend vertically through the fifth story.

9. Storefronts

GUIDELINE 9: Encourage window-shopping and an active pedestrian environment by providing a significant level of storefront transparency at the ground floor on building facades along public streets. Storefronts should allow maximum visibility from sidewalk areas into the interior of all commercial uses. Storefront entrances should be designed so that they are a predominant architectural feature on the building façade and create an inviting entrance.

The ground floor of the Project includes large windows and doors which occupy greater than 70-percent of the ground floor façade. As conditioned and shown in Exhibit A, the ground floor storefronts will utilize clear, non-reflective glass, and incorporate bulkheads and recessed windows, thus complying with the Standards of Guideline 9.

10. Windows

GUIDELINE 10: All structures should have as many windows as possible on the ground floor when facing a street or pedestrian walkway. There should be little or no blank wall area, except to separate buildings or retail/office spaces. This increases safety by allowing businesses to have 'eyes on the street' and passerby to see interior building activities. Windows should incorporate passive solar and other green building standards to the extent feasible to reduce energy consumption.

As conditioned, the Project will use clear, non-reflective glass on the ground floor. As evident in Exhibit A, the ground floor façade will have greater than 70 percent transparency, thus complying with the Standards of Guideline 10.

11. Facades, Exterior Surface Materials & Color

GUIDELINE 11: The texture of building facades should be complementary to other buildings in the surrounding area. Large expanses of the same building material detract from the building's aesthetics. The use of varied and complementary building materials reduces the mass of a building and creates visual interest.

As shown in Exhibit A, the Project will utilize GFRC panels, metal panels, and aluminum windows and storefronts, which are complementary to the surrounding architectural character and style. The Project will utilize projections, fenestrations and changes in materials and colors to break up the façade and reduce the mass of the building.

12. Lighting

GUIDELINE 12: Lighting should be incorporated into the design not only to accentuate architectural features, but also to provide a safe environment for pedestrian activity. All open areas, including parking lots, walkways, and trash areas, should have security lighting for safety.

As conditioned and shown in Exhibit A, storefronts, entryways, and pedestrian areas will be illuminated with down-cast lighting and architectural features shall be illuminated with accent up-lights to the greatest extent possible, thus complying with the Standards of Guideline 12.

13. Awnings and Canopies

GUIDELINE 13: Where appropriate, use awnings or canopies to define the public realm of the sidewalk, provide shelter and shade, and enhance the building façade by adding variation, color, and horizontal rhythm. Awnings and canopies reinforce a pedestrian scale and add a comfortable sense of enclosure to outdoor seating and other active public uses.

As evident in Exhibit A, the Project will include individual canopies along the ground floor façade at each storefront entrance. The residential lobby entrance on Broadway will utilize a larger canopy that projects further than the individual storefront canopies.

14. Security Grilles

GUIDELINE 14: buildings should be designed with security features that effectively deter criminal activity while maintaining a positive image about the community. When used, security grilles should be screened from view during business hours and should be integrated into the design of the building.

As conditioned, all security grilles will be transparent and the mechanical housing will be screened.

15. Utilities, Mechanical Equipment, Trash Containers & Loading

GUIDELINE 15: Utilities, storage areas, loading docks, mechanical equipment and other service areas should be screened from the adjacent public right-of-way. Equipment can be screened from public view through the use of building parapets, landscaping walls and other similar architectural treatments. Plywood and wood lattice screens should be avoided.

Service areas and trash containers will be located entirely within the building and will be accessed from Olympic Boulevard and the alley. As conditioned, no mechanical equipment will project beyond any windows facing Broadway and all rooftop and other mechanical equipment will be screened from view on Broadway.

18. Parking and Parking Structure Design

GUIDELINE 1: Parking lots and structures should fit within the urban fabric; massing, scale and façade articulation should respond to the surroundings and provide a degree of three-dimensional interest. The overall design should promote pedestrian safety by minimizing conflict with vehicles. Parking should encourage a balance between a pedestrian-oriented Broadway and necessary car storage. Protect nearby residents from potential adverse impacts – noise, visual, or otherwise – of parking and parking structures.

All parking related to the Project will be provided entirely within the building. Parking will be provided on four subterranean levels, and the ground floor. Ground floor parking will be entirely lined by retail and lobby uses along Broadway and Olympic Boulevard and no parking levels will be visible from the street. There will be no driveway access from Broadway and access will be provided from Olympic Boulevard and Blackstone Court (alley).

19. Vehicular Access

GUIDELINE 2: Minimize conflicts between pedestrians on the sidewalk and automotive traffic by providing vehicular access to parking areas along side streets or alleys wherever possible.

The proposed Project will not have any curb cuts on Broadway and all vehicle access will be provided from Olympic Boulevard and Blackstone Court (alley).

- B. The structures, site plan and landscaping are harmonious in scale and design with existing development and any cultural, scenic or environmental resources adjacent to the site and the vicinity.*

As conditioned by this approval, the project is in substantial conformance with the design guidelines and standards (see above). The project is conditioned to comply with the CDO requirements and will be compatible with the mixed-use, pedestrian oriented development along Broadway. The project is located within the vicinity of the Broadway Theater and Commercial

District, a National Register Historic District, which is characterized by buildings with a common setback abutting the sidewalk, tripartite facades with ground level storefronts, and common building materials such as glazed terra cotta and cast stone with the most prevalent architectural style being Beaux Arts. The project, as conditioned, will provide a compatible massing and articulation and will incorporate simplified elements of Beaux Arts architecture while utilizing materials similar in texture and visual quality.

The project introduces commercial space and a residential lobby, all with large windows, where there is currently a surface parking lot with excess driveways and a billboard. The project will be compatible in height to adjacent historic resources and will continue the existing street wall. The one-story of penthouse units and pool, which will project above 150 feet will have little to no visual impact and will maintain the historic street wall. The project will utilize materials and architectural elements that are compatible with nearby historic resources.

The proposed project is harmonious in form and design with existing resources and will activate an underutilized site in an otherwise active, vibrant area of Broadway.

5. **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 189,960 square feet of development on a 20,663 square-foot site including 163 residential units and 6,406 square feet of retail/commercial uses.
- 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, Mobility, 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 has a land use designation of Regional Center 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. The Applicant proposes to revitalize the site with a mixed-use residential and commercial building that will provide ground floor commercial/retail uses and residential units contained in a 15-story building. The Project site is at an optimal location for high-density development as it is located in a transit-rich area of Downtown. The Project is located 0.4 miles from the 7th Street/Metro Center Metro Station, which is served by the Metro Red, Purple, Blue and Expo Lines, with connections to the

Gold Line. 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 Purple Line serves Koreatown, with future service to West Los Angeles. The Metro Blue Line serves Long Beach with connections to the Metro Green Line. The Expo Line serves Santa Monica. The Metro Red Line and Purple Line also serve Downtown including Los Angeles Union Station, with connecting service to the Metro Gold Line (serving Azusa and East Los Angeles), Amtrak passenger rail, Metrolink commuter rail, and bus service for regional and local lines.

Metro operates many local, limited and rapid stop routes within reasonable walking distance (one-quarter mile) of the Project Site. Metro bus lines 2/302, 4, 10, 14, 28/728, 37, 66, 70/770, 71, 76, 78/378, 79, 81, 83, 90, 91, 94/794, 96 all have stops within one-quarter mile of the project site. In addition the Big Blue Bus R10 and DASH D and E lines have stops near the site. Given the proximity of the Project site to the 7th Street/Metro Center subway station and other transit options, strong transit use is anticipated by residents, guests, visitors and employees of the site. The project takes advantage of the location by offering a mixed-use project with 163 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 contained in the Central City Community Plan. These include:

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

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 163 dwelling units to the housing stock of Historic Downtown. Furthermore, the new residential units will not remove existing residential units or displace residents, but would instead revitalize an underutilized parking lot. The Project will contribute to the City's housing stock and will be comprised of a mix of 99 one-bedroom units and 64 two-bedroom units.

The proposed 6,406 square-foot commercial/retail space located at ground level will meet the needs of the residents, be compatible with the residential units and activate Broadway and

Olympic Boulevard. 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 Downtown.

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 6,406 square feet of commercial/retail space on the ground floor. The retail space will benefit the residents of the building, residents of adjacent buildings, as well as the employees that work nearby and visitors to Downtown. 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. The Project Site is subject to both the Broadway CDO (and corresponding Ordinance 180,871) and the Downtown Design Guide. The Broadway CDO supersedes the Downtown Design Guide; however the Project would have to comply with the Downtown Design Guide on any regulations where the CDO is silent. The applicant has not asked to deviate from any of the relevant Downtown Design Guide requirements and as conditioned the project will fully comply with 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.

On June 7, 2013, the City Planning Commission adopted a resolution approving the Broadway Streetscape Plan which provides guidelines for future public improvements along Broadway between 2nd Street and Olympic Boulevard. The Plan calls for a physical reconfiguration of Broadway that gives higher priority to pedestrians in the form of wider sidewalks, as well as curb extensions that allow for new parking/loading zones to buffer sidewalk areas and that result in shorter crossing distances for pedestrians.

The modified street standards require the following cross sections:

- Broadway: Adjoining the property to the east is a Modified Avenue II and is required to have a right-of-way of 80 feet and a half right-of-way of 40 feet, consisting of a 28-foot half roadway plus a 12-foot sidewalk and a 5-foot sidewalk easement.
- Olympic Boulevard: Adjoining the property to the south is a Modified Avenue I and is required to have a right-of-way of 106 feet and a half right-of-way of 55 feet, consisting of a 40-foot roadway plus a 15-foot sidewalk and an 8-foot average sidewalk easement.

The Project complies with the above cross sections.

Mobility Element

The City's Mobility Plan 2035 was adopted by City Council on January 20, 2016. The Mobility 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 Mobility 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 and improvements to pedestrian and bicycle infrastructure. The project is consistent with the following objectives, policies and programs:

2.3 Pedestrian Infrastructure: Recognize walking as a component of every trip, and ensure high-quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.

2.10 Loading Areas: Facilitate the provision of adequate on- and off-street loading areas.

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

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

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. The project provides an off-street loading area, bicycle parking, and a pedestrian

oriented residential lobby and ground floor retail. The project will provide residential units and neighborhood serving retail uses in close proximity to transit and the many pedestrians and shoppers who patronize the Broadway District. Residents who live in the proposed project are within walking distance to many 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 7th Street/Metro Center Metro Station, in express conformity with the Mobility Element's policies and objectives.

Housing Element

The City's Housing Element for 2013-2021 was adopted by City Council on December 3, 2013. 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: Provide an adequate supply of rental and ownership housing for households in order to meet current and projected levels.

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

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

Policy 2.2.3: Promote and facilitate a jobs/housing balance at a citywide level.

The project requests a Transfer of Floor Area from the Convention Center to the Project Site for 65,982 square feet to allow 189,960 square feet in lieu of the allowable floor area of 123,978 square feet. Permitting the transfer of floor area allows the applicant to develop more residential units, thereby increasing the housing stock in the Historic Downtown District. The creation of 163 new condominium units will also provide the opportunity for ownership in Downtown, a neighborhood that is already jobs-rich. 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. The project will provide high-density housing along and near several transportation lines. These lines include the Red, Purple, Blue and Expo Rail Lines, several major Metro Transit Authority Lines, and DOT Dash Lines. 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 into a mixed-use residential and commercial building comprised of 6,406 square feet of commercial/retail space and 163 dwelling units would be consistent and compatible with existing and future development on neighboring and other properties within close

proximity. The Project Site is located in the South Park neighborhood and is adjacent to the Broadway Theater and Entertainment District, a National Register Historic District, and is located within the Broadway CDO. The proposed project is 15 stories with a height to top of parapet of 150 feet. Several penthouse units will project above the roof a total of 9-feet and 6-inches. The penthouse units will observe the required 30 foot setback from the property line, however. The project will be built to all property lines and is consistent in height and form to the adjacent historic resources. The project is surrounded by the 11-story Western Costume Building to the north, one- to eight-story commercial buildings to the east, and one-story commercial buildings to the south and west.

Building Arrangement (height, bulk and setbacks)

The proposed Project is built to the property line along both the Broadway and Olympic Boulevard frontages, thus satisfying the setback requirements of both the Broadway CDO and the Downtown Design Guide, which require retail uses to be built to the property line. The Project will be providing commercial/retail and residential lobby space on the ground floor along Broadway and commercial/retail space and public open space on the ground floor along Olympic Boulevard.

The proposed project maintains the existing streetwall and at 150-feet in height to the top of parapet is consistent with the adjacent Western Costume Building and other nearby historic resources. The applicant is requesting a Zone Change to modify [Q] Qualified Conditions Number 6.c and 7 of Ordinance 180,871. The Broadway CDO and Ordinance 180,871, which became effective on October 26, 2009, removed a previous [Q] condition that limited height in this area to 150 feet. It was determined that the historic fabric along Broadway south of 4th Street consisted primarily of buildings built to the property line with a height ranging from 100 to 150 feet. In order to mitigate the potential impacts of allowing buildings to exceed 150 feet in height, Ordinance 180,871 requires that all portions of buildings above 150 feet (south of 4th Street) be stepped back from the front and side property lines by at least 30 feet and to maintain a lot coverage of between 30 and 40 percent. The proposed project requests these conditions be modified to allow a rooftop pool and associated guard wall to project slightly above 150 feet and be located within the 30-foot setback and to allow one-story of penthouse units to project 9-feet, 6-inches above 150 feet while not meeting the minimum lot coverage. The rooftop projections do not constitute a true tower element and will still meet the spirit and intent of the regulations while resulting in little to no visual impact. Additionally, this area of Downtown allows a Transfer of Floor Area Rights in order to allow buildings to develop beyond the Floor Area Ratios otherwise prescribed.

As conditioned, the Project proposes a 15-story mixed-use building that is appropriate to Downtown and the site's Regional Center land use designation, while still maintaining compatibility with the Historic District and surrounding buildings. The building height closely matches that of the Western Costume Building, a contributor to the historic district and located immediately adjacent to the project site to the north. The proposed project will also continue the cornice line and will reference the fire escape on the front of the Western Costume Building by providing a row of steel picket balconies that are reminiscent of a historic fire escape. The applicant has removed all other projecting balconies from the Broadway facade, which serves to improve compatibility of the project with nearby buildings.

The Project proposes an attractive design that references the Beaux Arts style of nearby buildings. The podium of the proposed Project will consist of a tri-partite composition typically

found in classical mid-rise construction (base, shaft, capital). The building base would be vertically divided into individual bays. Exterior materials and finishes, as well as fenestration, would further reinforce the classical division of the building. The base of the building at the ground floor will feature a granite bulkhead, full-height storefront windows, canopies, clear glass, bronze window mullions, transom panels, and GFRC panels. As proposed, the Project would comply with building arrangement requirements.

Off-Street Parking Facilities and Loading Areas

The proposed Project will provide code required parking complying with the Parking and Access requirements of Section 5 of the Downtown Design Guide. Based on the Central City Parking Exception, the proposed project would be required to provide a total of 179 residential parking spaces with 99 spaces designated for 99 one-bedroom units 80 spaces designated for 64 two-bedroom units. The Bicycle Parking Ordinance allows further reduction of the required parking by 15 percent, resulting in 152 required spaces. The applicant has proposed 202 parking spaces in order to provide parking for the adjacent Western Costume Building which is being adapted to live/work units and is under the same ownership as the project site. As conditioned the Project could provide as few as 152 parking spaces, but shall not provide more than the proposed 202 parking spaces.

The commercial parking ratio for 6,406 square feet of new ground floor retail space will be based on the exception for the Downtown Business District, according to LAMC Section 12.21-A,4(i)3 which requires at least one parking space per 1,000 square feet for business, commercial or industrial buildings, having a gross floor area of 7,500 square feet or more. As the proposed commercial/retail space is less than 7,500 square feet, no commercial parking spaces will be required.

As conditioned, the Project will provide a maximum of 202 vehicle parking spaces and a minimum of 152 vehicle parking spaces within four subterranean and one at-grade level for 163 residential units and 6,406 square feet of commercial/retail space:

As conditioned the Project complies with Section 5.A.7 of the Downtown Design Guide which states that, "No more than the minimum required parking may be provided unless provided for adjacent buildings that lack adequate parking." The Project will utilize the bicycle parking reduction for the code required residential parking and is not required to provide commercial parking, and additional parking will be provided for the adjacent historic building which is being adaptively reused and does not contain any on-site parking.

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 185 bicycle parking spaces. The Downtown Design Guide includes a requirement of one bicycle parking space for every two residential units, which amounts to 82 bicycle parking spaces. For the residential portion of the project, the Bicycle Parking Ordinance requires 163 long term and 16 short term bicycle spaces. For the commercial portion of the project, the Bicycle Parking Ordinance requires 3 long term and 3 short term bicycle parking spaces. The Applicant is providing all of the code required bicycle parking spaces.

Vehicle and bicycle parking would be provided within four subterranean levels and one at-grade level, all within the building footprint. Vehicular access would be provided via a two-way driveway on Olympic Boulevard and two-way driveway off of Blackstone Court, the alley at the rear of the project. The Project will close two existing driveways on Broadway and will limit driveways to the east-west street and the alley, thus complying with the Broadway CDO and the Downtown Design Guide. The Project will also provide a loading zone on the ground floor.

Lighting

The proposed project proposes wall sconces flanking the Broadway lobby entrance. As conditioned, additional exterior lighting will be provided in compliance with Section 12 of the Broadway CDO. 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 areas, and as conditioned the Project will provide this minimum in two outdoor decks, on the 2nd and 15th floors.

Additionally, the Project will incorporate new street trees in the sidewalk complying 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. The Applicant is required to provide a minimum of 41 trees on-site and as proposed the project will provide 46 new trees on-site. As conditioned, the Project will comply with landscaping requirements.

Trash Collection

The Project will provide a trash collection location within the building, which will be located on the ground level. Access to collect trash will be from the driveway on Olympic Boulevard or Frank Court.

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 Project will provide 19,013 square feet of open space, which will provide common outdoor and indoor space for the residents. The common open space will be provided on outdoor decks on the 2nd and 15th levels and in indoor amenity areas on the 2nd through 4th levels. Additionally, the project will average the required sidewalk easement along Olympic Boulevard to create a public open space. Therefore, the open space and recreation rooms provided on-site provide appropriate amenities and recreational facilities for the Project's residents and are expected to minimize impacts on neighboring properties.

ENVIRONMENTAL FINDING

Case No. ENV-2014-2948-MND was prepared and circulated for public review on December 31, 2015 and the circulation period ended on January 20, 2016. The project will incorporate all mitigation measures set forth in ENV-2014-2948-MND to ensure project impacts remain less than significant with respect to biological resources, cultural resources, land use and planning, noise, public services, and transportation and traffic.

ENV-2014-2948-MND, was adopted by the Deputy Advisory Agency on October 13, 2016. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, the lead agency finds that the previously adopted Mitigated Negative Declaration (ENV-2014-2948-MND) adequately serves as the environmental clearance.

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 Thursday, February 25, 2016, at 1:20 PM.

1. Present: Approximately 5 people signed in or provided testimony.
2. Speakers: 3 people provided testimony.

Public Hearing Testimony Notes

Speakers comments supporting the project:

The President of the Downtown Los Angeles Neighborhood Council (DLANC) stated that the board voted unanimously in support of the project and provided the following reasons for support:

- The project will provide needed density.
- The project is in a good location and is well situated.
- The project speaks to the pedestrian experience.
- The project is well designed and looks like it belongs in the historic district.

A representative of the Central City Association (CCA) also spoke in strong support of the project for the following reasons:

- The project is a great opportunity for much needed residential units downtown.
- The building has a strong relationship to the street.
- The project is an important asset and will contribute to the transformation of Downtown to a vibrant community.

Speakers comments not supporting the project:

A representative of the Coalition for Responsible Equitable Economic Development (CREED LA) spoke in opposition to the project for the following reasons:

- The requests should not be approved due to concern regarding the TFAR request.
- The MND contains flaws and an EIR is required to demonstrate less than significant impacts to air quality, greenhouse gas, hydrology, and wastewater.
- The City should re-evaluate TFAR policies.

Communications Received

Letters supporting the project:

The Department received a letter of support from the Downtown Los Angeles Neighborhood Council (DLANC). DLANC supports the Applicant's request with the recommendation that the applicant maintain pedestrian access during construction in connection with sidewalk closures.

The Department also received letters of support from the Central City Association (CCA) and the Historic Downtown Business Improvement District (BID).

Letters identifying concerns regarding the Mitigated Negative Declaration (MND)

The Department received several letters during and after the environmental public comment period regarding the MND. These concerns were analyzed at the time the Advisory Agency adopted the MND and approved the Vesting Tentative Tract.

Adams Broadwell Joseph & Cardoza

On behalf of the Coalition for Responsible Equitable Economic Development (CREED LA)

Adams Broadwell Joseph & Cardoza submitted two comments on behalf of CREED LA. The initial comments were submitted on January 20, 2016 and supplemental comments were submitted on February 25, 2016. The January 20th comment stated that they believed the analysis of the project's potential environmental effects contained a number of deficiencies, including the City's underestimation of the project's construction emissions, the inadequacy of the greenhouse gas analysis, as well as other issues, such as traffic, noise, and hazards. The supplemental comments submitted on February 25th stated that the MND fails to adequately disclose, investigate, and analyze the project's potentially significant impacts, and fails to provide substantial evidence to conclude that impacts will be mitigated to a less-than-significant level. The comments focused on air quality and greenhouse gas impacts, noise and vibration impacts, hydrological impacts, and wastewater impacts, as summarized below.

- **Air Quality and Greenhouse Gas** – The comment letter states that several of the values inputted into the project's air quality model are inconsistent with the information in the associated technical studies, in particular the model uses the incorrect number of construction equipment pieces and uses incorrect off-road equipment usage hours. The discrepancy regarding equipment pieces was due to a text error in the Air Quality Report, which has since been addressed, and the model uses the correct assumptions. The operating hours are consistent with other assumptions regarding the project and the hours used in the model inputs correspond to the anticipated equipment use. The comment letter also states that the model's inclusion of sequestration is unsubstantiated, however the 46 trees that will be planted as part of the project are shown on the site plan and will be required to be planted. The comment letter further states that the greenhouse gas analysis is flawed and should be measured against a threshold of a 49 percent reduction in emissions from a "business-as-usual" level, per the state-wide goal in Executive Order B-30-15. As analyzed in the MND, the greenhouse gas emissions anticipated from the project were quantified and two methods were used to evaluate potential impacts as the City of Los Angeles does not have an adopted threshold: a draft numerical threshold considered by the South Coast Air Quality Management District (SCAQMD) and a policy consistency analysis. Nothing in CEQA requires a business-as-usual based approach and the California Supreme Court has expressly approved a numeric threshold approach and has provided that a policy consistency analysis is also permissible for the purposes of impact determination (*Communities for a Better Environment v. California Department of Fish and Wildlife*, 2015).

- Noise and Vibration Impacts – The comment letter states that the mitigation measures for potential vibration damage to adjacent historic buildings do not comply with the requirements of CEQA as they only require monitoring and that action is only taken once the damage has been done. Parker Environmental, environmental consultant for the applicant, submitted a letter on February 24, 2016 proposing revisions to Mitigation Measure XII-230 which would include a lower “first alarm” vibration threshold, set below the vibration levels at which damage to historic structures might be expected to occur. The monitoring system will provide real-time transmission of alarms, and a trigger of the first alarm would require additional measures to reduce construction-related vibration, including changes in construction practices and methods. In the event a “regulatory alarm” occurs, a visual inspection and documentation of the building must occur, and any damage must be repaired according to applicable historic preservation standards. The revised mitigation measure was adopted with the MND and is included in the Conditions of Approval.
- Hydrological Impacts – The comment letter states that the MND failed to disclose the depth of the groundwater table at the project site or the project’s potential to encounter groundwater during construction of four subterranean levels. The comment further states that shallow groundwater has been encountered at 1000 W. 6th Street, which is close to a mile northwest of the project site and is on the other side of the 110 freeway. The comment also contends that due to the perceived shallow groundwater table de-watering will be required during construction, which was not properly disclosed or analyzed in the MND. The minimum depth to groundwater at the property was established by physical testing and was reported in the December 19, 2013 Geotechnical Engineering Investigation prepared by Geotechnologies, Inc., which was approved by the Bureau of Engineering in a letter dated February 10, 2014. The measured depth to groundwater in 2013 was 132 feet below ground surface and the historic depth to groundwater was 140 feet below ground surface. It is unlikely that the subterranean parking would reach 50 feet below ground surface, therefore not interfering with the groundwater table.
- Wastewater Impacts – The comment letter states that the MND did not adequately analyze potential impacts to the Hyperion Treatment Plant and the wastewater conveyance system. While the projected flow from the project would exceed the threshold for more detailed analysis of 4,000 gallons per day, it was determined that nearly 90 million galls per day of treatment capacity remain. Additionally, the project will be incorporating water conservation features that will reduce the anticipated wastewater discharge. The applicant will also be required to coordinate with the Bureau of Sanitation to determine the exact wastewater conveyance requirements and any upgrades to the wastewater lines in the vicinity of the project site that are needed to adequately serve the proposed project would be undertaken as part of the project.

The Applicant submitted a letter on September 29, 2016 requesting the Department incorporate additional mitigation measures regarding Air Quality, Noise, and Community Benefits as a follow up to the above comments. Adams Broadwell Joseph & Cardoza submitted a follow up letter on behalf of CREED LA on October 5, 2016 in support of the Applicant’s request that the City incorporate additional measures as conditions of

approval to address environmental impacts and to confirm the Applicant's community benefits commitments and that should these measures be included they will address the issues raised by CREED LA with regard to unmitigated environmental impacts and the failure of the project to consider prevailing wages and local hire as public benefits. The additional measures have not been included as no additional information was provided demonstrating additional impacts not adequately mitigated by the MND. In addition, the Developer has proposed the direct provisions discussed above as part of the required TFAR public benefit payment and the Department does not have the ability to require the Applicant to instead provide prevailing wages and local hire as public benefits.

Joyce Dillard

Joyce Dillard submitted a comment regarding concerns about methane, oil wells, fire safety, watershed quality, infrastructure, and the increase in housing units. The comments identified were addressed in the MND, the MMP, and in the Regulatory Compliance Measures. No actual evidence is provided and nothing provided in the comments from Ms. Dillard rises to the standard that a fair argument can be made that any potentially significant impacts cannot be mitigated or addressed through existing regulations.

The concerns identified at the public hearing held on February 25, 2016 and during the environmental public comment period were addressed in the Mitigated Negative Declaration (ENV-2014-2948-MND) and in the determination letter issued on October 13, 2016 by the Advisory Agency adopting the MND and approving the Vesting Tentative Tract.

the BROADWAY lofts



SITE PLAN REVIEW & ENTITLEMENT REQUEST

07.09.16

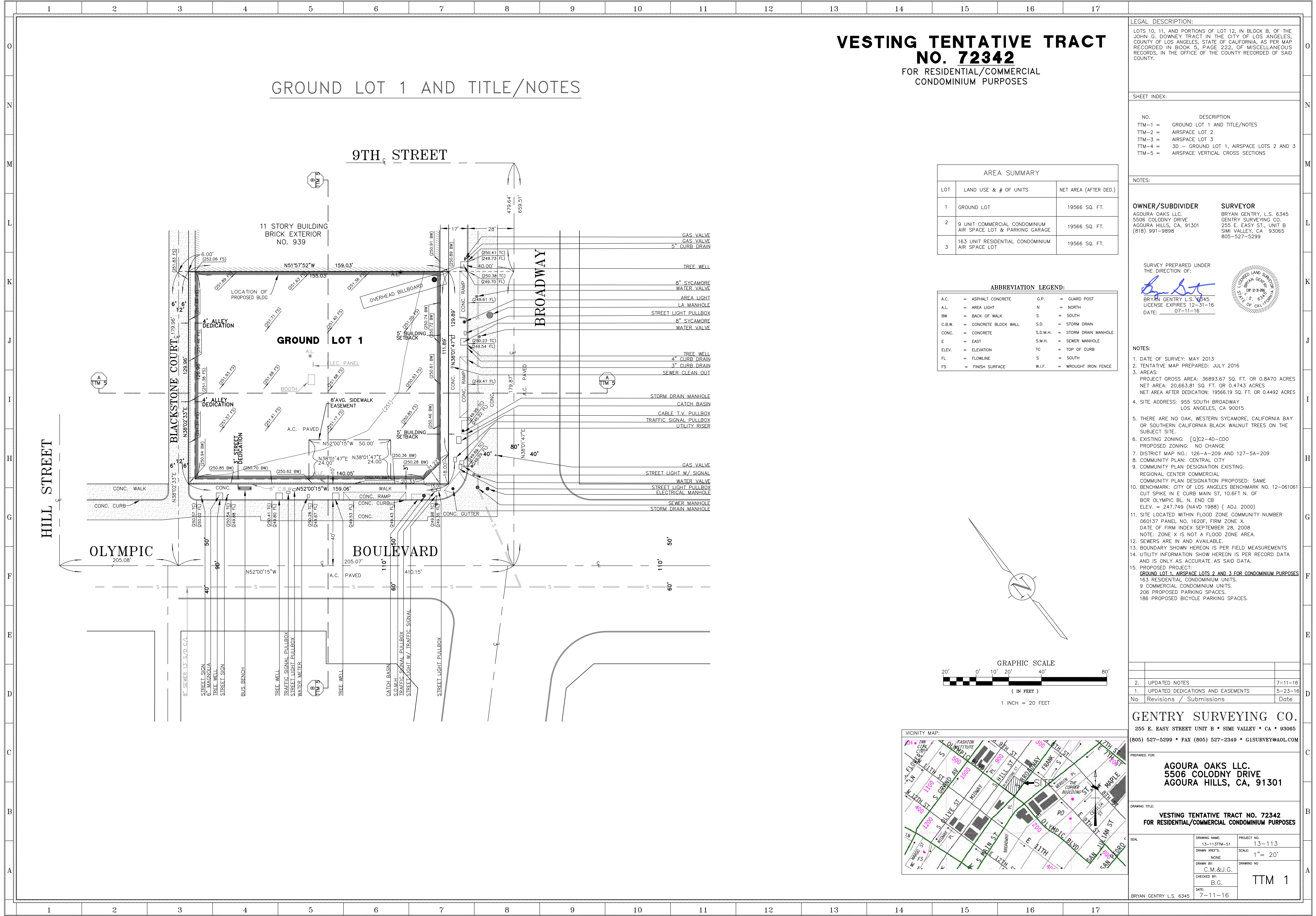
PROJECT ADDRESS:
955 S. Broadway
L.A., CA 90014

OWNER:
AGOURA OAKS LLC
5506 Colodny Dr.
Agoura Hills, CA 91301

ARCHITECT:
DAVID TAKACS ARCHITECTURE
824 S. Los Angeles St., #305
L.A., CA 90014

SHEET INDEX

SHEET #	DRAWING NAME
SURVEY	
ITM-1	SITE SURVEY
ARCHITECTURAL DRAWINGS	
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A0.02	RENDERINGS: CONTENT
A0.10	PLOT PLAN & PROJECT DATA
FLOOR PLANS	
A1.01	FLOOR PLAN - B1 PARKING
A1.02	FLOOR PLAN - B1-B2 (TYP)
A1.03	FLOOR PLAN - B1
A1.04	FLOOR PLAN - GROUND FLOOR
A1.05	FLOOR PLAN - LEVEL 2
A1.06	FLOOR PLAN - LEVELS 3-4
A1.07	FLOOR PLAN - LEVELS 5-13 (TYP)
A1.08	FLOOR PLAN - LEVEL 14 & PENTHOUSE LOWER LEVEL
A1.09	FLOOR PLAN - LEVEL 15 PENTHOUSE UPPER LEVEL
A1.10	ROOFTOP AMMENITY ROOF PLAN
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A2.01	EXT. ELEVATION - EAST
A2.02	EXT. ELEVATION - SOUTH
A2.03	EXT. ELEVATION - WEST
A2.04	EXT. ELEVATION - NORTH
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A3.01	BUILDING SECTION
A3.02	BUILDING SECTION
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A4.01	DETAILS: SIDEWALK VIGNETTES
A4.02	DETAILS: FACADE ARTICULATION
A4.03	DETAILS: BIKE & CAR PARKING
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LC-1A	EXTERIOR ELEVATION - WEST
LC-2	HARDSCAPE PLAN - 2ND LEVEL
LC-3	HARDSCAPE PLAN - ROOF LEVEL
LC-4	ROOF DECK SKETCHES
LP-1	PLANTING PLAN - GROUND LEVEL
LP-2	PLANTING PLAN - 2ND LEVEL
LP-3	PLANTING PLAN - ROOF LEVEL





1 RENDERING - CORNER VIEW

ARCHITECT

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PROJECT

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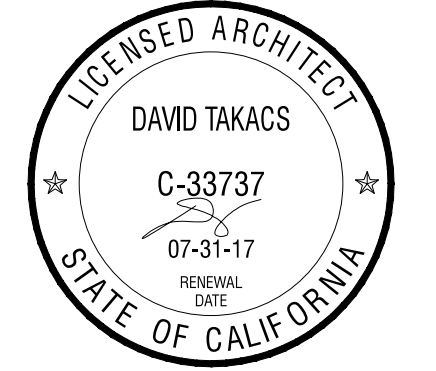
STRUCTURAL ENGINEER

CHARLES TAN & Assoc., SE
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213.628.8018

LANDSCAPE ARCHITECT

SCLA inc
1320 E. Olympic Blvd., Suite 211
Los Angeles CA 90021
(562) 905-0800

SEAL



ISSUE

NO.	DATE	DESCRIPTION
1	05.23.14	SITE PLAN REVIEW
2	07.09.16	PLANNING REVISIONS

REVISION

NO.	DATE	DESCRIPTION
△		
△		
△		
△		

SCALE AS NOTED
DRAWN
DATE 07.09.16

SHEET

RENDERING

SHEET NUMBER

A0.01



1 RENDERING - OLYMPIC FACADE
SCALE: NTS



2 RENDERING - BROADWAY FACADE
SCALE: NTS



3 RENDERING - VIEW FROM HILL
SCALE: NTS

ARCHITECT

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PROJECT

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SEAL

LICENSED ARCHITECT
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C-33737
07-31-17
RENEWAL DATE
STATE OF CALIFORNIA

ISSUE

NO.	DATE	DESCRIPTION
1	05.23.14	SITE PLAN REVIEW
2	07.09.16	PLANNING REVISIONS

REVISION

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		

SCALE AS NOTED

DRAWN

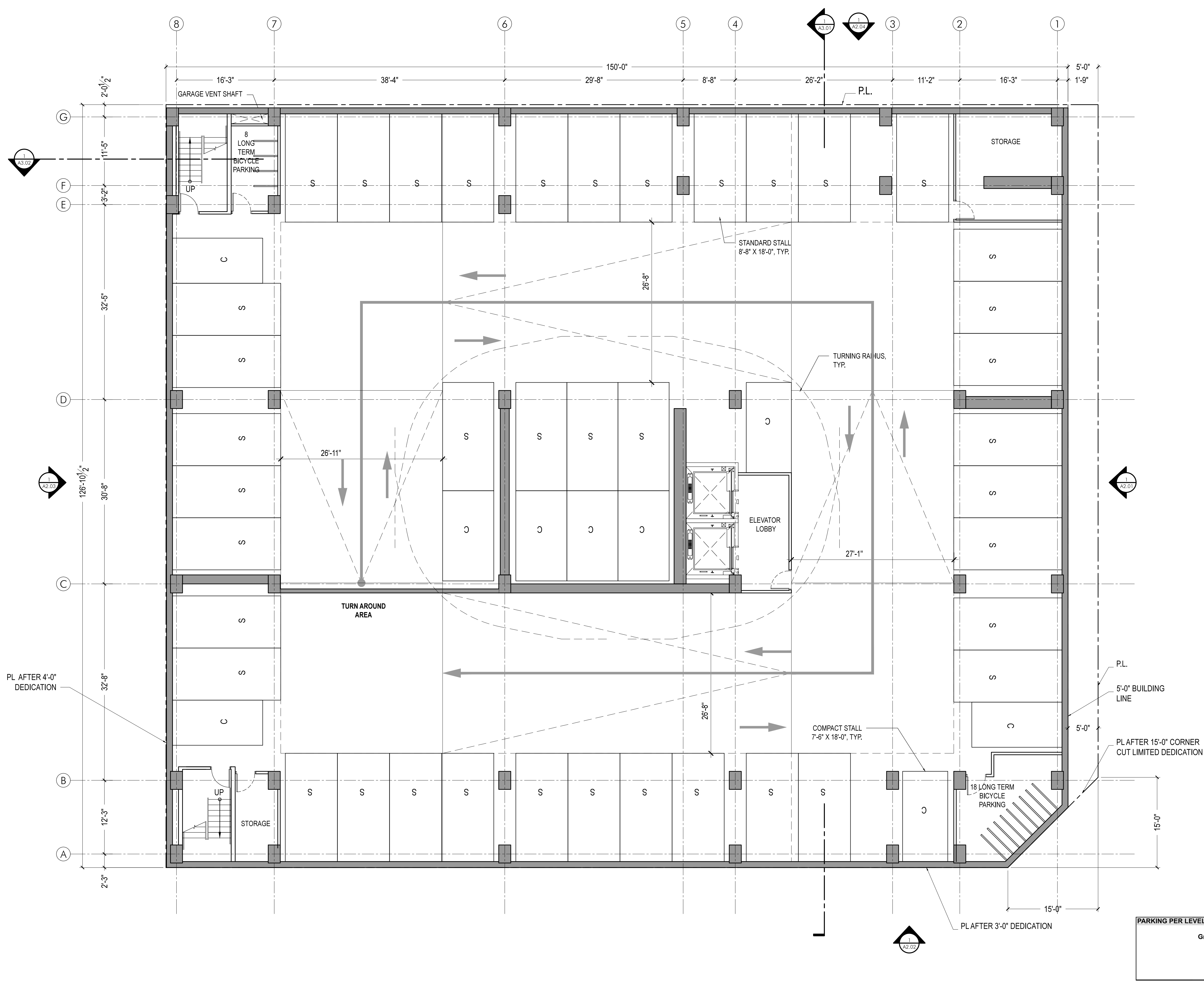
DATE 07.09.16

SHEET

RENDERINGS:
CONTEXT

SHEET NUMBER

A0.02



NOTES

- 1. ALL PARKING SPACES WILL BE ASSIGNED PARKING SPACES.
- 2. STANDARD PARKING STALLS 8'-8" WIDE, UNLESS NOTED OTHERWISE.
- 3. COMPACT PARKING STALLS 7'-6" WIDE, UNLESS NOTED OTHERWISE.
- 4. SEE SHEET A4.03 FOR ADDITIONAL PARKING GARAGE STANDARDS.
- 5. SEE SHEET A0.10 FOR PARKING TABULATIONS.
- 6. SEE SHEET A4.03 FOR BIKE STORAGE STANDARDS.
- 7. SEE SHEET A0.10 FOR BIKE STORAGE TABULATIONS.

ARCHITECT

dt-a
DAVID TAKACS ARCHITECTURE
824 S. Los Angeles St., #305
Los Angeles, CA 90014
213.984.4019

PROJECT

the
BROADWAY lofts
955 S. Broadway
Los Angeles, CA 99014

OWNER

AGOURA OAKS LLC
5506 Colodny Dr.
Agoura Hills, CA 91301
818.991-9898

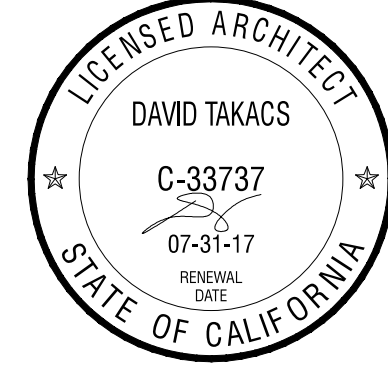
STRUCTURAL ENGINEER

CHARLES TAN & Assoc., SE
320 E. 2nd St., Suite 316
Los Angeles, CA 90012
213.628.8018

LANDSCAPE ARCHITECT

SQLA inc
1320 E. Olympic Blvd., Suite 211
Los Angeles CA 90021
(562) 905-0800

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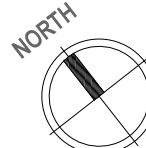
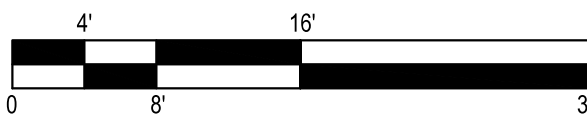
FLOOR PLAN:
LEVEL B4

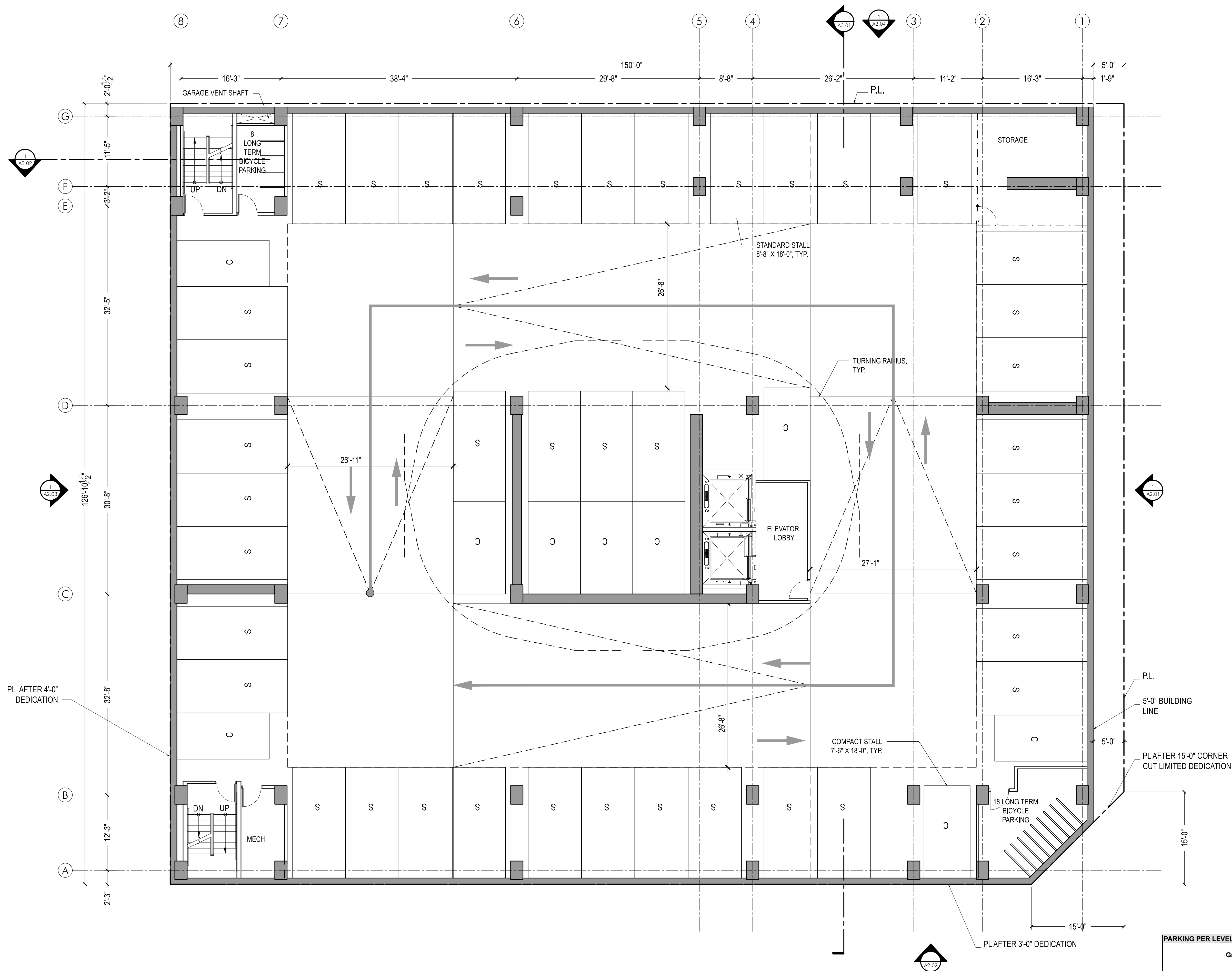
SHEET NUMBER

A1.01

PARKING PER LEVEL			
	standard	ADA	compact
Ground Floor	4	4	4
Level B1	35	0	8
Level B2	40	0	9
Level B3	40	0	9
Level B4	40	0	9
TOTAL	159	4	39

1 FLOOR PLAN: B4 PARKING
SCALE: 1/8"=1'-0"





NOTES

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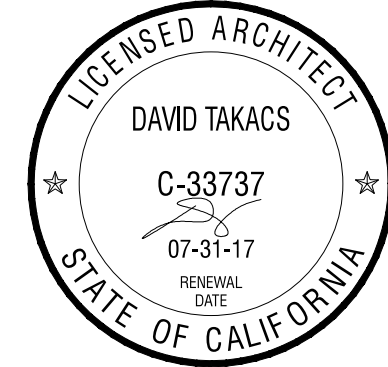
STRUCTURAL ENGINEER

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320 E. 2nd St., Suite 316
Los Angeles, CA 90012
213.628.8018

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FLOOR PLAN:
LEVELS B2-B3

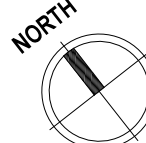
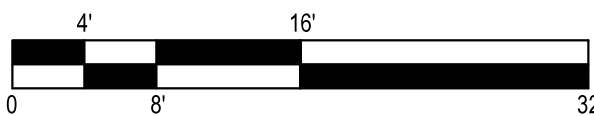
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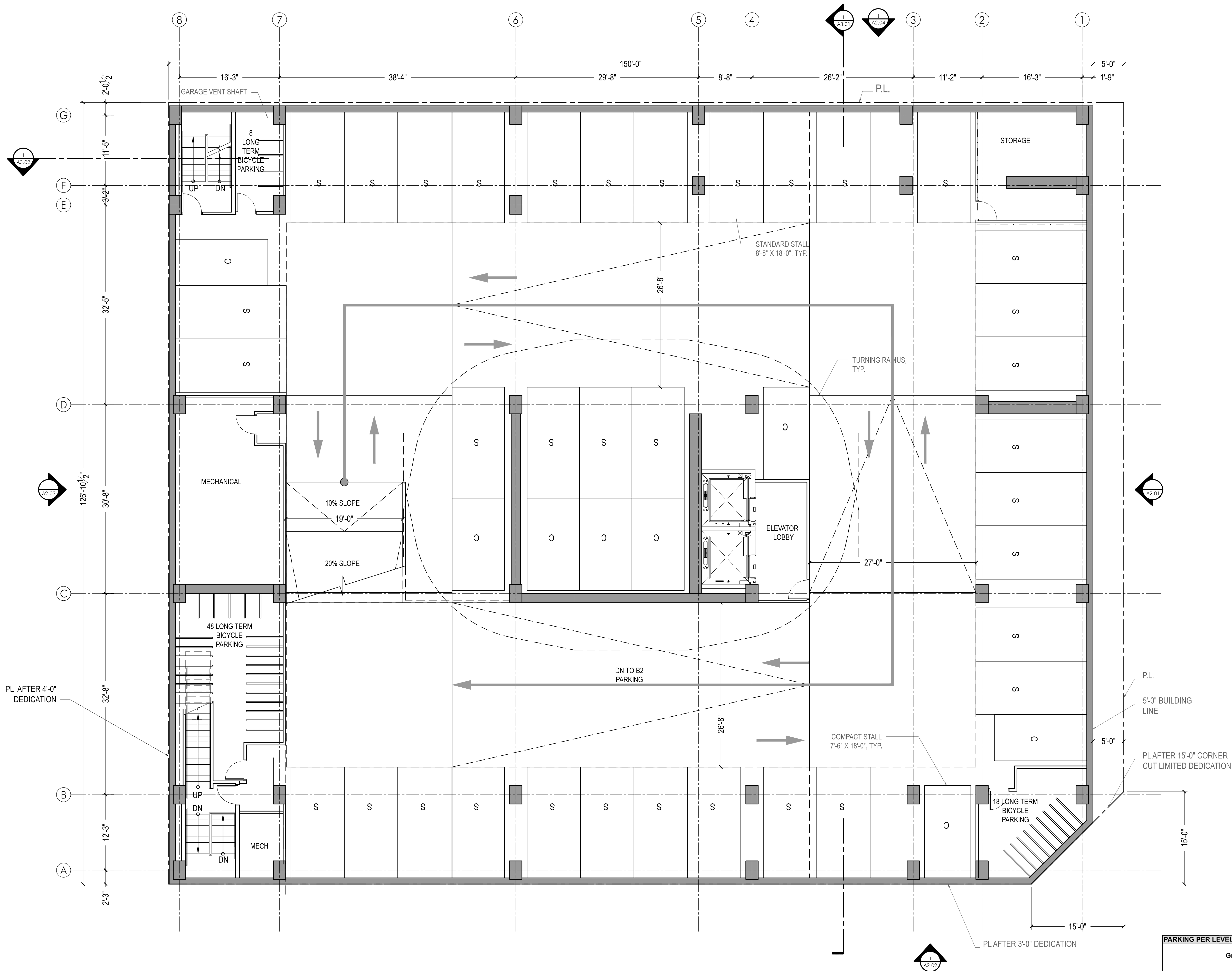
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PARKING PER LEVEL			
	standard	ADA	compact
Ground Floor	4	4	4
Level B1	35	0	8
Level B2	40	0	9
Level B3	40	0	9
Level B4	40	0	9
TOTAL	159	4	39

FLOOR PLAN: LEVELS B2 - B3

1 SCALE: 1/8"=1'-0"





NOTES

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ARCHITECT

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824 S. Los Angeles St., #305
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PROJECT

the BROADWAY lofts
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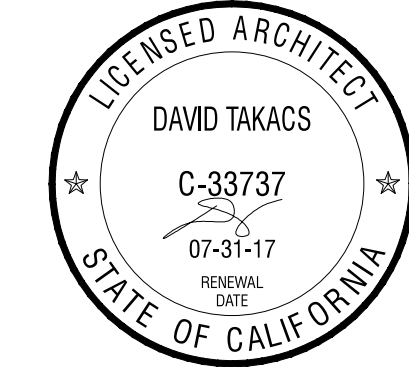
STRUCTURAL ENGINEER

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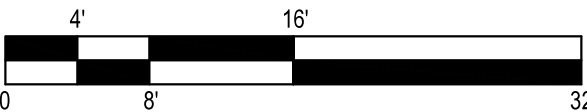
FLOOR PLAN:
LEVEL B1

SHEET NUMBER

A1.03

PARKING PER LEVEL			
	standard	ADA	compact
Ground Floor	4	4	4
Level B1	35	0	8
Level B2	40	0	9
Level B3	40	0	9
Level B4	40	0	9
TOTAL	159	4	39

1 FLOOR PLAN: LEVEL B1 PARKING
SCALE: 1/8"=1'-0"



PARKING PER LEVEL			
	standard	ADA	compact
Ground Floor	4	4	4
Level B1	35	0	8
Level B2	40	0	9
Level B3	40	0	9
Level B4	40	0	9
TOTAL	159	4	39

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7. SEE SHEET A0.10 FOR BIKE STORAGE TABULATIONS.
8. DWP VAULT NOT INCLUDED. LOCATION PENDING PROJECT REVIEW WITH DWP.
9. RESIDENTIAL DRIVEWAY AT OLYMPIC, RIGHT TURN IN AND OUT ONLY. SIGNS WILL BE POSTED FACING INSIDE THE PARKING LOT AND FACING THE STREET.
10. SEE LANDSCAPE DRAWINGS FOR HARDSCAPE DESIG & PLANT SPECIES.

ARCHITECT

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824 S. Los Angeles St., #305
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213.984.4019

PROJECT

the BROADWAY lofts
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Los Angeles, CA 90014

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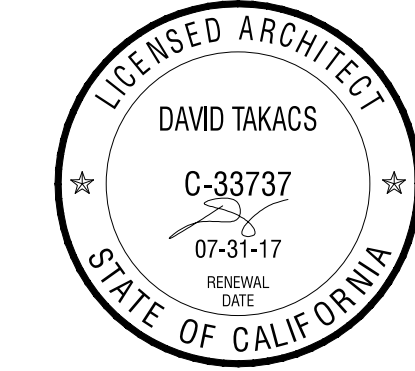
STRUCTURAL ENGINEER

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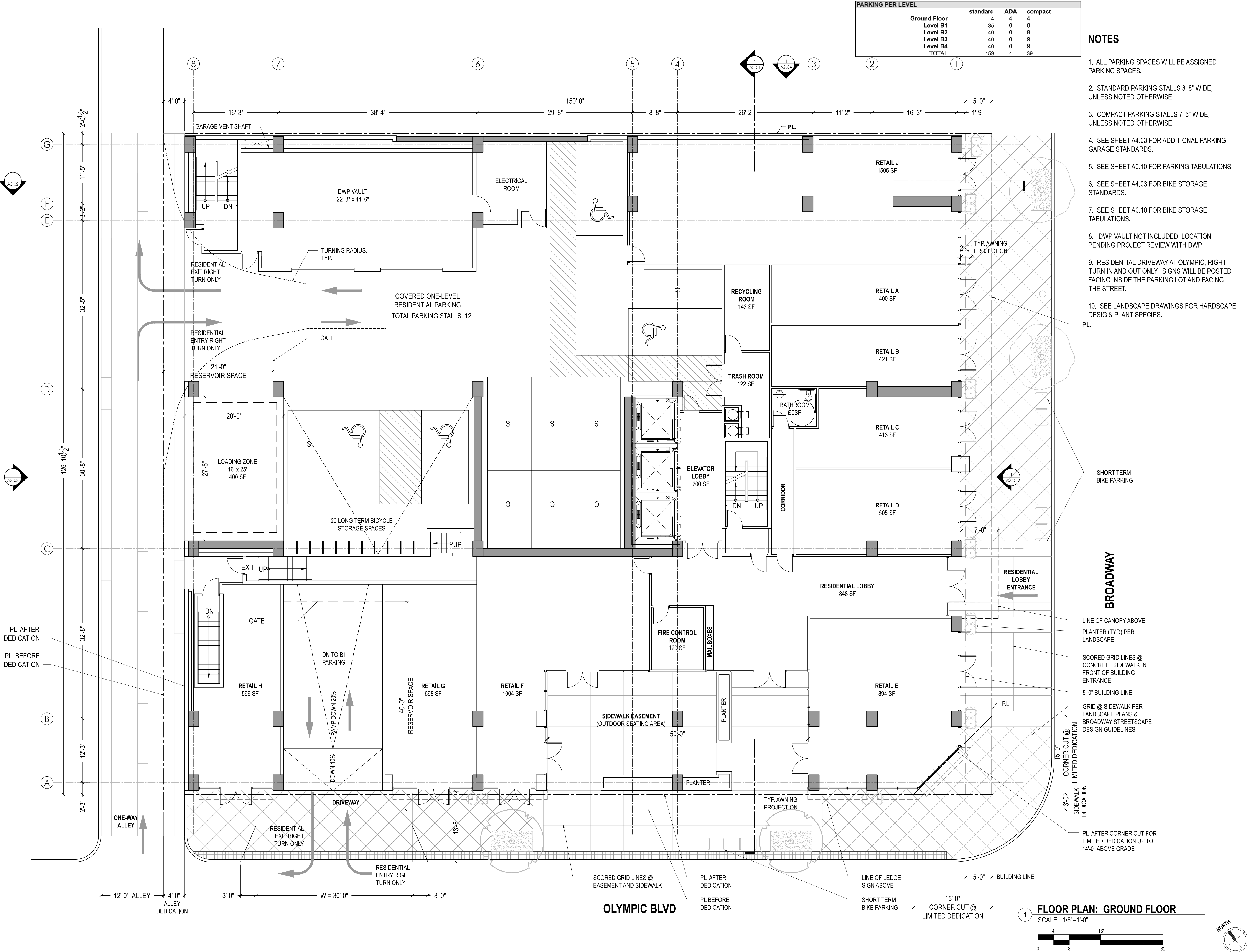
SCALE AS NOTED
DRAWN
DATE 07.09.16

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FLOOR PLAN: GROUND FLOOR

SHEET NUMBER

A1.04



NOTES

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PROJECT

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Los Angeles, CA 99014

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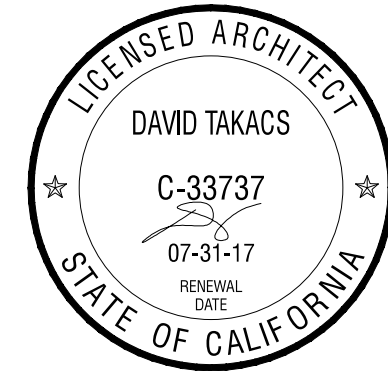
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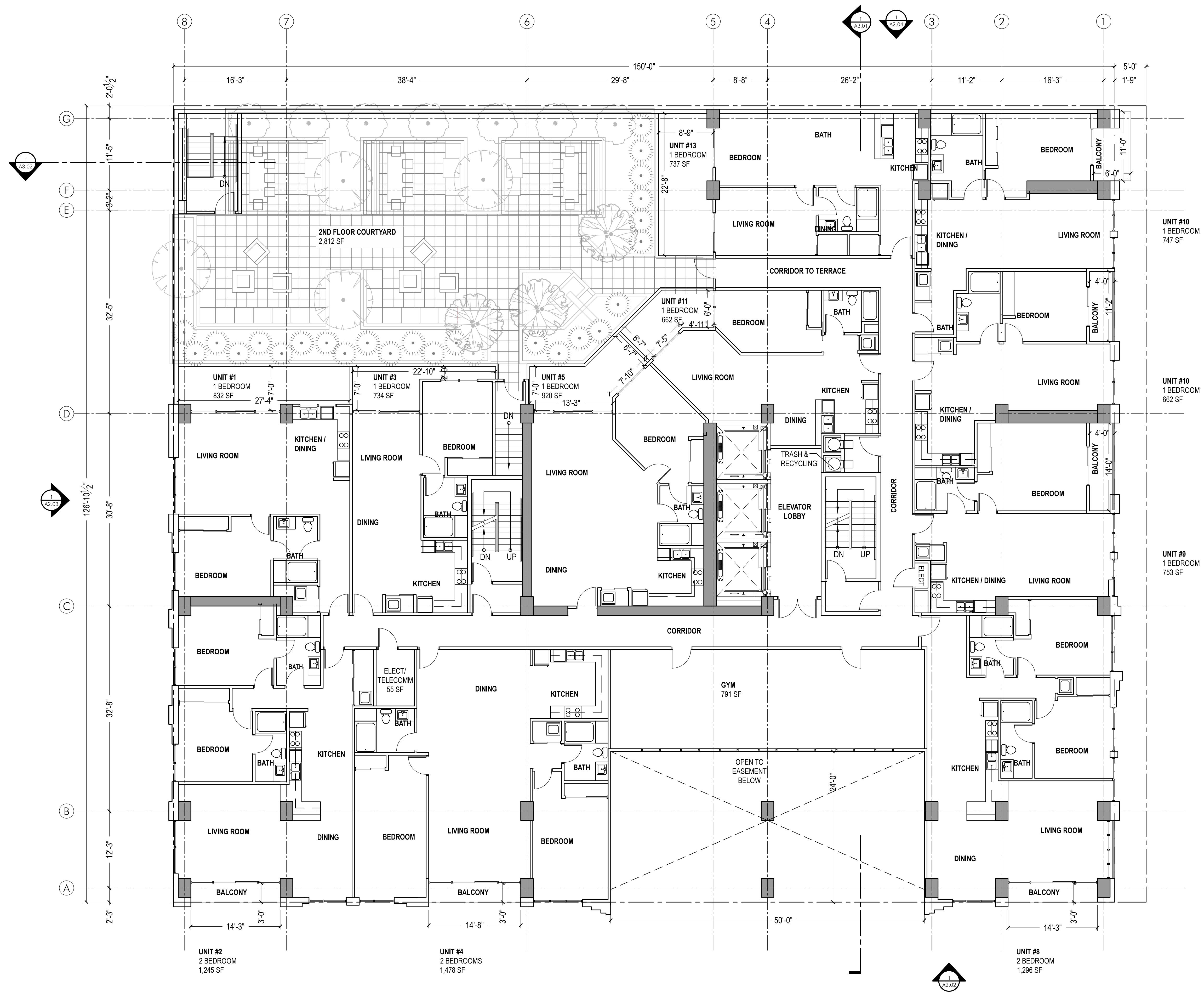
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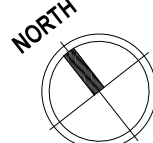
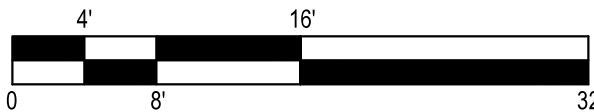
FLOOR PLAN:
LEVEL 2

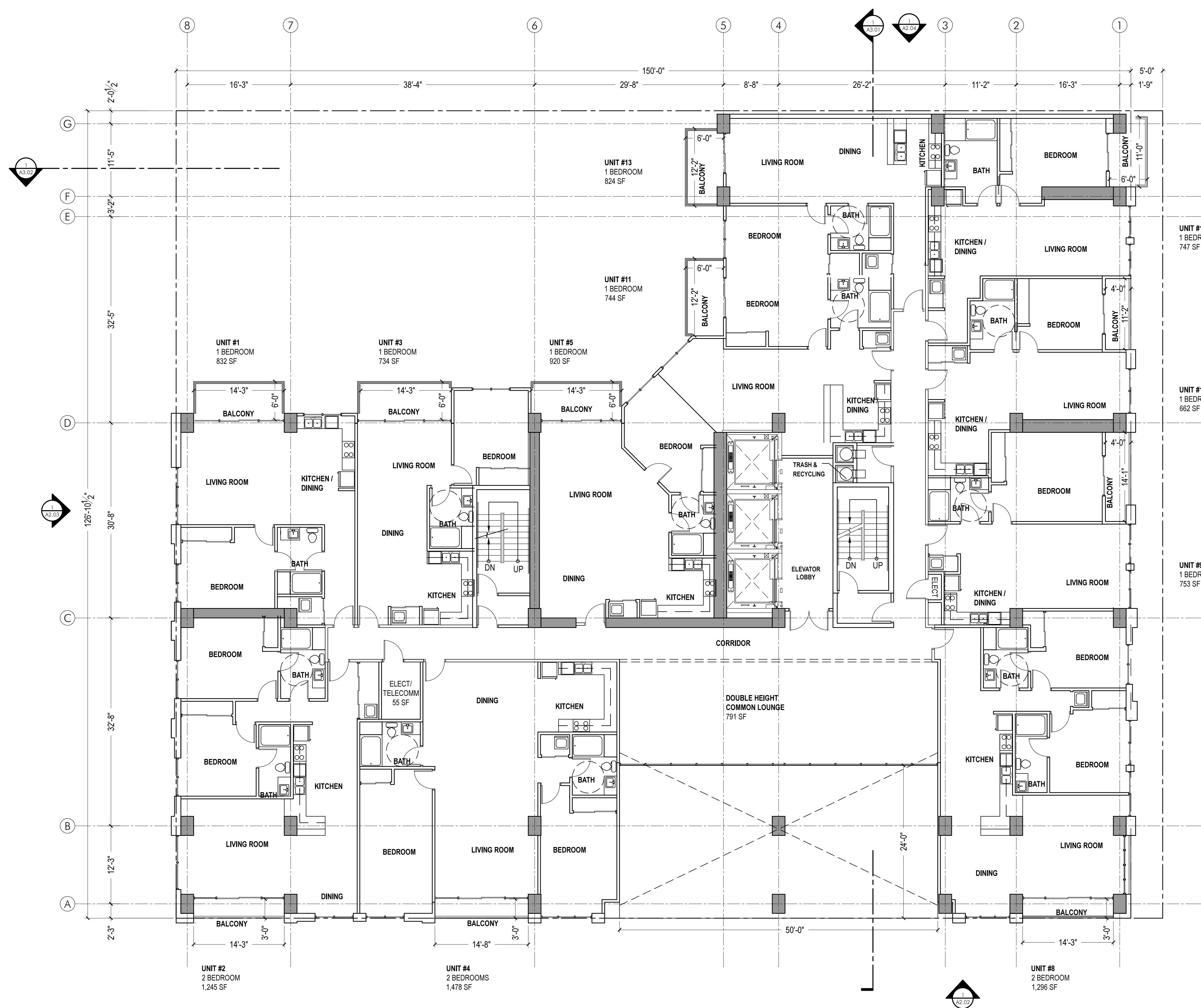
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A1.05



1 FLOOR PLAN: LEVEL 2
SCALE: 1/8"=1'-0"





NOTES

1. COMMON LOUNGE ADJACENT TO ELEVATOR LOBBY IS DOUBLE-HEIGHT VOLUME THAT OPENS TO 4TH LEVEL.

ARCHITECT

dt-a
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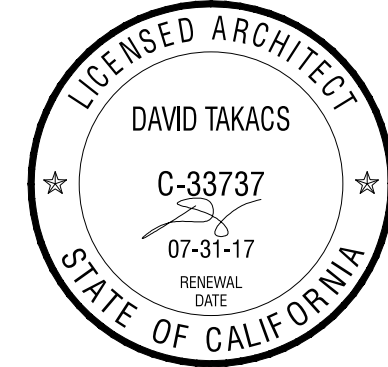
STRUCTURAL ENGINEER

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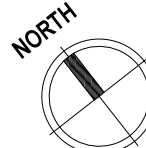
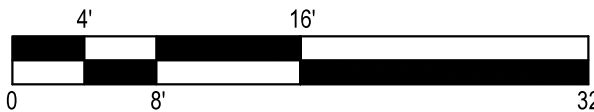
**FLOOR PLAN:
LEVELS 3-4 (TYP)**

SHEET NUMBER

A1.06

1 FLOOR PLAN: LEVELS 3 - 4 (TYP)

SCALE: 1/8"=1'-0"



NOTES

ARCHITECT

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DAVID TAKACS ARCHITECTURE
824 S. Los Angeles St., #305
Los Angeles, CA 90014
213.984.4019

PROJECT

the
BROADWAY lofts
955 S. Broadway
Los Angeles, CA 99014

OWNER

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5506 Colodny Dr.
Agoura Hills, CA 91301
818.991-9898

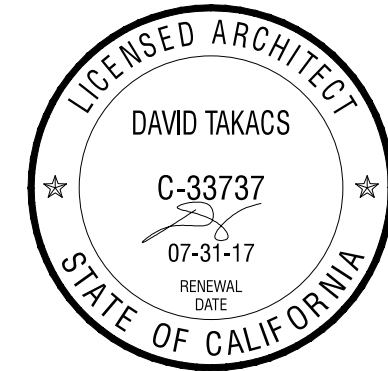
STRUCTURAL ENGINEER

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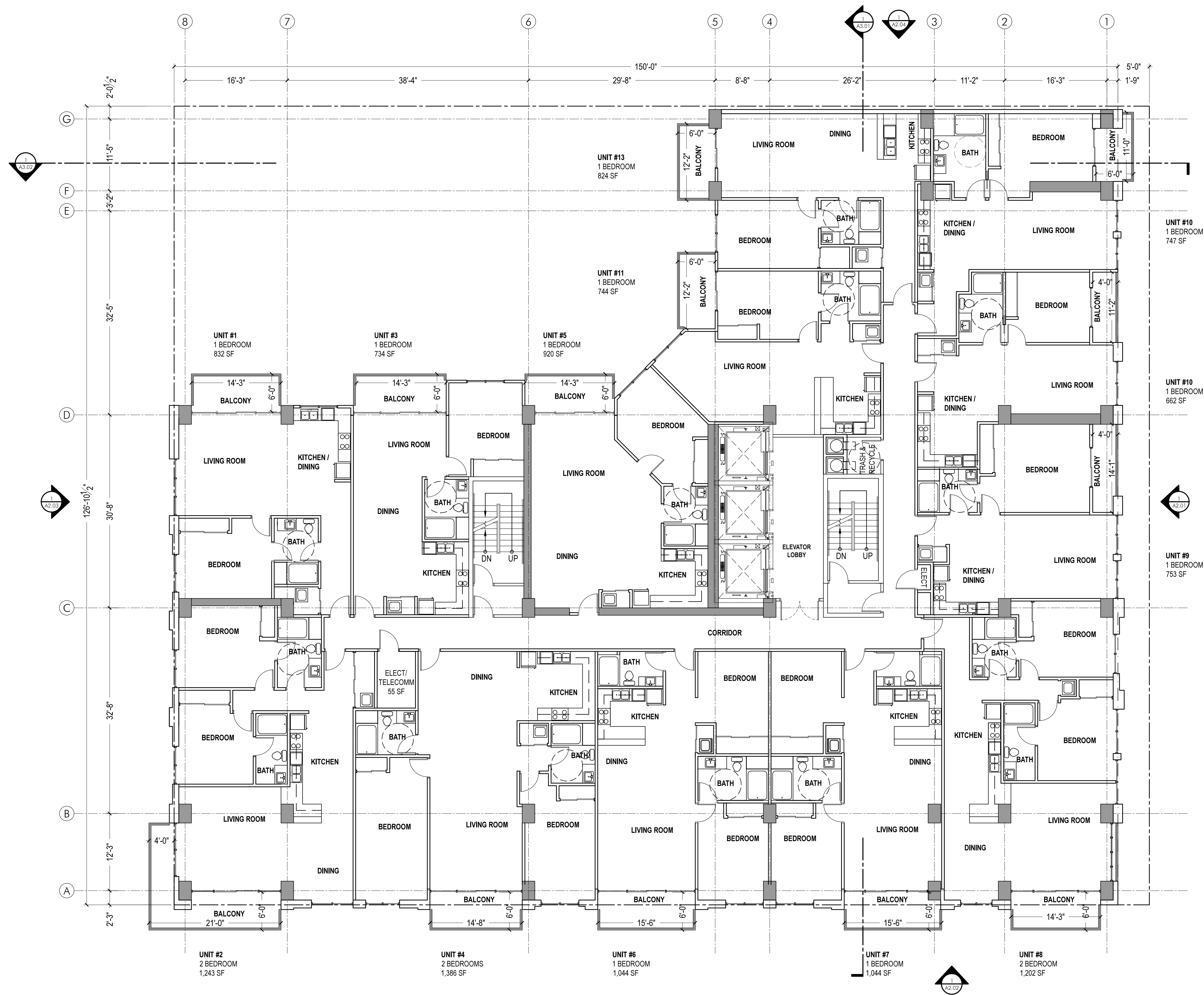
DATE 07.09.16

SHEET

FLOOR PLAN:
LEVELS 5-13 (TYP)

SHEET NUMBER

A1.07



1 FLOOR PLAN: LEVELS 5-13 (TYP)

SCALE: 1/8"=1'-0"



NOTES

ARCHITECT

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824 S. Los Angeles St., #305
Los Angeles, CA 90014
213.984.4019

PROJECT

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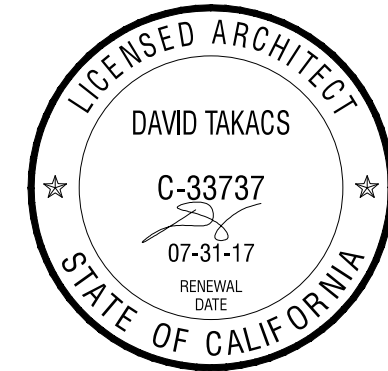
STRUCTURAL ENGINEER

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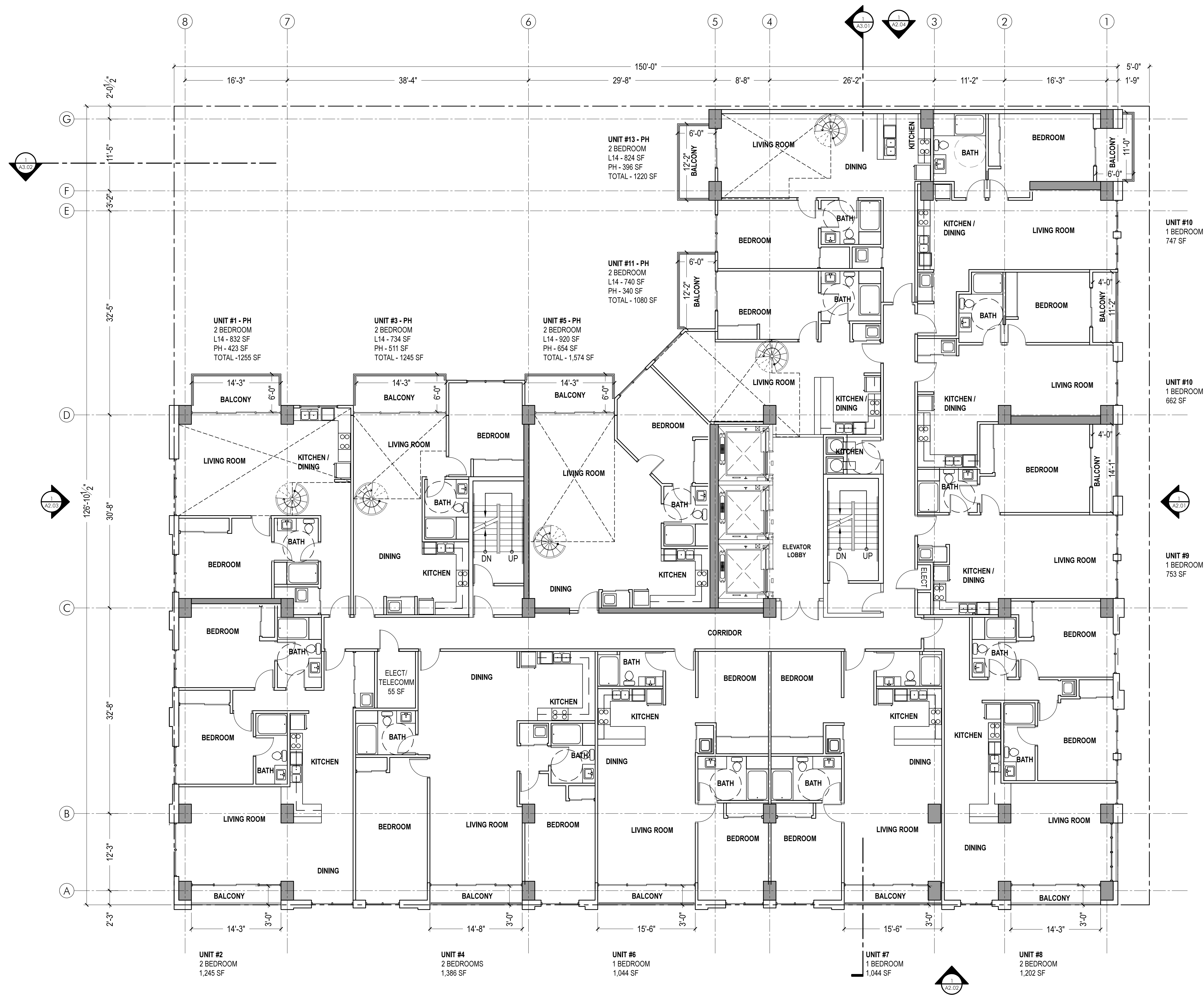
DATE 07.09.16

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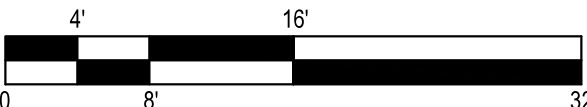
FLOOR PLAN:
LEVEL 14 & PH LOWER

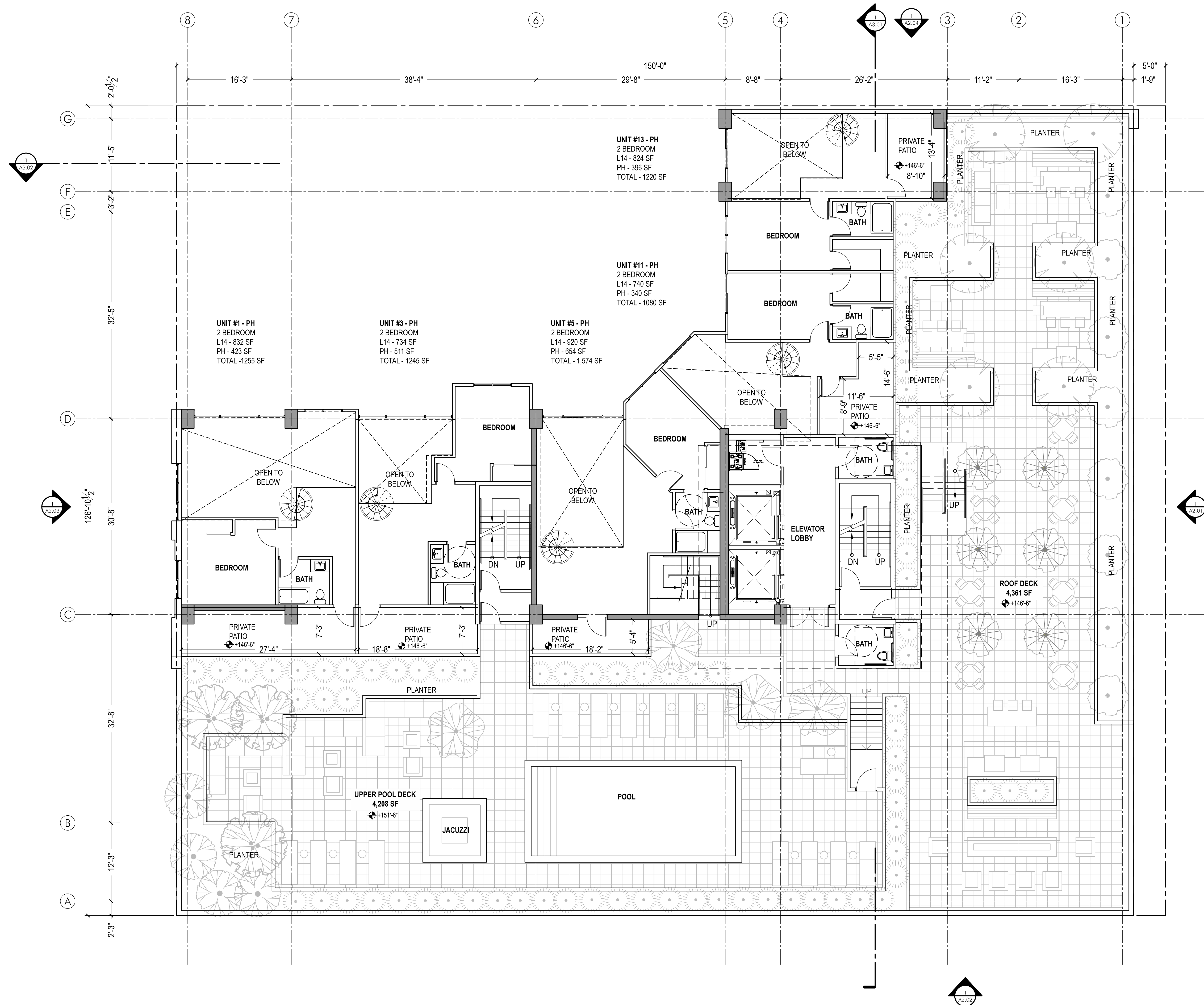
SHEET NUMBER

A1.08



1 FLOOR PLAN: LEVEL 14 & PH LOWER
SCALE: 1/8"=1'-0"





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PROJECT

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DAVID TAKACS

C-33737

07-31-17

RENEWAL DATE

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FLOOR PLAN:
LEVEL 15-PH AMN

SHEET NUMBER

A1.09

1

FLOOR PLAN: LEVEL 15- PH & AMN

SCALE: 1/8"=1'-0"

0

4'

8'

16'

32'

NORTH

ARCHITECT

dt-a

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824 S. Los Angeles St., #305
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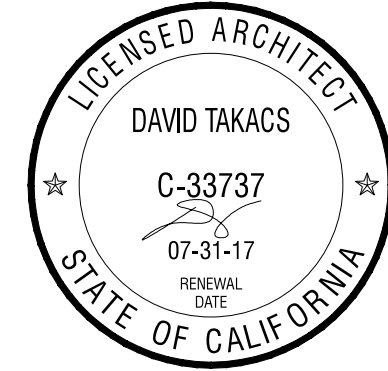
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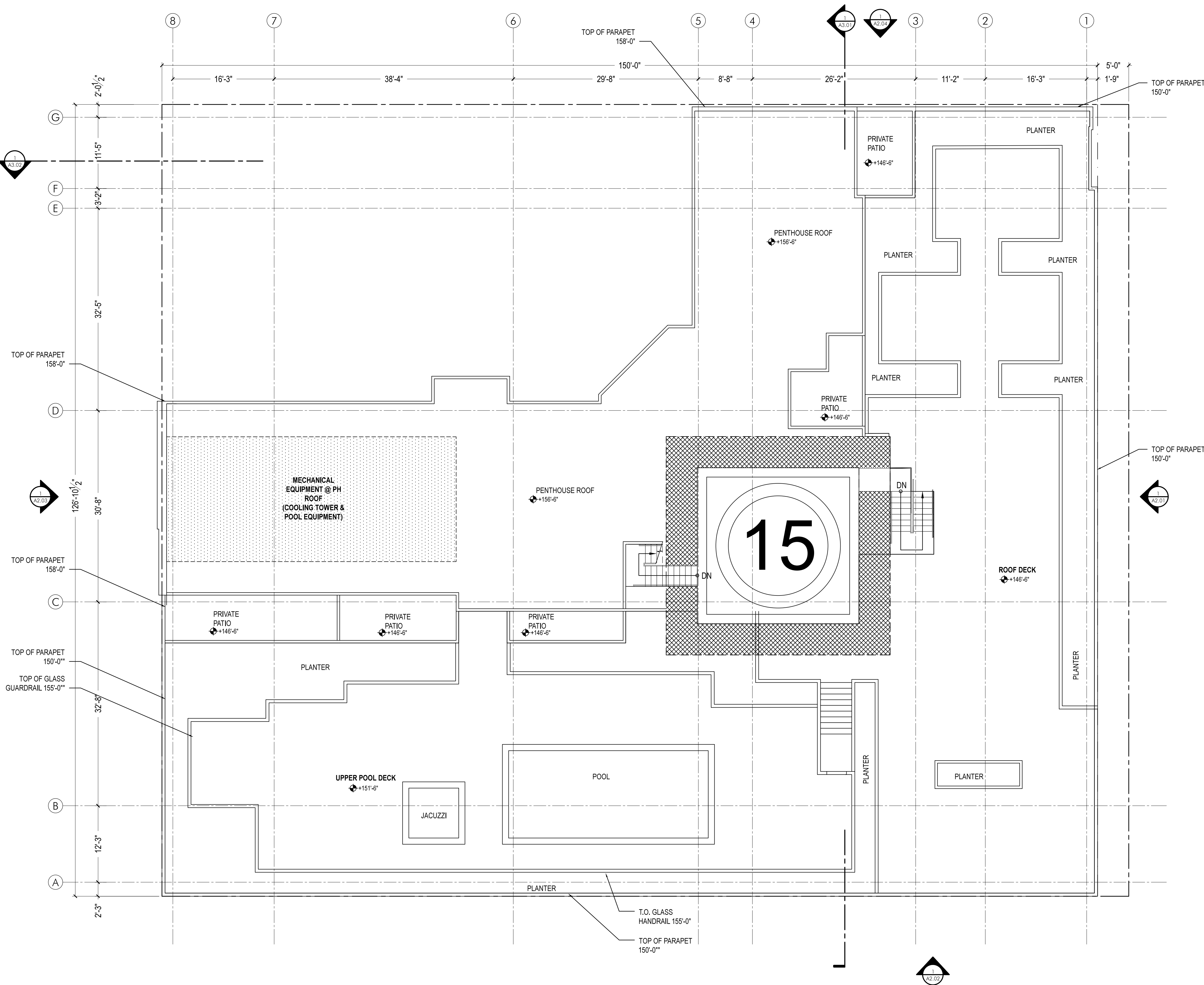
ROOF PLAN

SHEET NUMBER

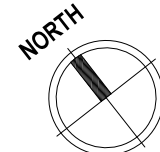
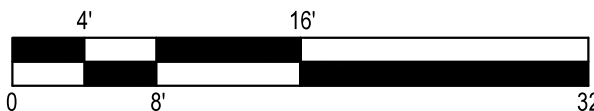
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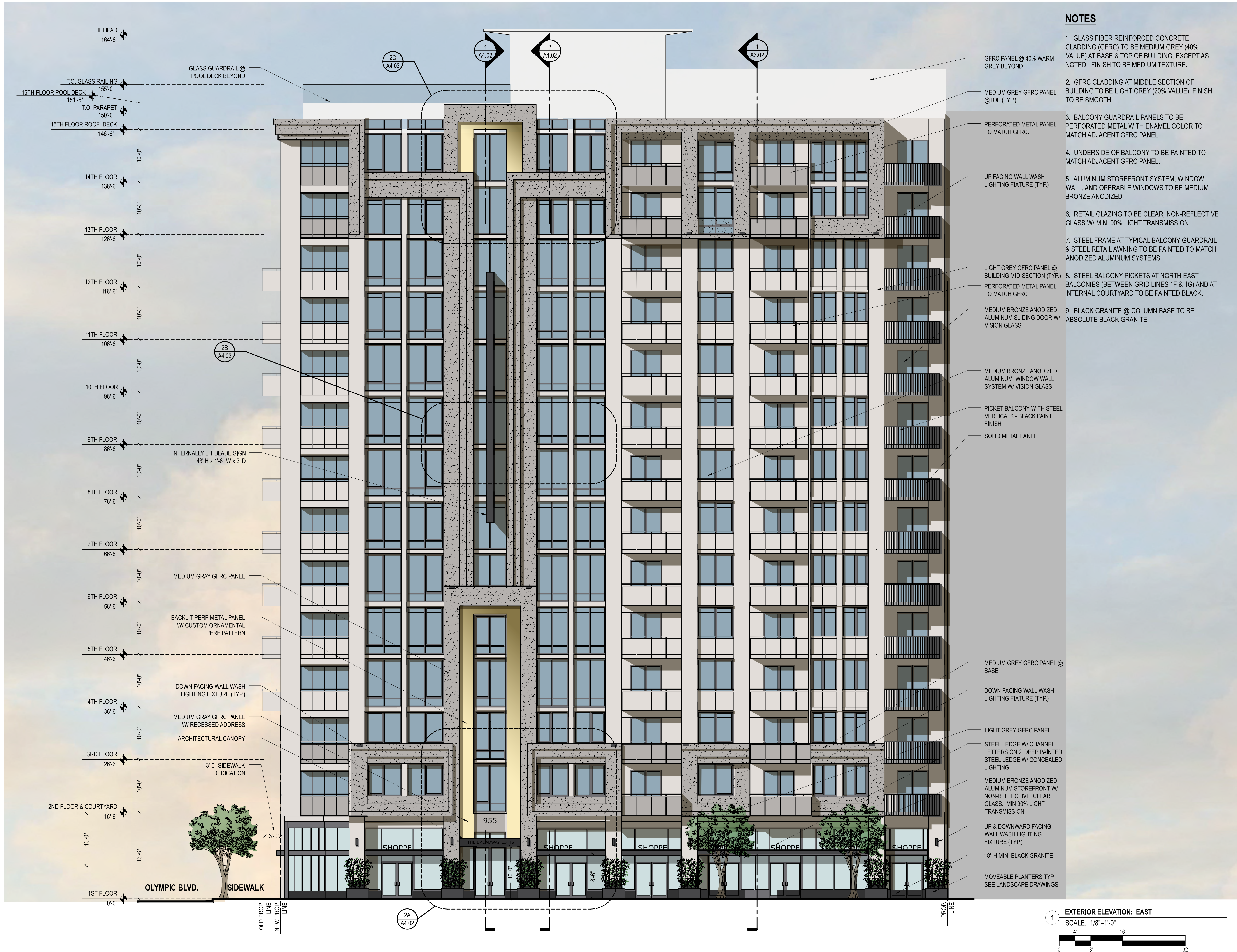
NOTES

1. HELICOPTER TACTICAL LANDING AREA (HTLA)
UNDER SEPARATE PERMIT. SIZE AND LOCATION
PENDING PROJECT REVIEW BY FIRE CHIEF.



1 ROOF PLAN
SCALE: 1/8"=1'-0"





NOTES

1. GLASS FIBER REINFORCED CONCRETE CLADDING (GFRC) TO BE MEDIUM GREY (40% VALUE) AT BASE & TOP OF BUILDING. EXCEPT AS NOTED. FINISH TO BE MEDIUM TEXTURE.
2. GFRC CLADDING AT MIDDLE SECTION OF BUILDING TO BE LIGHT GREY (20% VALUE) FINISH TO BE SMOOTH..
3. BALCONY GUARDRAIL PANELS TO BE PERFORATED METAL WITH ENAMEL COLOR TO MATCH ADJACENT GFRC PANEL.
4. UNDERSIDE OF BALCONY TO BE PAINTED TO MATCH ADJACENT GFRC PANEL.
5. ALUMINUM STOREFRONT SYSTEM, WINDOW WALL, AND OPERABLE WINDOWS TO BE MEDIUM BRONZE ANODIZED.
6. RETAIL GLAZING TO BE CLEAR, NON-REFLECTIVE GLASS W/ MIN. 90% LIGHT TRANSMISSION.
7. STEEL FRAME AT TYPICAL BALCONY GUARDRAIL & STEEL RETAIL AWNING TO BE PAINTED TO MATCH ANODIZED ALUMINUM SYSTEMS.
8. STEEL BALCONY PICKETS AT NORTH EAST BALCONIES (BETWEEN GRID LINES 1F & 1G) AND AT INTERNAL COURTYARD TO BE PAINTED BLACK.
9. BLACK GRANITE @ COLUMN BASE TO BE ABSOLUTE BLACK GRANITE.

ARCHITECT

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Los Angeles, CA 99014

OWNER

AGOURA OAKS LLC
5506 Colodny Dr.
Agoura Hills, CA 91301
818.991-9898

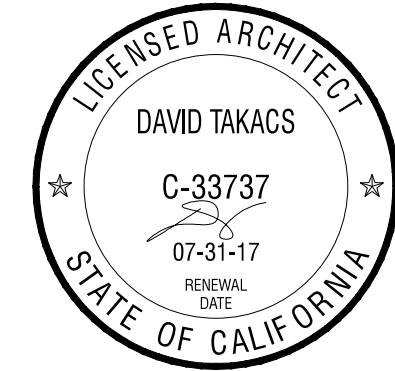
STRUCTURAL ENGINEER

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320 E. 2nd St., Suite 316
Los Angeles, CA 90012
213.628.8018

LANDSCAPE ARCHITECT

SQLA inc
1320 E. Olympic Blvd., Suite 211
Los Angeles CA 90021
(562) 905-0800

SEAL



ISSUE

NO.	DATE	DESCRIPTION
1	05.23.14	SITE PLAN REVIEW
2	07.09.16	PLANNING REVISIONS

REVISION

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		

SCALE AS NOTED
DRAWN
DATE 07.09.16

SHEET

EXTERIOR ELEVATION: EAST

SHEET NUMBER

A2.01



NOTES

1. GLASS FIBER REINFORCED CONCRETE CLADDING (GFRC) TO BE MEDIUM GREY (40% VALUE) AT BASE & TOP OF BUILDING, EXCEPT AS NOTED. FINISH TO BE SMOOTH.
2. GFRC CLADDING AT MIDDLE SECTION OF BUILDING TO BE LIGHT GREY (20% VALUE).
3. BALCONY GUARDRAIL PANELS TO BE BE PERFORATED METAL WITH ENAMEL COLOR TO MATCH ADJACENT GFRC PANEL.
4. UNDERSIDE OF BALCONY TO BE PAINTED TO MATCH ADJACENT GFRC PANEL.
5. ALUMINUM STOREFRONT SYSTEM, WINDOW WALL, AND OPERABLE WINDOWS TO BE MEDIUM BRONZED ANODIZED.
6. RETAIL GLAZING TO BE CLEAR, NONREFLECTIVE GLASS W/ MIN. 90% LIGHT TRANSMISSION.
7. STEEL FRAME AT TYPICAL BALCONY GUARDRAIL & STEEL RETAIL AWNING TO BE PAINTED TO MATCH ANODIZED ALUMINUM SYSTEMS.

ARCHITECT

dt-a
DAVID TAKACS ARCHITECTURE
824 S. Los Angeles St., #305
Los Angeles, CA 90014
213.984.4019

PROJECT

the
BROADWAY lofts
955 S. Broadway
Los Angeles, CA 99014

OWNER

AGOURA OAKS LLC
5506 Colodny Dr.
Agoura Hills, CA 91301
818.991-9898

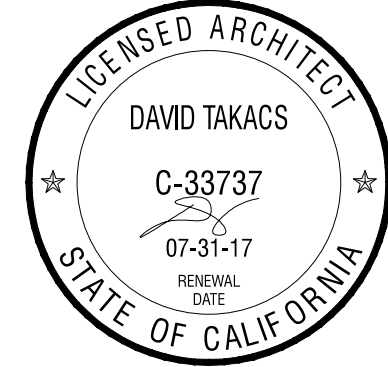
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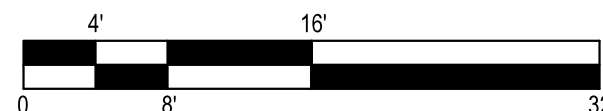
SHEET

EXTERIOR ELEVATION:
SOUTH

SHEET NUMBER

A2.02

1 EXTERIOR ELEVATION: SOUTH
SCALE: 1/8"=1'-0"





NOTES

1. GLASS FIBER REINFORCED CONCRETE CLADDING (GFRP) TO BE MEDIUM GREY (40% VALUE) AT BASE & TOP OF BUILDING, EXCEPT AS NOTED. FINISH TO BE MEDIUM TEXTURE.
2. GFRP CLADDING AT MIDDLE SECTION OF BUILDING TO BE LIGHT GREY (20% VALUE) FINISH TO BE SMOOTH..
3. BALCONY GUARDRAIL PANELS TO BE PERFORATED METAL WITH ENAMEL COLOR TO MATCH ADJACENT GFRP PANEL.
4. UNDERSIDE OF BALCONY TO BE PAINTED TO MATCH ADJACENT GFRP PANEL.
5. ALUMINUM STOREFRONT SYSTEM, WINDOW WALL, AND OPERABLE WINDOWS TO BE MEDIUM BRONZE ANODIZED.
6. RETAIL GLAZING TO BE CLEAR, NON-REFLECTIVE GLASS W/ MIN. 90% LIGHT TRANSMISSION.
7. STEEL FRAME AT TYPICAL BALCONY GUARDRAIL & STEEL RETAIL AWNING TO BE PAINTED TO MATCH ANODIZED ALUMINUM SYSTEMS.
8. STEEL BALCONY PICKETS AT NORTH EAST BALCONIES (BETWEEN GRID LINES 1F & 1G) AND AT INTERNAL COURTYARD TO BE PAINTED BLACK.
9. BLACK GRANITE @ COLUMN BASE TO BE ABSOLUTE BLACK GRANITE.

ARCHITECT

dt-a
DAVID TAKACS ARCHITECTURE
824 S. Los Angeles St., #305
Los Angeles, CA 90014
213.984.4019

PROJECT

the BROADWAY lofts
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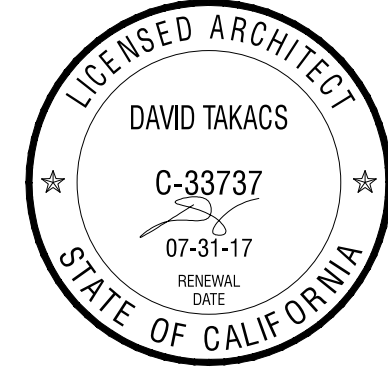
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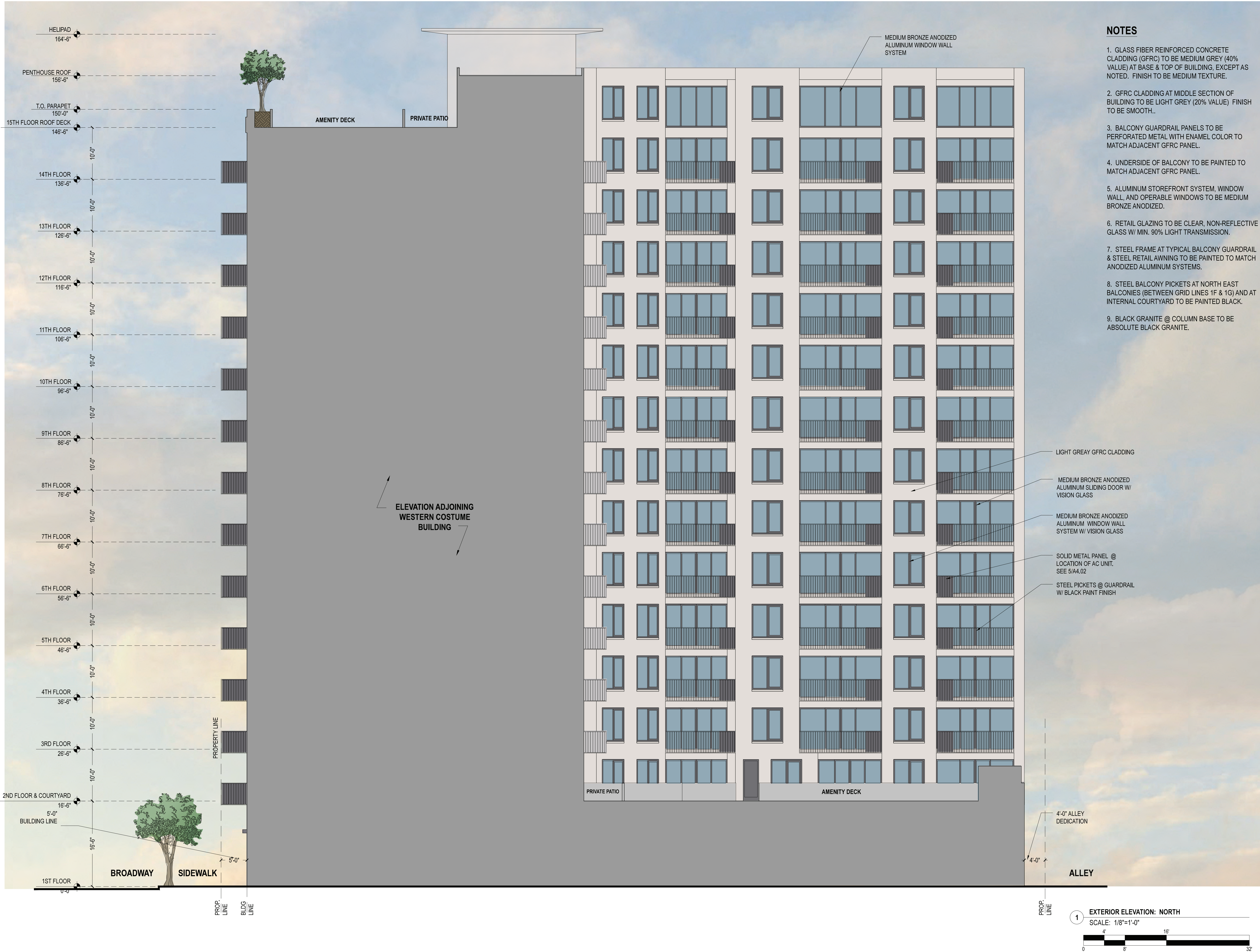
EXTERIOR ELEVATION: WEST

SHEET NUMBER

A2.03

1 EXTERIOR ELEVATION: WEST
SCALE: 1/8"=1'-0"





ARCHITECT

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1	05.23.14	SITE PLAN REVIEW
2	11.19.14	PLANNING CORRECTIONS

REVISION

NO.	DATE	DESCRIPTION
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SCALE AS NOTED

DRAWN

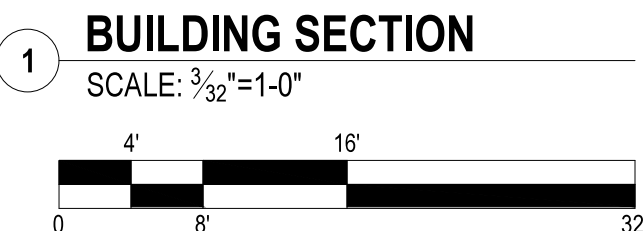
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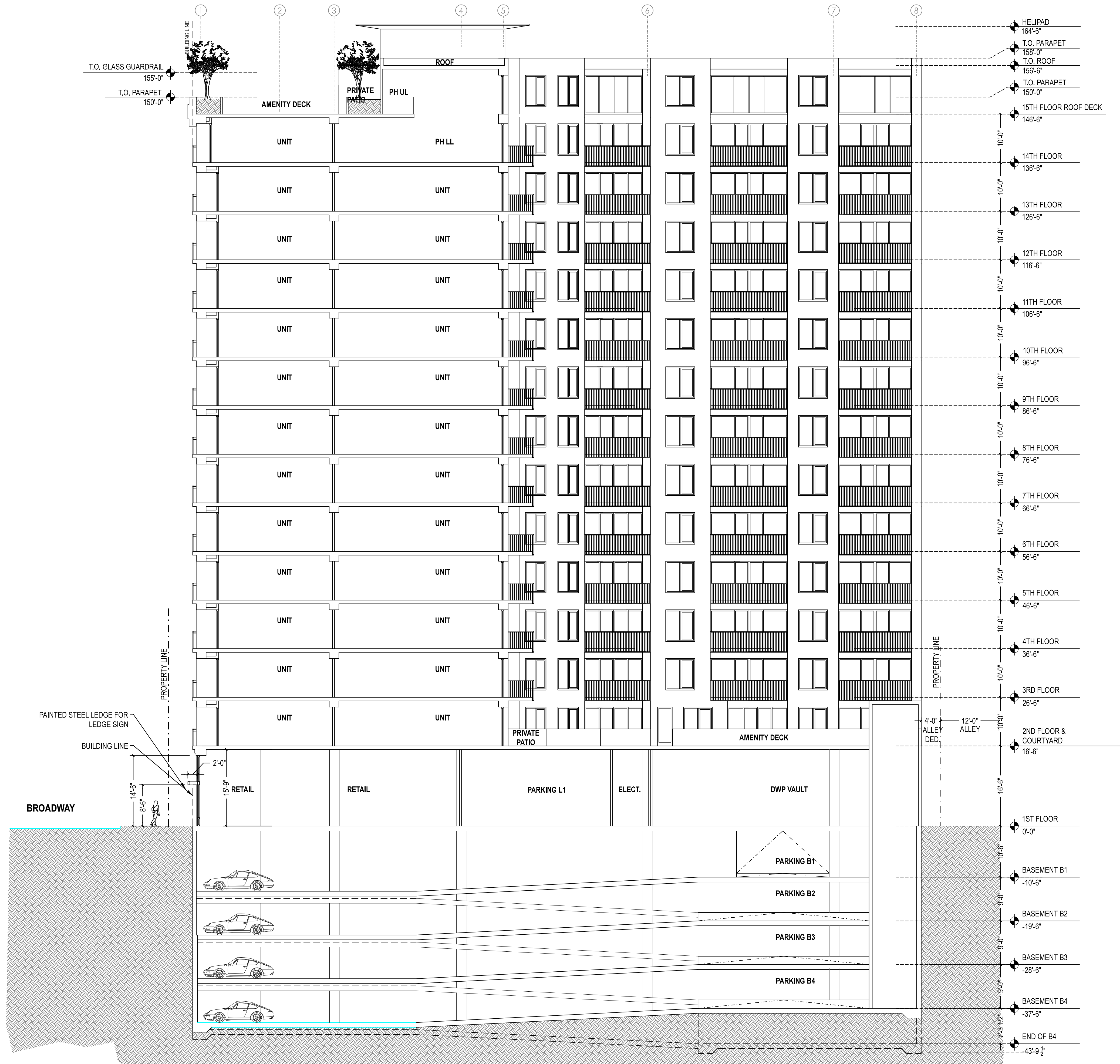
EXTERIOR ELEVATION: NORTH

SHEET NUMBER

A2.04



A3.01



BUILDING SECTION
SCALE: 3/32"=1'-0"
0 4' 8' 16' 32'

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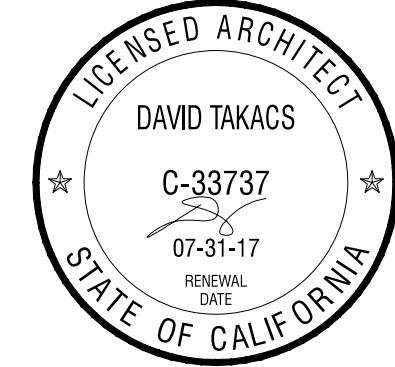
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SHEET

BUILDING SECTION

SHEET NUMBER

A3.02



BLADE SIGN

20% GREY GFRC PANEL @ BUILDING MIDSECTION

TYPICAL BALCONIES FLUSH W/ ADJACENT WALL ALONG BRAODWAY @ BUILDING MIDSECTION. 20% GREY PERFORATED METAL PANEL.

BALCONIES @ BUILDING BASE FLUSH W/ ADJACENT WALL ALONG BRAODWAY. 40% GREY PERFORATED METAL PANEL

BACKLIT PERFORATE METAL PANEL W/ CUSTOM ORNAMENTAL PATTERN

40% GREY GFRC PANEL @ BASE AND RESIDENTIAL ENTRY

RESIDENTIAL ENTRANCE

TYPICAL BALCONIES FLUSH W/ ADJACENT WALL ALONG BRAODWAY @ BUILDING MIDSECTION. 20% GREY PERFORATED METAL PANEL.

MEDIUM BRONZE ANODIZED ALUMINUM WINDOW WALL SYSTEM

BALCONIES CANTILEVERED 30" @ NORTH END OF BUILDING. BLACK PAINTED STEEL PICKETS.

LIGHT GREY GFRC PANEL @ TOP OF RETAIL AND ADJACENT COLUMN

LEDGE SIGN W/ CHANNEL LETTERS ON 2' DEEP PAINTED STEEL LEDGE W/ CONCEALED LIGHTING

MEDIUM BRONZE ANODIZED ALUMINUM STOREFRONT W/ CLEAR GLASS

BLACK GRANITE @ RETAIL BULKHEAD AND COLUMN BASE

1 **BROADWAY RETAIL**
SCALE: NONE



MEDIUM BRONZE ANODIZED ALUMINUM WINDOW SYSTEM

20% GREY GFRC PANEL @ BUILDING MIDSECTION

TYPICAL BALCONIES PROJECT 4'-0" @ BUILDING MIDSECTION ALONG OLYMPIC . 20% GREY PERFORATED METAL PANEL .

GREENWALL @ EASEMENT

PUBLIC SPACE @ SIDEWALK EASEMENT

LEDGE SIGN W/ CHANNEL LETTERS ON 2' DEEP PAINTED STEEL LEDGE W/ CONCEALED LIGHTING

MEDIUM BRONZE ANODIZED ALUMINUM STOREFRONT W/ CLEAR GLASS

LEDGE SIGN W/ CHANNEL LETTERS ON 2' DEEP PAINTED STEEL LEDGE W/ CONCEALED LIGHTING

TYPICAL BALCONIES FLUSH W/ ADJACENT WALL ALONG BRAODWAY @ BUILDING MIDSECTION. 20% GREY PERFORATED METAL PANEL.

BLACK PAINTED STEEL PICKET BALCONIES W/ STEEL PANEL

WESTERN COSTUME BUILDING ADJACENT

UNITED ARTISTS THEATER

BACKLIT PERFORATE METAL PANEL W/ CUSTOM ORNAMENTAL PATTERN

40% GREY GFRC PANEL @ BASE AND RESIDENTIAL ENTRY

BALCONIES @ BUILDING BASE FLUSH W/ ADJACENT WALL ALONG BRAODWAY. 40% GREY PERFORATED METAL PANEL

LIGHT GREY GFRC PANEL @ TOP OF RETAIL AND ADJACENT COLUMN

LEDGE SIGN W/ CHANNEL LETTERS ON 2' DEEP PAINTED STEEL LEDGE W/ CONCEALED LIGHTING

BRONZE ANODIZED ALUMINUM STOREFRONT W/ CLEAR GLASS

BLACK GRANITE @ RETAIL BULKHEAD AND COLUMN BASE

2 **CORNER VIEW**
SCALE: NONE

ARCHITECT

dt-a
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Los Angeles, CA 90014
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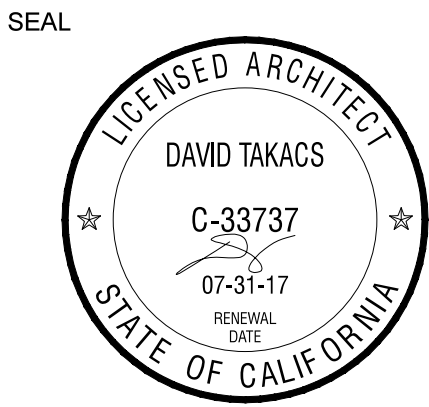
AGOURA OAKS LLC
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SCALE AS NOTED

DRAWN

DATE 07.09.16

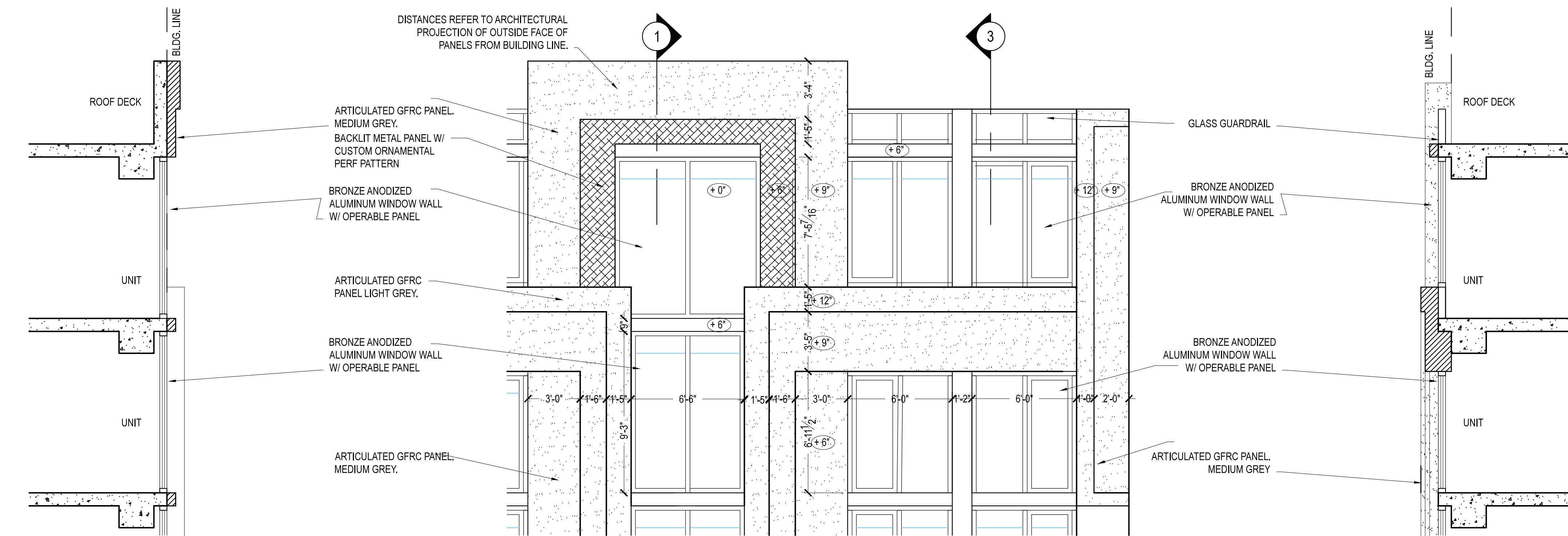
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DETAILS:

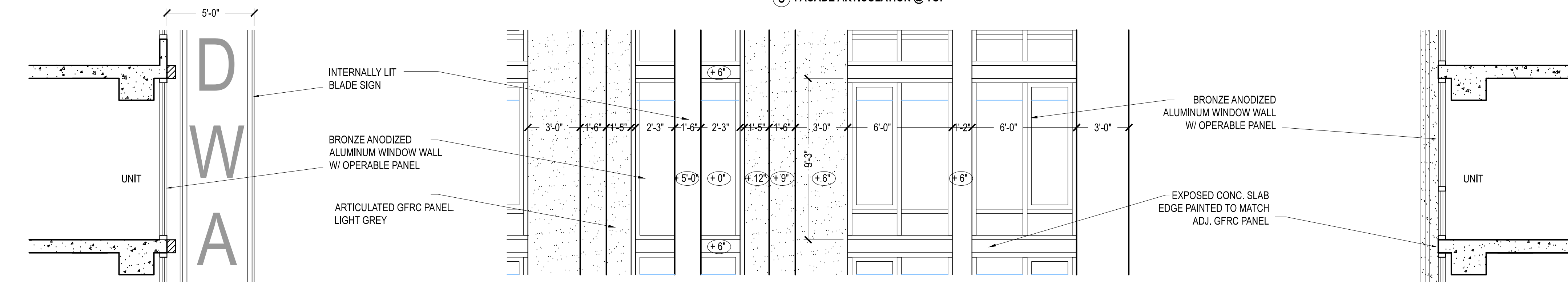
STREET VIGNETTES

SHEET NUMBER

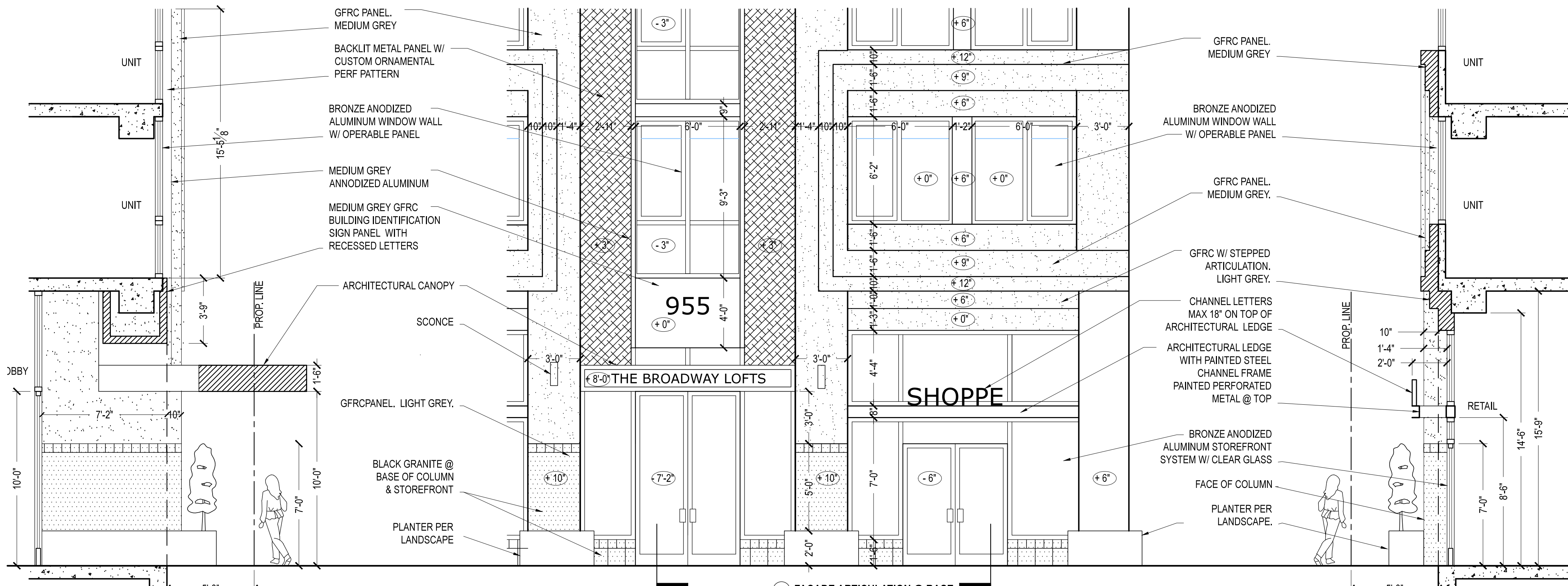
A4.01



C FACADE ARTICULATION @ TOP



B FACADE ARTICULATION @ MID-SECTION



A FACADE ARTICULATION @ BASE

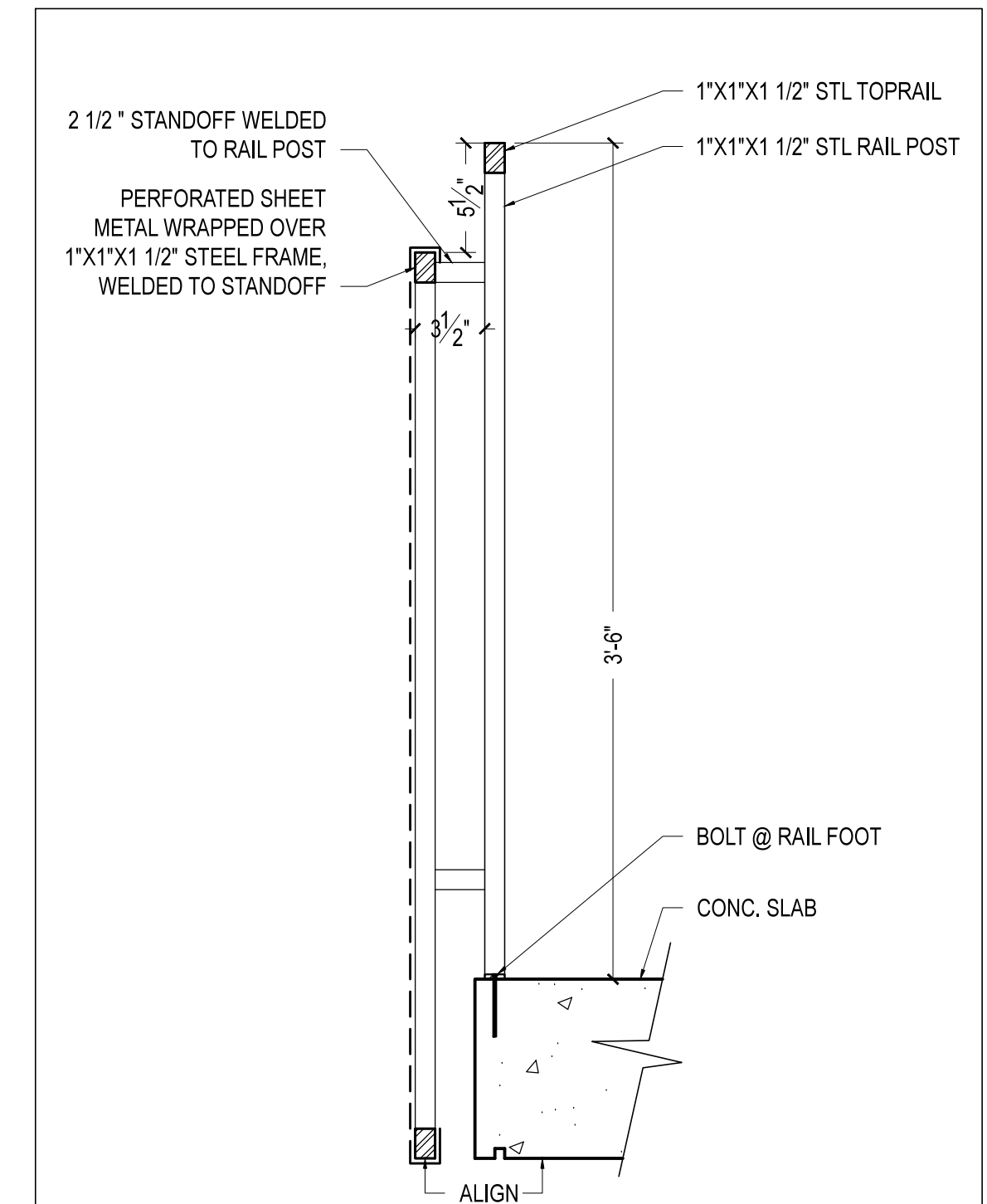
1 PARTIAL SECTION
SCALE: 1/4"=1'-0"

2 PARTIAL ELEVATION (TYP. CONDITIONS)
SCALE: 1/4"=1'-0"

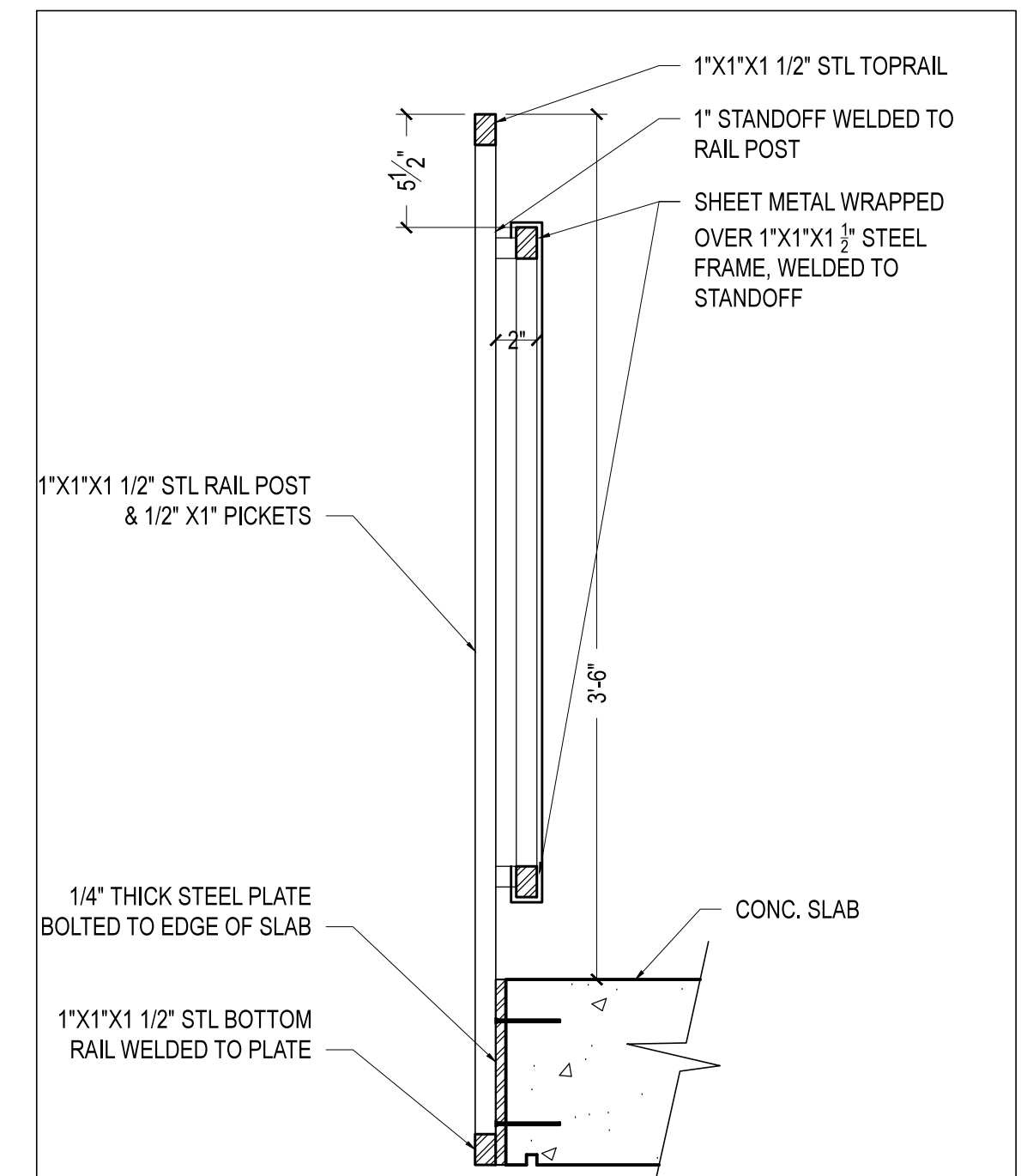
3 PARTIAL SECTION
SCALE: 1/4"=1'-0"

NOTES

- GLASS FIBER REINFORCED CONCRETE CLADDING (GFRC) TO BE MEDIUM GREY (40% VALUE) AT BASE & TOP OF BUILDING, EXCEPT AS NOTED. FINISH TO BE SMOOTH.
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- BALCONY GUARDRAIL PANELS TO BE PERFORATED METAL WITH ENAMEL COLOR TO MATCH ADJACENT GFRC PANEL.
- UNDERSIDE OF BALCONY TO BE PAINTED TO MATCH ADJACENT GFRC PANEL.
- ALUMINUM STOREFRONT SYSTEM, WINDOW WALL, AND OPERABLE WINDOWS TO BE BRONZED ANODIZED.
- RETAIL GLAZING TO BE CLEAR, NONREFLECTIVE GLASS W/ MIN. 90% LIGHT TRANSMISSION.
- STEEL FRAME AT TYPICAL BALCONY GUARDRAIL & STEEL RETAIL AWNING TO BE PAINTED TO MATCH ANODIZED ALUMINUM SYSTEMS.
- STEEL BALCONY PICKETS AT NORTH EAST BALCONIES (BETWEEN GRID LINES 1F & 1G) AND AT INTERNAL COURTYARD TO BE PAINTED BLACK.



4 SECTION DETAIL: PERF PANEL RAIL
SCALE: 1 1/2"=1'-0"



5 SECTION DETAIL: PICKET RAIL
SCALE: 1 1/2"=1'-0"

ARCHITECT

dt-a
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PROJECT

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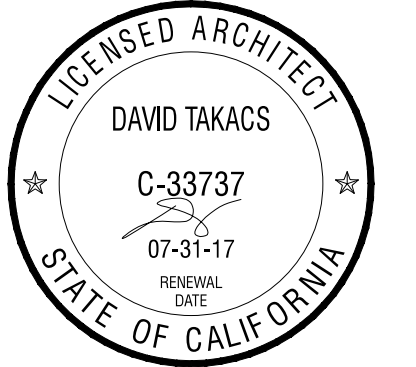
STRUCTURAL ENGINEER

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SHEET

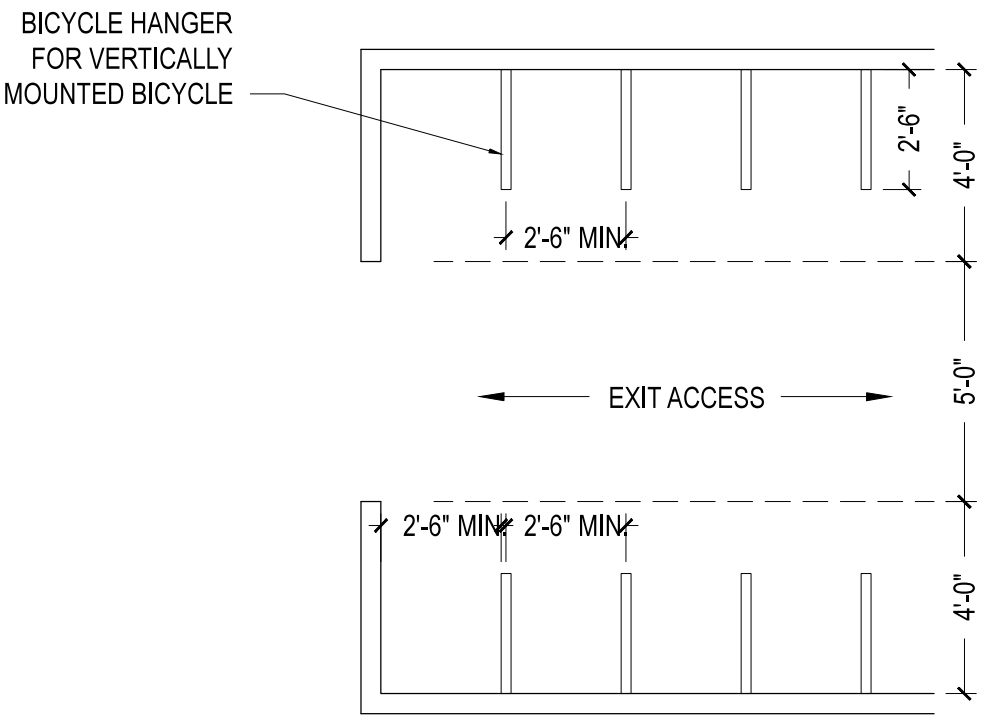
DETAILS:
FACADE ARTICULATION

SHEET NUMBER


A4.02

NOTES:
1. IF MORE THAN 20 LONG-TERM BICYCLE PARKING SPACES ARE PROVIDED, A 100 SF WORKSPACE SHALL BE PROVIDED.

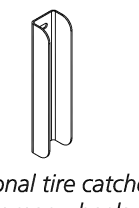
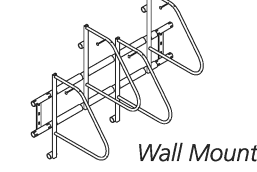
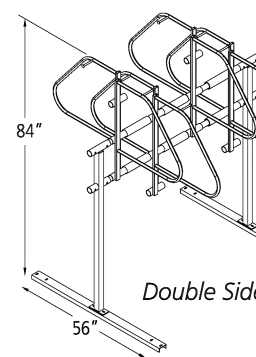
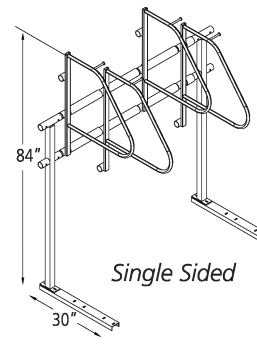
2. 6'-0" MIN. VERTICAL CLEARANCE PROVIDED ADJACENT TO THE LONG-TERM BICYCLE PARKING.



3 LONG TERM BICYCLE PARKING LAYOUT
SCALE: 1/4"=1'-0"

 **ULTRA SPACE SAVER**

Specifications and Space Use



Product

Dero Ultra Space Saver
As manufactured by Dero Bike Racks

Capacity

Modular construction
1 Bike per arm

Materials

Hanger is 1" diameter tube with 1/2" steel rod and retaining disk at each end.
Upright is 2" square tube.
Feet are AISI C3 x 4.1 galvanized steel channel.
Crossbeams are 1.25" sched. 40 galvanized pipe (1.660" OD)
Spacers are 2.375" OD plastic tubes with .218" wall thickness.

Finishes

Black powder coat
Cross bars: hot dipped galvanized
Hanger rods: rubber coated
Spacers: plastic

Installation Methods

Floor mounted Ultra Space Savers have steel channel feet (30" for single sided and 56" for double sided units) which must be anchored to the floor. A **wall mounted** unit which contains special brackets is also available.

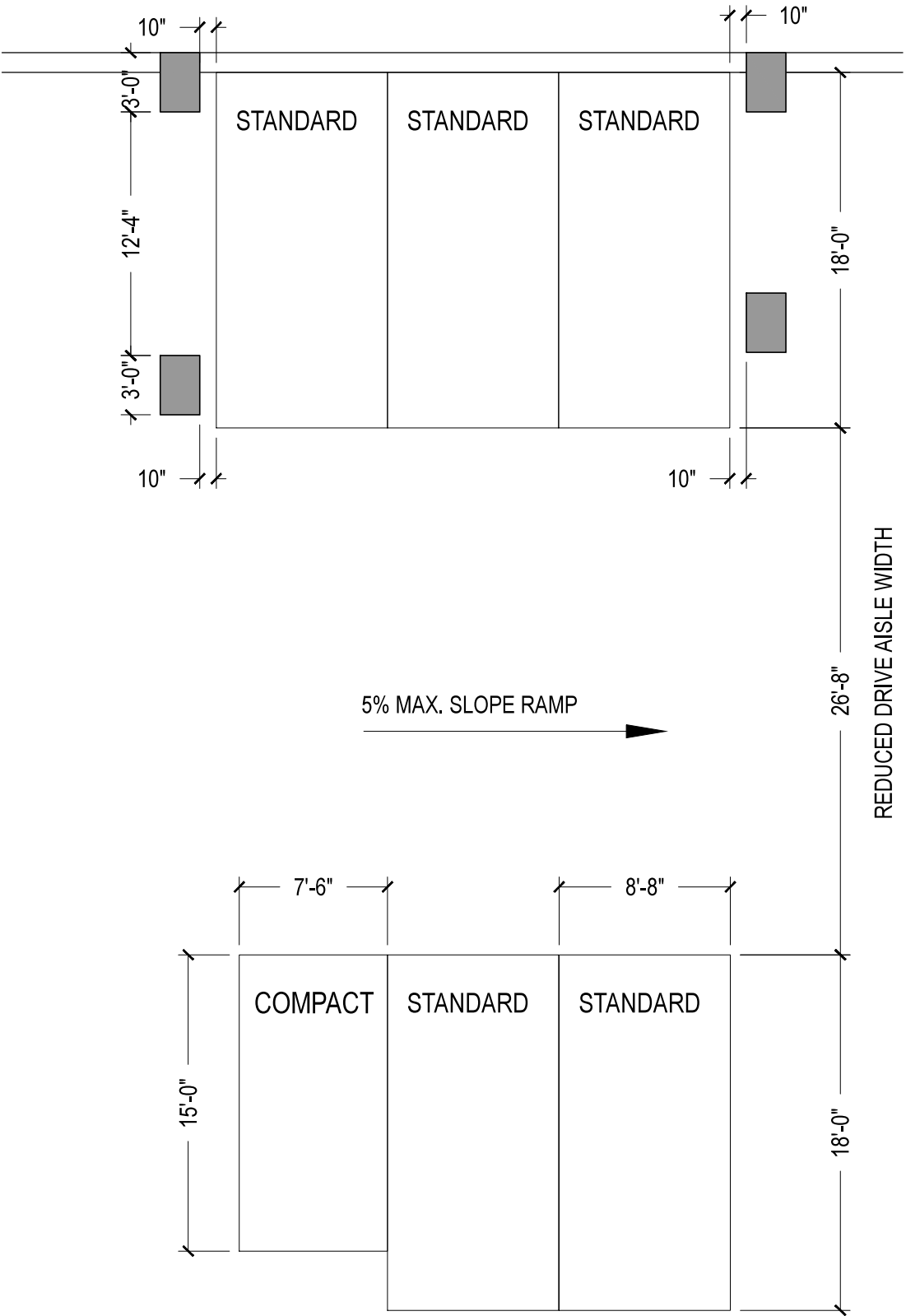
Space Use and Setbacks

See diagram at left

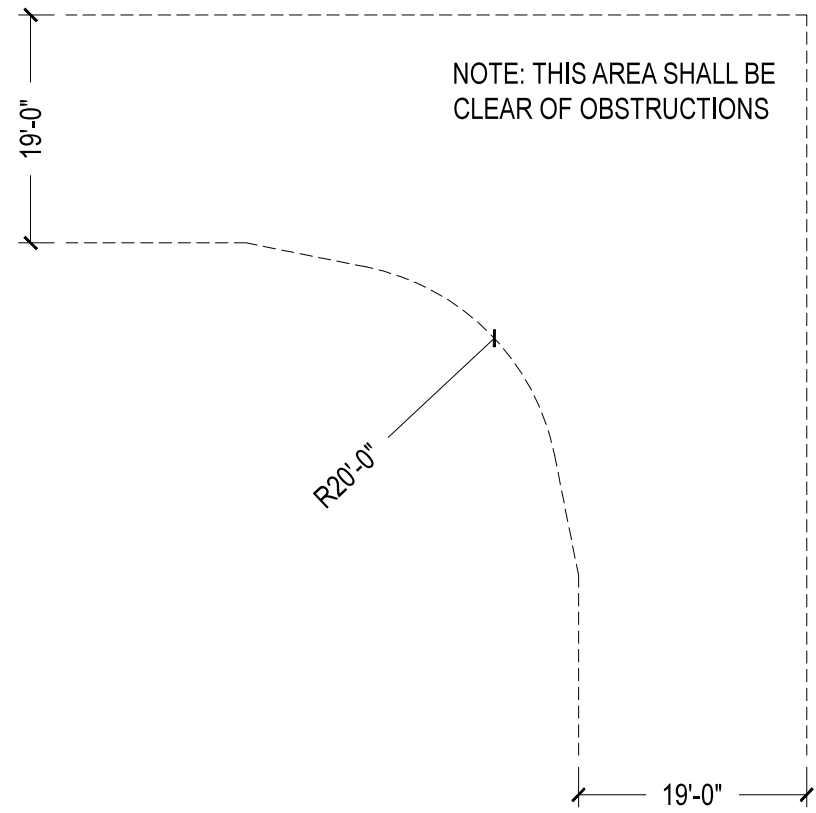
3 BIKE RACK SPEC
SCALE: NONE

NOTES:
1. STALL WIDTHS WILL BE INCREASED A MIN. 10" FOR OBSTRUCTIONS

2. 5% MAX. SLOPE IN ANY DIRECTION IN A PARKING STALL



2 TYP. CAR PARKING DETAILS
SCALE: 1/8"=1'-0"



1 90 DEGREE TURN - CIRCUL. DRIVEWAYS
SCALE: 1/16"=1'-0"

955 BROADWAY PARKING REQUIRED		
RESIDENTIAL		
* Residential parking for Central City per LAMC 12.21, A, 4 (p)		
1- bedroom unit x 1 stall	99	
2+ bedrooms unit x 1.25 stall	80	
subtotal residential	179 stalls	
- 15% bike reduction	-27	
total residential	152	
RETAIL		
* Retail parking for Downtown Business District per LAMC 12.21, A, 4 (i)(3)		
total retail	0	
TOTALS		
total parking required	152 stalls	
total accessible dwelling 2%	3	
van accessible 1 per 8 access.	1	

955 BROADWAY RESIDENTIAL PARKING PROVIDED		
standard	149	
accessible	3	
compact	9	
total residential	161 stalls	

NON-CODE REQUIRED "FLEX PARKING" (AVAILABLE FOR PRIVATE LEASE)		
standard	10	
accessible	1	
compact	30	
total flex parking	41	

TOTAL PARKING PROVIDED		
residential	161	
Non- code required flex parking	41	
total parking provided	202	

PARKING PER LEVEL			
	standard	ADA	compact
Ground Floor	4	4	4
Level B1	35	0	8
Level B2	40	0	9
Level B3	40	0	9
Level B4	40	0	9
TOTAL	159	4	39

ARCHITECT

dt-a

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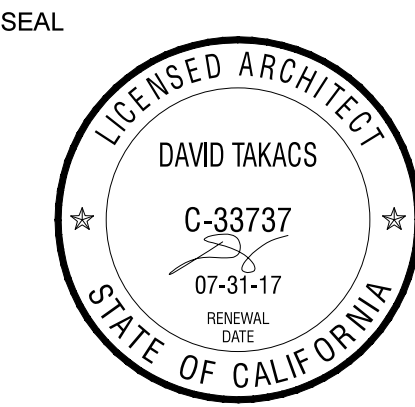
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SCALE AS NOTED

DRAWN

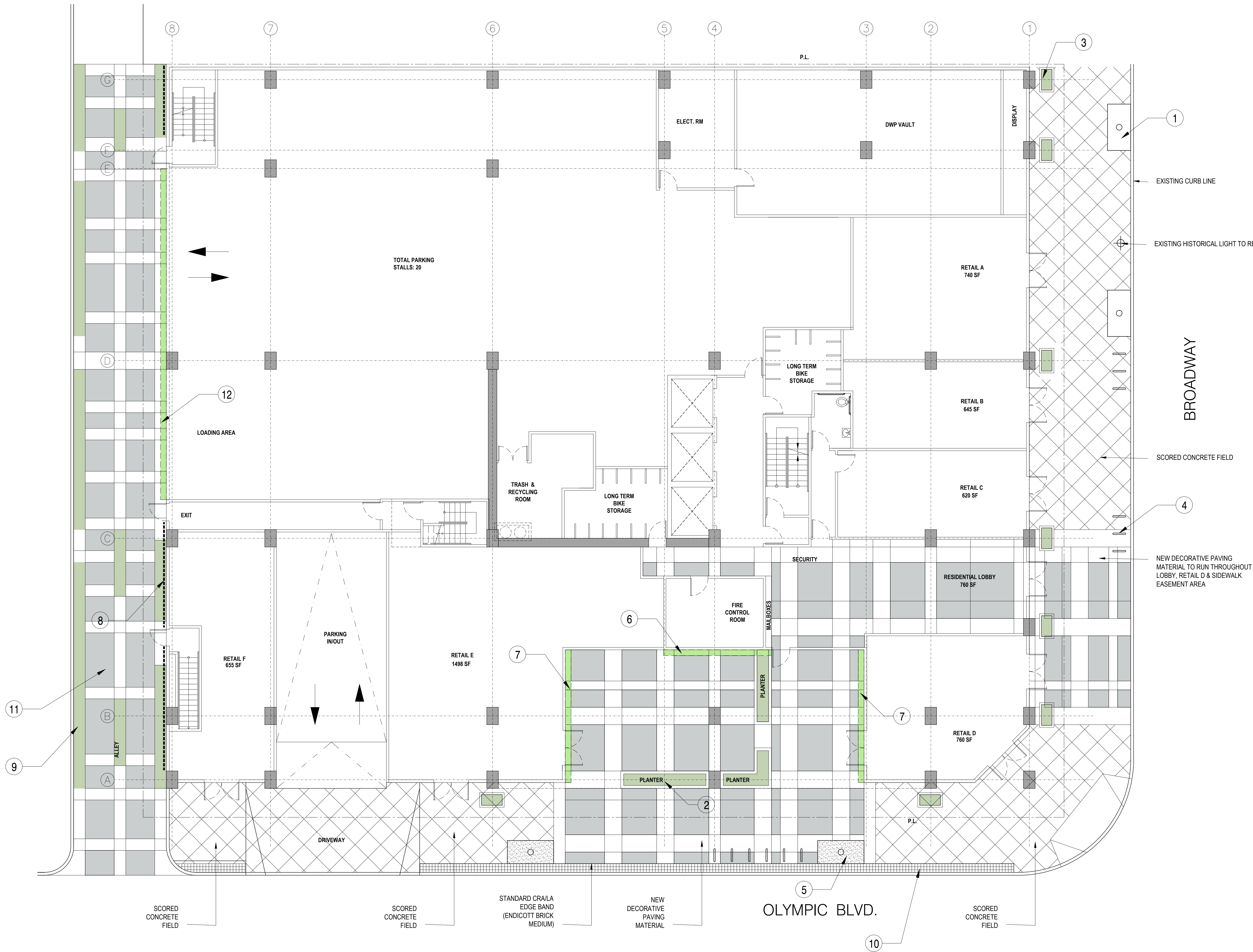
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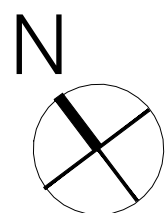
DETAILS:
BIKE & CAR PARKING

SHEET NUMBER

A4.03



1 HARDSCAPE PLAN - GROUND LEVEL
SCALE: 1/8" = 1'-0"



KEYNOTES

1. 4' x 8' TREE WELL W/ CUSTOM TREE GRATE
2. OUTDOOR DINING PATIO ENCLOSURE PLANTER WALL, 42" HT. MAX.



3. 2' x 4' PLANTER TOURNESOL WCR-472324 W/ SHADOW FINISH FROM TOURNESOL
4. BIKE RACK
4. 4' x 8' TREE WELL W/ DECOMPOSED GRANITE
6. GREEN WALL - GROUND LEVEL TOURNESOL VGP TRAY-BASED SYSTEM W/ METAL FRAME FROM TOURNESOL
7. GREEN WALL - SECOND FLOOR LEVEL TOURNESOL VGP TRAY-BASED SYSTEM W/ METAL FRAME FROM TOURNESOL
8. GREEN SCREEN W/ VINE PLANTING



9. TURF BLOCK W/ TURF PLANTING FOR GREEN ALLEY TURF BLOCK FROM ACKER STONE



10. SOUTH PARK ENDICOTT BRICK MEDIUM CRA / LA EDGE BAND ALONG OLYMPIC BLVD.
11. NEW CONCRETE PAVING
12. LINEAR HANGING PLANTER OVER GARAGE DRIVEWAY ENTRANCE

NOTE

BROADWAY STREETSCAPE DESIGN FOR THIS PROJECT IS IN COMPLIANCE TO "BROADWAY STREETSCAPE MASTER PLAN". ADOPTED BY CITY PLANNING COMMISSION FEBRUARY 14, 2013.

ARCHITECT

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PROJECT

THE BROADWAY

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Los Angeles, CA 99014

OWNER

AGOURA OAKS LLC
5506 Colodny Dr.
Agoura Hills, CA 91301
818.991-9898

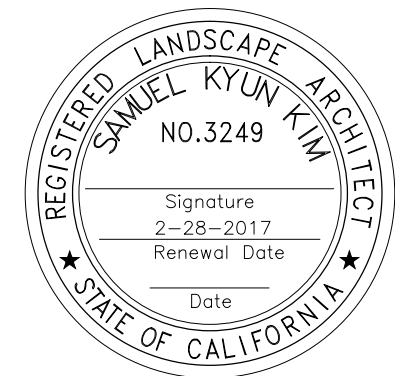
STRUCTURAL ENGINEER

CHARLES TAN & Assoc., SE
320 E. 2nd St., Suite 316
Los Angeles, CA 90012
213.628.8018

LANDSCAPE ARCHITECT

SQLA inc
1320 E. Olympic Blvd., Suite 211
Los Angeles CA 90021
(562) 905-0800

SEAL



ISSUE

NO.	DATE	DESCRIPTION
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REVISION

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SCALE AS NOTED

DRAWN

DATE

SHEET

SHEET NUMBER

LC-1

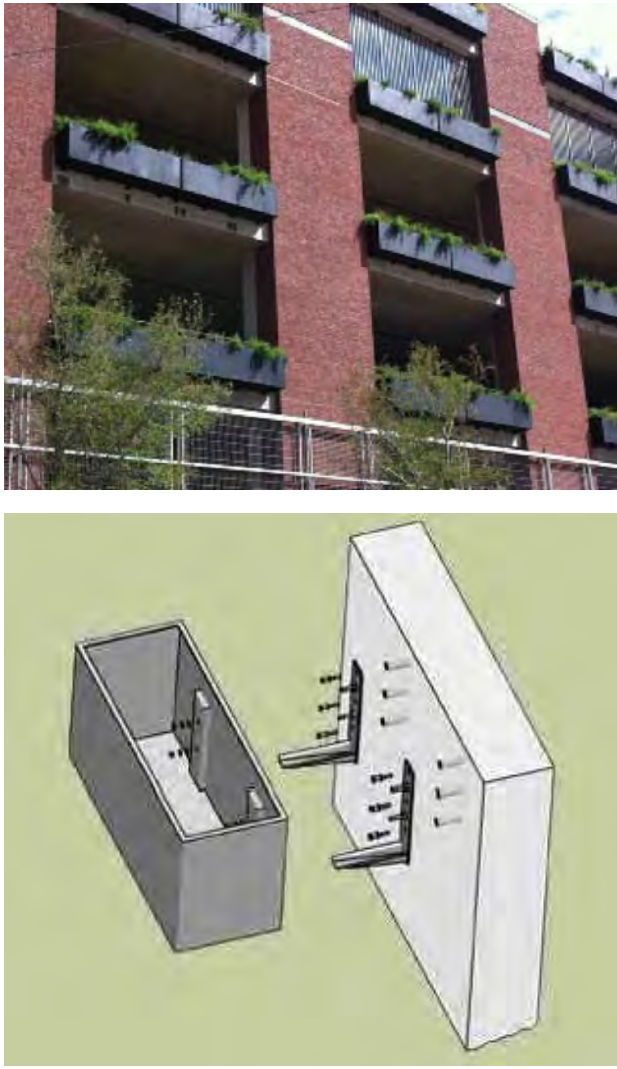


SKETCH

KEYNOTES



1. GREEN SCREEN W/ VINE PLANTING



2. LINEAR HANGING PLANTER
TOURNESOL WILSHIRE BOXES 72" L X 10" W X 12" H
FROM TOURNESOL

ARCHITECT

dt-a
DAVID TAKACS ARCHITECTURE
824 S. Los Angeles St., #305
Los Angeles, CA 90014
213.984.4019

PROJECT

THE BROADWAY
955 S. Broadway
Los Angeles, CA 99014

OWNER

AGOURA OAKS LLC
5506 Colodny Dr.
Agoura Hills, CA 91301
818.991-9898

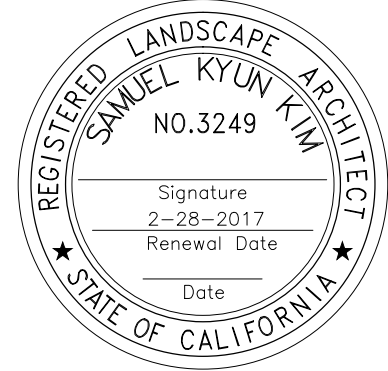
STRUCTURAL ENGINEER

CHARLES TAN & Assoc., SE
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Los Angeles, CA 90012
213.628.8018

LANDSCAPE ARCHITECT

SQLA inc
1320 E. Olympic Blvd., Suite 211
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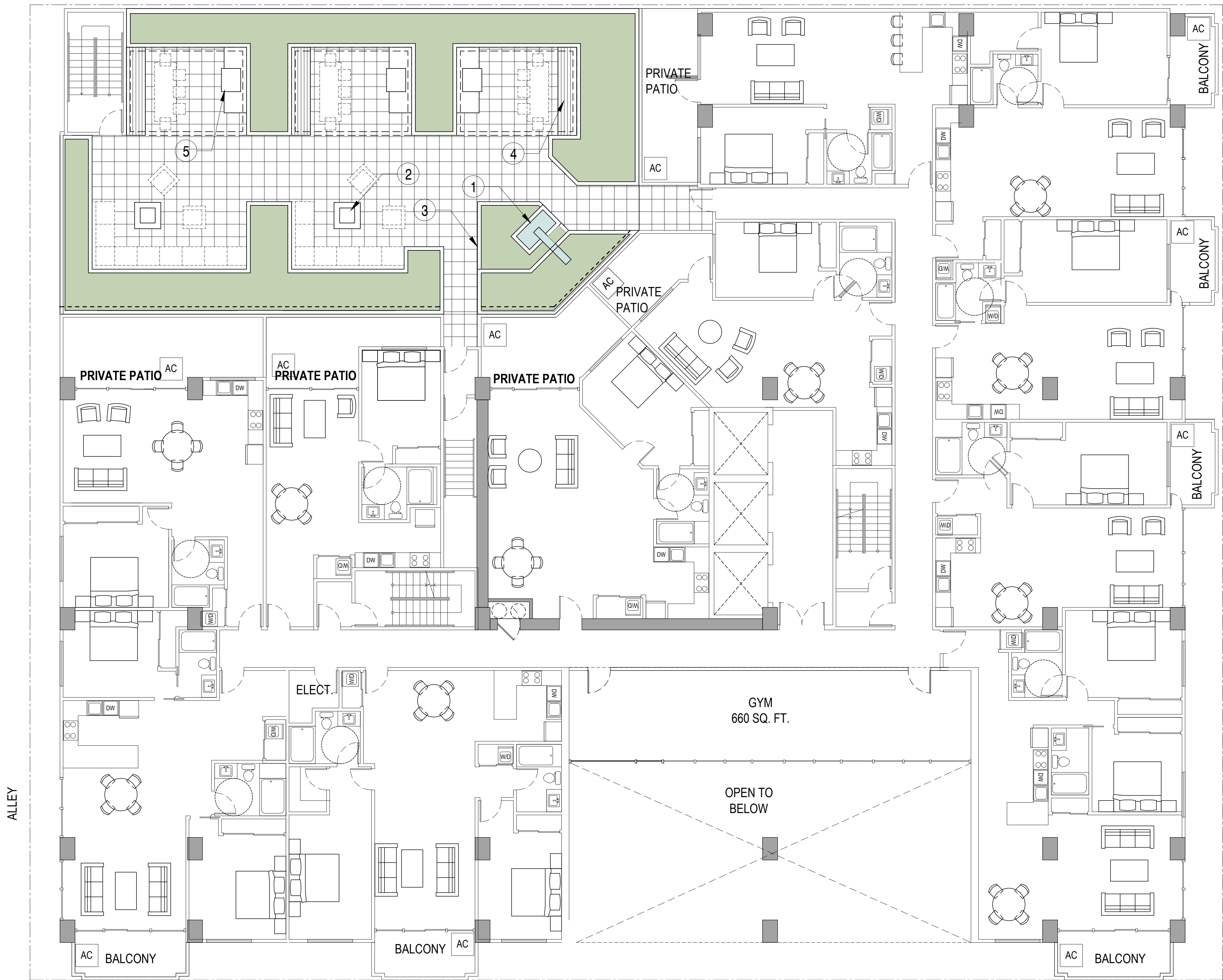
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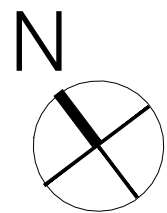
SHEET

SHEET NUMBER

LC-1A



1 HARDSCAPE PLAN - 2ND LEVEL
SCALE: 1/8" = 1'-0"



KEYNOTES

1. WATER FEATURE
2. FIREPIT
3. LOW PLANTER
4. BUILT-IN BENCH
5. BBQ

COMMON OPEN SPACE
LANDSCAPE TABULATION

TOTAL : 2,923 SF.
PLANTING AREA : 1,053 SF. (36 %)

ARCHITECT

dt-a
DAVID TAKACS ARCHITECTURE
824 S. Los Angeles St., #305
Los Angeles, CA 90014
213.984.4019

PROECT

THE BROADWAY
955 S. Broadway
Los Angeles, CA 99014

OWNER

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Agoura Hills, CA 91301
818.991-9898

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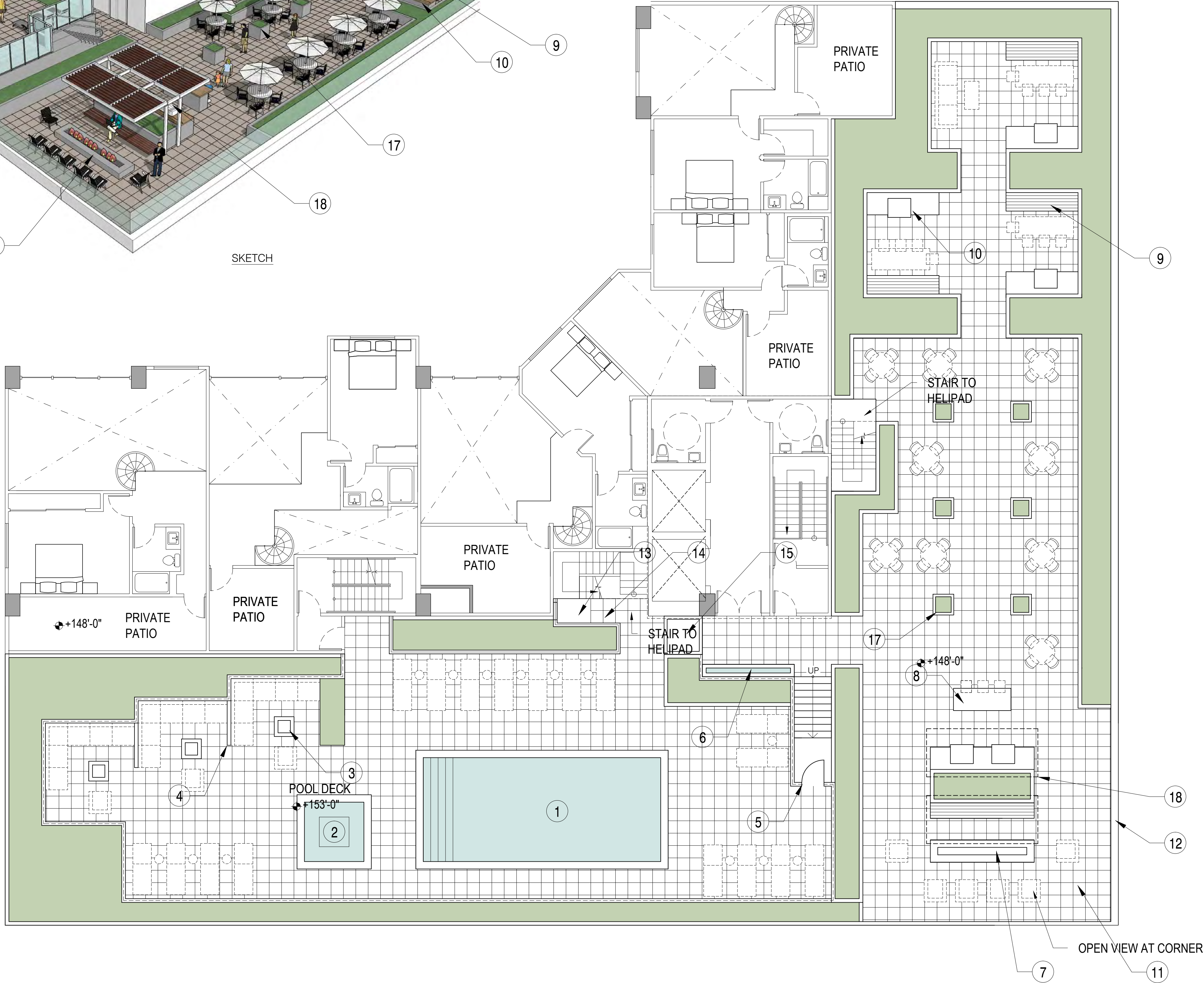
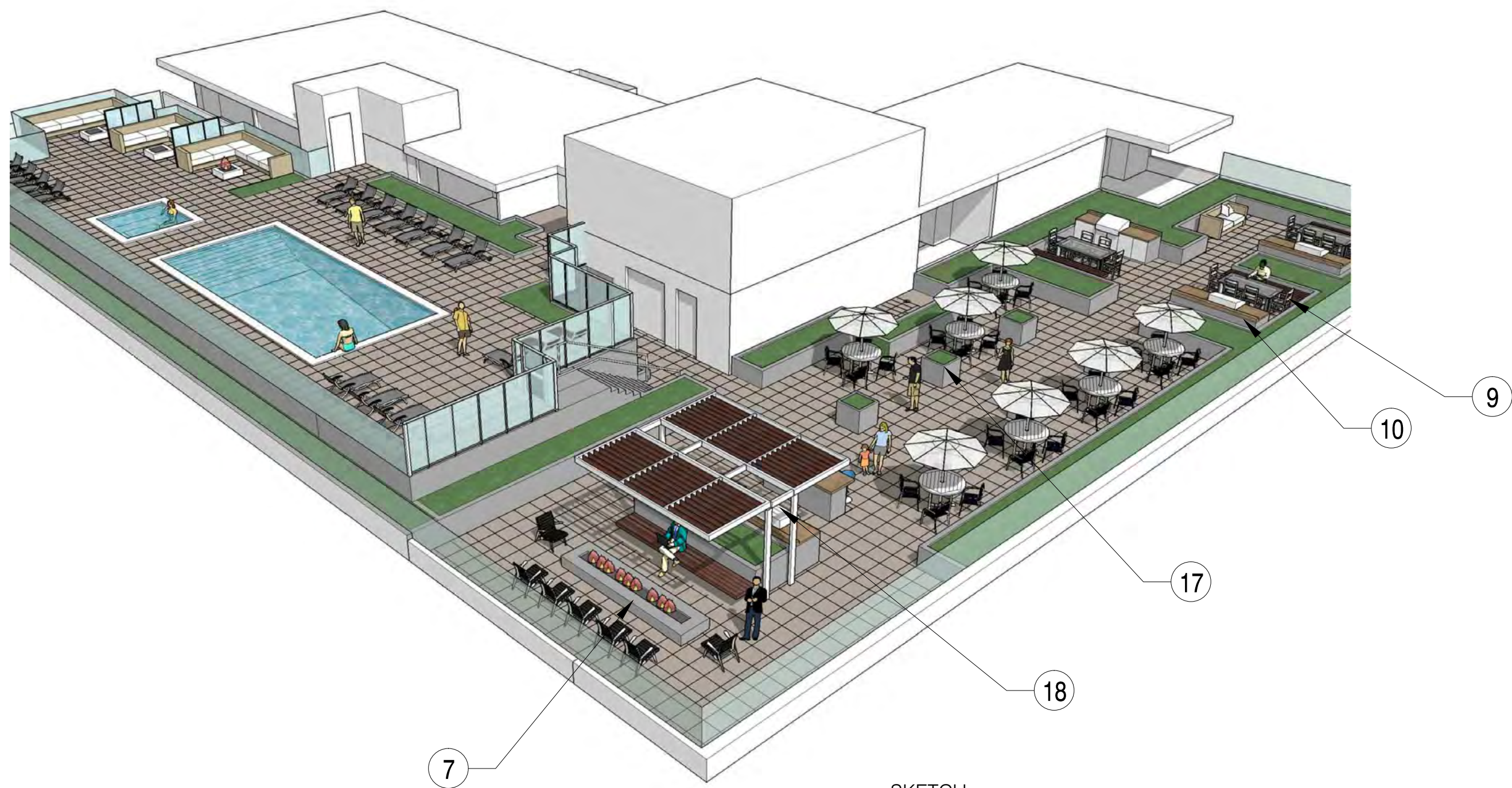
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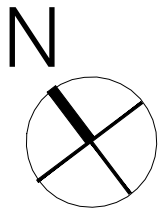
LC-2



- KEYNOTES
1. POOL
 2. SPA
 3. FIREPIT
 4. SCREEN
 5. POOL ENCLOSURE FENCE W/ GATE
 6. WATER FEATURE
 7. FIREPIT
 8. BAR
 9. BUILT-IN BENCH
 10. BBQ
 11. 20" SQ. PAVERS
 12. GL. RAILING ON 2'H. PARAPET
 13. SHOWER
 14. DRINKING FOUNTAIN
 15. WHEEL-CHAIR LIFT
 17. MOBILE TREE POTS
 18. TRELLIS W/ VINE PLANTER

COMMON OPEN SPACE
LANDSCAPE TABULATION
TOTAL : 9,039 SF.
PLANTING AREA : 2,260 SF. (25 %)

1 HARDSCAPE PLAN - ROOF LEVEL
SCALE: 1/8" = 1'-0"



ARCHITECT

dt-a
DAVID TAKACS ARCHITECTURE
824 S. Los Angeles St., #305
Los Angeles, CA 90014
213.984.4019

PROECT

THE BROADWAY
955 S. Broadway
Los Angeles, CA 99014

OWNER

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STRUCTURAL ENGINEER

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213.628.8018

LANDSCAPE ARCHITECT

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Los Angeles CA 90021
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SHEET NUMBER

LC-3



1 ROOF DECK SKETCHES
SCALE: NTS

- KEYNOTES
- 1. POOL
 - 2. SPA
 - 3. FIREPIT
 - 4. SCREEN
 - 5. POOL ENCLOSURE FENCE W/ GATE
 - 6. WATER FEATURE
 - 7. FIREPIT
 - 8. BAR
 - 9. BUILT-IN BENCH
 - 10. BBQ
 - 11. 20' SQ. PAVERS
 - 12. GL. RAILING ON 2'H. PARAPET
 - 13. SHOWER
 - 14. DRINKING FOUNTAIN
 - 15. WHEEL-CHAIR LIFT
 - 16. 42" H. STEEL PLANTER
 - 17. MOBILE TREE POTS
 - 18. TRELLIS W/ VINE PLANTER

ARCHITECT

dt-a
DAVID TAKACS ARCHITECTURE
824 S. Los Angeles St., #305
Los Angeles, CA 90014
213.984.4019

PROECT

THE BROADWAY
955 S. Broadway
Los Angeles, CA 99014

OWNER

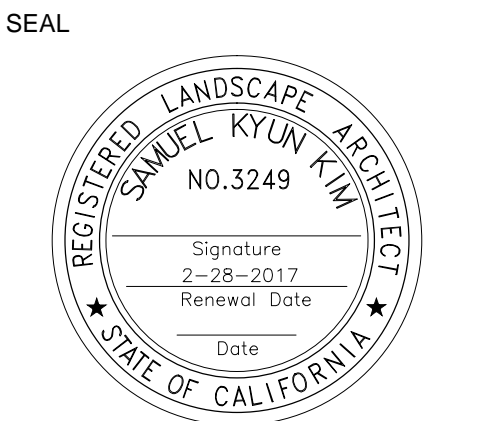
AGOURA OAKS LLC
5506 Colodny Dr.
Agoura Hills, CA 91301
818.991-9898

STRUCTURAL ENGINEER

CHARLES TAN & Assoc., SE
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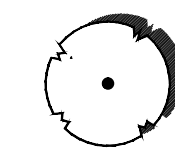
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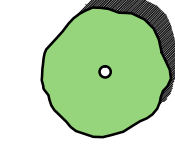


PLANTING LEGEND

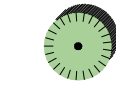
TREES



OLYMPIC BLVD. STREET TREE
PER CITY OF LA URBAN FORESTRY.

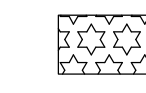


PYRUS CALLERYANA 'CHANTICLEER'
FLOWERING PEAR
(NEW STREET TREE)



BAMBUSIA 'ALPHONSE KARR'
ALPHONSE KARR BAMBOO
W/ BLACK PEBBLES

SHRUBS



ANIGOZANTHOS FLAVIDUS
KANGAROO PAW

VINE



FLOWERING PEAR



ALPHONSE KARR BAMBOO



KANGAROO PAW



GREEN SCREEN



GREEN WALL

ARCHITECT

dt-a
DAVID TAKACS ARCHITECTURE
824 S. Los Angeles St., #305
Los Angeles, CA 90014
213.984.4019

PROJECT

THE BROADWAY

955 S. Broadway
Los Angeles, CA 99014

OWNER

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Agoura Hills, CA 91301
818.991-9898

STRUCTURAL ENGINEER

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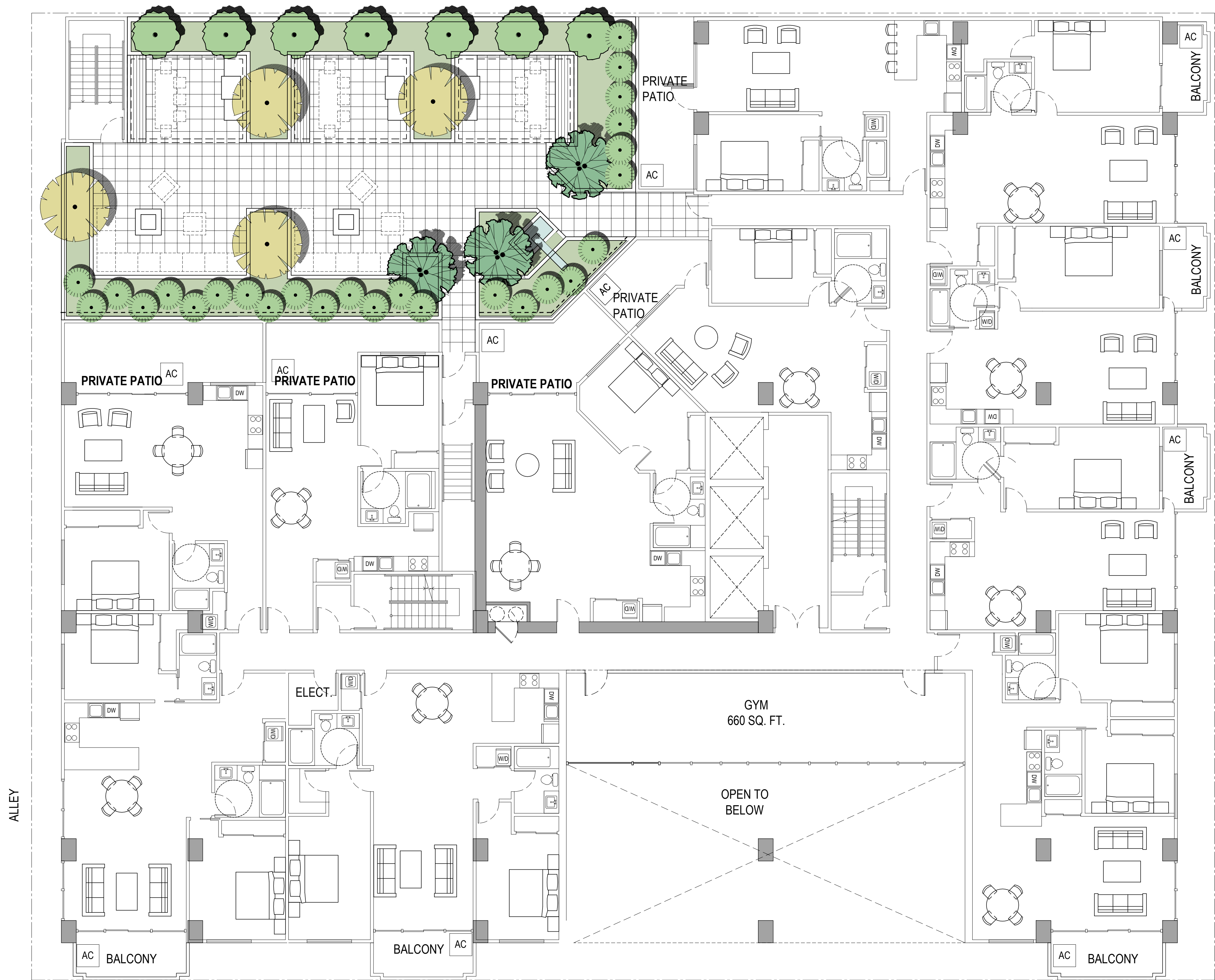
SHEET NUMBER

LP-1

1 PLANTING PLAN - GROUND LEVEL

SCALE: 1/8" = 1'-0"





- PLANTING LEGEND
- TREES
- GLEDITSIA TRIACANTHOS
HONEY LOCUST
 - ERIOBOTRYA DEFLEXA
BRONZE LOQUAT
 - PODOCARPUS GRACILIOR
FERN PINE
 - BAMBUSA 'ALPHONSE KARR'
ALPHONSE KARR BAMBOO



HONEY LOCUST



BRONZE LOQUAT



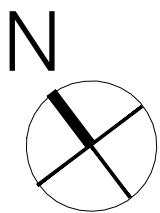
FERN PINE



ALPHONSE KARR BAMBOO

1 PLANTING PLAN - 2ND LEVEL

SCALE: 1/8" = 1'-0"



ARCHITECT

dt-a
DAVID TAKACS ARCHITECTURE
824 S. Los Angeles St., #305
Los Angeles, CA 90014
213.984.4019

PROECT

THE BROADWAY

955 S. Broadway
Los Angeles, CA 99014

OWNER

AGOURA OAKS LLC
5506 Colodny Dr.
Agoura Hills, CA 91301
818.991-9898

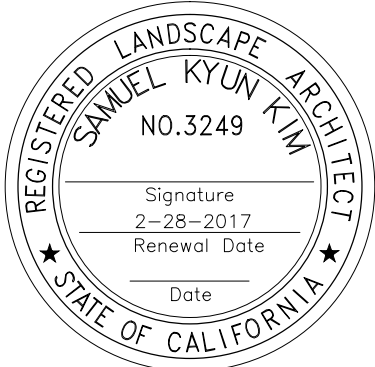
STRUCTURAL ENGINEER

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Los Angeles, CA 90012
213.628.8018

LANDSCAPE ARCHITECT

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LP-2



1 PLANTING PLAN - ROOF LEVEL
SCALE: 1/8" = 1'-0"

PLANTING LEGEND

TREES

- ERYTHRINA CORALLOIDES
NAKED CORAL TREE
- MELALEUCA LINARIFOLIA
FLAXLEAF PAPERBARK
- TABEBUIA IPE
PINK TRUMPET TREE
- CERCIS OCCIDENTALIS
WESTERN REDBUD
- GLEDITSIA TRIACANTHOS
HONEY LOCUST
- PODOCARPUS GRACILIOR
FERN PINE
- BAMBUSA OLDHAMII
GIANT TIMBER BAMBOO



NAKED CORAL TREE



FLAXLEAF PAPERBARK



PINK TRUMPET TREE



WESTERN REDBUD

ARCHITECT

dt-a
DAVID TAKACS ARCHITECTURE
824 S. Los Angeles St., #305
Los Angeles, CA 90014
213.984.4019

PROECT

THE BROADWAY
955 S. Broadway
Los Angeles, CA 99014

OWNER

AGOURA OAKS LLC
5506 Colodny Dr.
Agoura Hills, CA 91301
818.991-9898

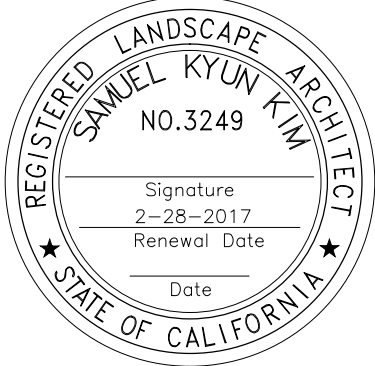
STRUCTURAL ENGINEER

CHARLES TAN & Assoc., SE
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Los Angeles, CA 90012
213.628.8018

LANDSCAPE ARCHITECT

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(562) 905-0800

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LP-3

EXHIBIT B

ENVIRONMENTAL CLEARANCE & MMP
ENV-2014-2948-MND

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
PROPOSED MITIGATED NEGATIVE DECLARATION

LEAD CITY AGENCY
City of Los Angeles

COUNCIL DISTRICT
CD 14 - JOSE HUIZAR

PROJECT TITLE
ENV-2014-2948-MND

CASE NO.
CPC-2014-2947-TDR-ZC-ZV-CDO-SPR

PROJECT LOCATION
959 S BROADWAY

PROJECT DESCRIPTION

The project site contains three parcels with a total lot area of 20,663 square feet (0.47 acres). The site is zoned [Q]C2-4D-CDO with a General Plan Land Use Designation of Regional Center Commercial. The site is located within the Central City Community Plan and the Broadway Community Design Overlay (CDO). The site is bounded by Broadway to the east, Olympic Boulevard to the south, Blackstone Court (alley) to the west, and the Western Costume Building (a contributor to the Broadway Theatre and Commercial National Historic District) to the north. The project site currently is improved with a surface parking lot that takes access from Broadway, Olympic Boulevard, and Blackstone Court. The project includes the demolition of the existing surface parking lot and the construction of a mixed-use development consisting of a 15 story building with 163 residential condominium units and 4,720 square feet of ground floor retail. A total of 219 vehicle parking spaces and 186 bicycle parking spaces will be provided at grade and in four subterranean levels. The proposed project consists of a total of 184,705 square feet of floor area. The project would export approximately 31,055 square feet of dirt.

The applicant has requested a Transfer of Floor Area Rights (TFAR) of approximately 60,727 square feet; a Zone Change from Ordinance 180,871 to allow portions of the building to project above 150 feet within 30 feet of the building edge and for portions of the building above 150 feet to have less than 30 percent lot coverage; a Vesting Tentative Tract for 163 residential condo units and 6 commercial units; a Variance to locate the long-term bicycle parking spaces throughout the parking levels in lieu of the ground floor; Site Plan Review for a project with 163 residential units and 184,705 square feet of floor area; and a CDO Plan Approval for a mixed-use project in the Broadway Theater and Entertainment District Community Design Overlay.

NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY

Agoura Oaks, LLC
5506 Colodny Drive
Agoura, CA

FINDING:

The City Planning Department of the City of Los Angeles has Proposed that a mitigated negative declaration be adopted for this project because the mitigation measure(s) outlined on the attached page(s) will reduce any potential significant adverse effects to a level of insignificance

(CONTINUED ON PAGE 2)

SEE ATTACHED SHEET(S) FOR ANY MITIGATION MEASURES IMPOSED.

Any written comments received during the public review period are attached together with the response of the Lead City Agency. The project decision-maker may adopt the mitigated negative declaration, amend it, or require preparation of an EIR. Any changes made should be supported by substantial evidence in the record and appropriate findings made.

THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED.

NAME OF PERSON PREPARING THIS FORM

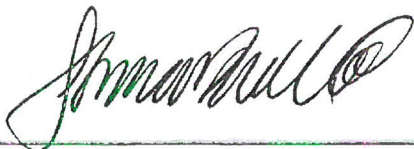
TITLE

TELEPHONE NUMBER

Jennifer Cairra

City Planning Associate

(213) 978-1165

ADDRESS 200 N. SPRING STREET, 7th FLOOR LOS ANGELES, CA. 90012	SIGNATURE (Official) 	DATE JANUARY 20, 2016
---	--	-------------------------------------

I-120. Aesthetics (Light)

- Environmental impacts to the adjacent residential properties may result due to excessive illumination on the project site. However, the potential impacts will be mitigated to a less than significant level by the following measure:
- Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.

I-130. Aesthetics (Glare)

- Environmental impacts to adjacent residential properties may result from glare from the proposed project. However, the potential impacts will be mitigated to a less than significant level by the following measure:
- 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.

IV-20. Habitat Modification (Nesting Native Birds, Non-Hillside or Urban Areas)

- The project will result in the removal of vegetation and disturbances to the ground and therefore may result in take of nesting native bird species. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).
- 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 or kill (Fish and Game Code Section 86).
- If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:
- 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.
- If a protected native bird 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.
- 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.
- 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.

IV-90. Tree Removal (Public Right-of-Way)

-
- Removal of trees in the public right-of-way requires approval by the Board of Public Works.
- The required Tree Report shall include the location, size, type, and condition of all existing trees in the adjacent public right-of-way and shall be submitted for review and approval by the Urban Forestry Division of the Bureau of Street Services, Department of Public Works (213-847-3077).
- The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) trees in the public right-of-way.
- All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

V-50. Cultural/Historic Resources

- The project will result in an impact on identified cultural/historical resources. However, the impact can be reduced to a less than significant level though compliance with the following measure(s):

- Balconies on the Broadway façade shall not project from the building face, except for the one row of balconies at the north end of the façade, which may project as long as the balcony material is mostly transparent metal railings.
- The balconies at the south end of the Broadway façade shall not project beyond the edge of the building towards Olympic Boulevard.
- Balconies along the Broadway façade shall be comprised of a solid material similar to adjacent facades.

X 0. Land Use (Noise)

-
- Environmental impacts to future occupants may result from this project's implementation due to mobile noise. However, these impacts will be mitigated to a less than significant level by the following measures: All exterior windows having a line of sight of a Boulevard or Avenue shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Class (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto. The applicant, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room

XII-20. Increased Noise Levels (Demolition, Grading, and Construction Activities)

-
- Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- A temporary noise barrier such as, but not limited to, plywood structures or flexible sound control curtains extending eight feet in height and capable of sound attenuation of at least 10 dBA shall be erected around the perimeter of the construction site (excluding the northern property line where adequate space is not available) to minimize the amount of noise during construction on the nearby noise-sensitive uses.

XII-60. Increased Noise Levels (Mixed-Use Development)

- Environmental impacts to proposed on-site residential uses from noises generated by proposed on-site commercial uses may result from project implementation. However, the potential impact will be mitigated to a less than significant level by the following measure:
- Wall and floor-ceiling assemblies separating commercial tenant spaces, residential units, and public places, shall have a Sound Transmission Class (STC) value of at least 50, as determined in accordance with ASTM E90 and ASTM E413.

XII-230. Increased Noise Levels

- Environmental impacts to the adjacent residential properties may result due to noise generated on the site. However, this potential impact will be mitigated to a less than significant level by the following measure:
- The monitoring program shall survey for vertical and horizontal movement, as well as vibration thresholds. If the thresholds are met or exceeded, or noticeable structural damage becomes evident to the project contractor, work shall stop in the area of the affected building until measures have been taken to stabilize the affected building to prevent construction related damage to historic resources.
- All new construction work shall be performed so as not to adversely affect the historic designations surrounding the Project Site. Specifically, this mitigation measure is provided to ensure vibration from construction of the proposed project does not adversely impact nearby buildings, which include the following structures: (a) the Western Costume Building, at 939 S. Broadway. Prior to commencement of construction, a qualified structural engineer shall survey the existing foundations and structures of the nearby buildings listed above, and provide a plan to protect them from potential damage. Pot holing or other destructive testing of below grade conditions on the project site and immediately adjacent historical resources may be necessary to establish baseline conditions and prepare the shoring design. If feasible, the project and shoring designs shall avoid pile driving within twenty-five feet of immediately adjacent historical resources. The shoring design shall specify threshold limits for vibration causing activities.
- The performance standards of the structure monitoring plan shall including the following:

- The qualified structural engineer shall monitor vibration during the pile driving or other vibration-causing construction activities to ensure that the established impact threshold and shoring design is not exceeded. If feasible, alternative means of setting piles such as predrilled holes or hydraulic pile driving shall be employed to avoid exceeding the impact threshold established. At the conclusion of vibration causing activities, the qualified structural engineer shall issue a follow-on letter describing damage, if any, to immediately adjacent historical resources and recommendations for any repair, as may be necessary, in conformance with the Secretary's Standards. Repairs shall be undertaken and completed in conformance with all applicable codes including the California Historical Building Code (Part 8 of Title 24) prior to issuance of any temporary or permanent certificate of occupancy for the new building.
- The structure monitoring program shall be submitted to the Department of Building and Safety and received into the case file for the associated discretionary action permitting the project prior to initiating any construction activities.
- The applicant shall record a covenant on 935 to 947 South Broadway stating that neither a Certificate of Occupancy nor a Temporary Certificate of Occupancy shall be issued for this property for residential or live/work units until either construction has finished at 955 South Broadway or the planning entitlement for Case Number CPC-2014-2947-TDR-ZC-ZV-CDO-SPR has expired, whichever comes first.

XIV-20. Public Services (Police – Demolition/Construction Sites)

-
- Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.

XVI-30. Transportation (Haul Route)

-
- The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- **(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.

XVI-40. Safety Hazards

- Environmental impacts may result from project implementation due to hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses. However, the potential impacts can be mitigated to a less than significant level by the following measure:
- The developer shall install appropriate traffic signs around the site to ensure pedestrian, bicycle, and vehicle safety.
- The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

XVI-80. Transportation/Traffic

- The project will result in impacts to transportation and/or traffic systems. However, the impact can be reduced to a less than significant level through compliance with the following measure(s):
- Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc.) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.
- Temporary pedestrian facilities should be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.
- Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.
- Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.
- The existing Metro bus stop on Olympic Boulevard along the south side of the project site, shall be maintained or relocated during the construction and operation phase of the project, consistent with the needs of Metro Bus Operations. The applicant shall provide an approved relocation plan prior to issuance of permits.

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY
and CHECKLIST
(CEQA Guidelines Section 15063)

LEAD CITY AGENCY: City of Los Angeles		COUNCIL DISTRICT: CD 14 - JOSE HUIZAR	DATE:
RESPONSIBLE AGENCIES: Department of City Planning			
ENVIRONMENTAL CASE: ENV-2014-2948-MND	RELATED CASES: CPC-2014-2947-TDR-ZC-ZV-CDO-SPR		
PREVIOUS ACTIONS CASE NO.:	<input type="checkbox"/> Does have significant changes from previous actions. <input type="checkbox"/> Does NOT have significant changes from previous actions		
PROJECT DESCRIPTION: NEW 15-STORY MIXED-USE BUILDING CONSISTING OF 184,705 SQ FT OF FLOOR AREA.			
ENV PROJECT DESCRIPTION: <p>The project site contains three parcels with a total lot area of 20,663 square feet (0.47 acres). The site is zoned [Q]C2-4D-CDO with a General Plan Land Use Designation of Regional Center Commercial. The site is located within the Central City Community Plan and the Broadway Community Design Overlay (CDO). The site is bounded by Broadway to the east, Olympic Boulevard to the south, Blackstone Court (alley) to the west, and the Western Costume Building (a contributor to the Broadway Theatre and Commercial National Historic District) to the north. The project site currently is improved with a surface parking lot that takes access from Broadway, Olympic Boulevard, and Blackstone Court. The project includes the demolition of the existing surface parking lot and the construction of a mixed-use development consisting of a 15 story building with 163 residential condominium units and 4,720 square feet of ground floor retail. A total of 219 vehicle parking spaces and 186 bicycle parking spaces will be provided at grade and in four subterranean levels. The proposed project consists of a total of 184,705 square feet of floor area. The project would export approximately 31,055 square feet of dirt.</p> <p>The applicant has requested a Transfer of Floor Area Rights (TFAR) of approximately 60,727 square feet; a Zone Change from Ordinance 180,871 to allow portions of the building to project above 150 feet within 30 feet of the building edge and for portions of the building above 150 feet to have less than 30 percent lot coverage; a Vesting Tentative Tract for 163 residential condo units and 6 commercial units; a Variance to locate the long-term bicycle parking spaces throughout the parking levels in lieu of the ground floor; Site Plan Review for a project with 163 residential units and 184,705 square feet of floor area; and a CDO Plan Approval for a mixed-use project in the Broadway Theater and Entertainment District Community Design Overlay.</p>			
ENVIRONMENTAL SETTINGS: <p>The project includes three, flat, rectangular parcels with a combined area of 20,663 square feet. There is a frontage of approximately 124'-6" along the west side of Broadway and 150'-0" along the north side of Olympic Boulevard. The site is located in a Methane Zone and Fire District 1. There are no existing buildings or trees on site, however there are two street trees that could be impacted by the project.</p> <p>The property fronts both Broadway and Olympic Boulevard. Broadway is a designated modified Avenue II with a 80-foot right-of-way with a 56-foot roadway width and a 10-foot sidewalk easement. The property's frontage along Broadway is also subject to the Broadway Streetscape Master Plan. Olympic Boulevard is a Modified Avenue I that is improved with a designated 106-foot right-of-way with a 76 foot roadway and a 16-foot average sidewalk easement. The surrounding properties are zoned [Q]C2-4D-CDO to the north and east, C2-4D-O to the south, and [Q]R5-4D to the west.</p>			
PROJECT LOCATION: 959 S BROADWAY			

COMMUNITY PLAN AREA: CENTRAL CITY STATUS: <input checked="" type="checkbox"/> Does Conform to Plan <input type="checkbox"/> Does NOT Conform to Plan	AREA PLANNING COMMISSION: CENTRAL	CERTIFIED NEIGHBORHOOD COUNCIL: DOWNTOWN LOS ANGELES
EXISTING ZONING: [Q]C2-4D-CDO	MAX. DENSITY/INTENSITY ALLOWED BY ZONING: 6:1 FAR	LA River Adjacent:
GENERAL PLAN LAND USE: REGIONAL CENTER COMMERCIAL	MAX. DENSITY/INTENSITY ALLOWED BY PLAN DESIGNATION: 6:1 FAR	
	PROPOSED PROJECT DENSITY: 8.94:1 FAR	

Determination (To Be Completed By Lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions on the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

City Planning Associate

Title

(213) 978-1165

Phone

Evaluation Of Environmental Impacts:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input checked="" type="checkbox"/> AESTHETICS	<input type="checkbox"/> GREEN HOUSE GAS EMISSIONS	<input type="checkbox"/> POPULATION AND HOUSING
<input type="checkbox"/> AGRICULTURE AND FOREST RESOURCES	<input type="checkbox"/> HAZARDS AND HAZARDOUS MATERIALS	<input checked="" type="checkbox"/> PUBLIC SERVICES
<input type="checkbox"/> AIR QUALITY	<input type="checkbox"/> HYDROLOGY AND WATER QUALITY	<input type="checkbox"/> RECREATION
<input checked="" type="checkbox"/> BIOLOGICAL RESOURCES	<input checked="" type="checkbox"/> LAND USE AND PLANNING	<input checked="" type="checkbox"/> TRANSPORTATION/TRAFFIC
<input checked="" type="checkbox"/> CULTURAL RESOURCES	<input type="checkbox"/> MINERAL RESOURCES	<input type="checkbox"/> UTILITIES AND SERVICE SYSTEMS
<input type="checkbox"/> GEOLOGY AND SOILS	<input checked="" type="checkbox"/> NOISE	<input type="checkbox"/> MANDATORY FINDINGS OF SIGNIFICANCE

INITIAL STUDY CHECKLIST (To be completed by the Lead City Agency)

Background

PROPONENT NAME:

Agoura Oaks, LLC

PHONE NUMBER:

(818) 991-9898

APPLICANT ADDRESS:

5506 Colodny Drive

Agoura, CA

AGENCY REQUIRING CHECKLIST:

Department of City Planning

DATE SUBMITTED:

08/13/2014

PROPOSAL NAME (if Applicable):

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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I. AESTHETICS				
a.	Have a substantial adverse effect on a scenic vista?		✓	
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?		✓	
c.	Substantially degrade the existing visual character or quality of the site and its surroundings?		✓	
d.	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	✓		
II. AGRICULTURE AND FOREST RESOURCES				
a.	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?			✓
b.	Conflict with existing zoning for agricultural use, or a Williamson Act contract?			✓
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?			✓
d.	Result in the loss of forest land or conversion of forest land to non-forest use?			✓
e.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			✓
III. AIR QUALITY				
a.	Conflict with or obstruct implementation of the applicable air quality plan?		✓	
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		✓	
c.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		✓	
d.	Expose sensitive receptors to substantial pollutant concentrations?		✓	
e.	Create objectionable odors affecting a substantial number of people?		✓	
IV. BIOLOGICAL RESOURCES				
a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	✓		
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?		✓	
c.	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			✓
d.	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		✓	
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	✓		
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?		✓	
V. CULTURAL RESOURCES				

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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a.	Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	✓		
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?		✓	
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✓	
d.	Disturb any human remains, including those interred outside of formal cemeteries?		✓	

VI. GEOLOGY AND SOILS

a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.		✓	
b.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Strong seismic ground shaking?		✓	
c.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Seismic-related ground failure, including liquefaction?		✓	
d.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Landslides?		✓	
e.	Result in substantial soil erosion or the loss of topsoil?		✓	
f.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?		✓	
g.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		✓	
h.	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			✓

VII. GREEN HOUSE GAS EMISSIONS

a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?		✓	
b.	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?		✓	

VIII. HAZARDS AND HAZARDOUS MATERIALS

a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		✓	
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		✓	
c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?		✓	
d.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?		✓	
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			✓
f.	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			✓
g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		✓	

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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h.	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				✓
IX. HYDROLOGY AND WATER QUALITY					
a.	Violate any water quality standards or waste discharge requirements?			✓	
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			✓	
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			✓	
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			✓	
e.	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			✓	
f.	Otherwise substantially degrade water quality?			✓	
g.	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓
h.	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				✓
i.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			✓	
j.	Inundation by seiche, tsunami, or mudflow?			✓	
X. LAND USE AND PLANNING					
a.	Physically divide an established community?				✓
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?		✓		
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?			✓	
XI. MINERAL RESOURCES					
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b.	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✓
XII. NOISE					
a.	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		✓		
b.	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?		✓		
c.	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
d.	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓
f.	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓
XIII. POPULATION AND HOUSING					
a.	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	
b.	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			✓	
c.	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?			✓	
XIV. PUBLIC SERVICES					
a.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection?			✓	
b.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Police protection?		✓		
c.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Schools?			✓	
d.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Parks?			✓	
e.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Other public facilities?			✓	
XV. RECREATION					
a.	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			✓	
b.	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			✓	
XVI. TRANSPORTATION/TRAFFIC					
a.	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?		✓		

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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b.	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			✓	
c.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓
d.	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		✓		
e.	Result in inadequate emergency access?			✓	
f.	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities supporting alternative transportation (e.g., bus turnouts, bicycle racks)?		✓		

XVII. UTILITIES AND SERVICE SYSTEMS

a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			✓	
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	
c.	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			✓	
e.	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✓	
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			✓	
g.	Comply with federal, state, and local statutes and regulations related to solid waste?			✓	

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

a.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			✓	
b.	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			✓	
c.	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			✓	

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

DISCUSSION OF THE ENVIRONMENTAL EVALUATION (Attach additional sheets if necessary)

The Environmental Impact Assessment includes the use of official City of Los Angeles and other government source reference materials related to various environmental impact categories (e.g., Hydrology, Air Quality, Biology, Cultural Resources, etc.). The State of California, Department of Conservation, Division of Mines and Geology - Seismic Hazard Maps and reports, are used to identify potential future significant seismic events; including probable magnitudes, liquefaction, and landslide hazards. Based on applicant information provided in the Master Land Use Application and Environmental Assessment Form, impact evaluations were based on stated facts contained therein, including but not limited to, reference materials indicated above, field investigation of the project site, and any other reliable reference materials known at the time.

Project specific impacts were evaluated based on all relevant facts indicated in the Environmental Assessment Form and expressed through the applicant's project description and supportive materials. Both the Initial Study Checklist and Checklist Explanations, in conjunction with the City of Los Angeles's Adopted Thresholds Guide and CEQA Guidelines, were used to reach reasonable conclusions on environmental impacts as mandated under the California Environmental Quality Act (CEQA).

The project as identified in the project description may cause potentially significant impacts on the environment without mitigation. Therefore, this environmental analysis concludes that a Mitigated Negative Declaration shall be issued to avoid and mitigate all potential adverse impacts on the environment by the imposition of mitigation measures and/or conditions contained and expressed in this document; the environmental case file known as **ENV-2014-2948-MND** and the associated case(s),

CPC-2014-2947-TDR-ZC-ZV-CDO-SPR. Finally, based on the fact that these impacts can be feasibly mitigated to less than significant, and based on the findings and thresholds for Mandatory Findings of Significance as described in the California Environmental Quality Act, section 15065, the overall project impact(s) on the environment (after mitigation) will not:

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

ADDITIONAL INFORMATION:

All supporting documents and references are contained in the Environmental Case File referenced above and may be viewed in the EIR Unit, Room 763, City Hall.

For City information, addresses and phone numbers: visit the City's website at <http://www.lacity.org> ; City Planning - and Zoning Information Mapping Automated System (ZIMAS) cityplanning.lacity.org/ or EIR Unit, City Hall, 200 N Spring Street, Room 763.

Seismic Hazard Maps - <http://gmw.consrv.ca.gov/shmp/>

Engineering/Infrastructure/Topographic Maps/Parcel Information - <http://boemaps.eng.ci.la.ca.us/index01.htm> or

City's main website under the heading "Navigate LA".

PREPARED BY:	TITLE:	TELEPHONE NO.:	DATE:
Jennifer Cairra	City Planning Associate	(213) 978-1165	12/22/2015

Impact?	Explanation	Mitigation Measures
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APPENDIX A: ENVIRONMENTAL IMPACTS EXPLANATION TABLE

I. AESTHETICS

a.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if a project were to introduce incompatible scenic elements within a field of view containing a scenic vista or substantially block views of a scenic vista. The Project Site is located in the Central City (or downtown) community of the City of Los Angeles (the City). The existing visual character of the surrounding locale is typical of a dense urban area with multi-story buildings along Broadway and Olympic Boulevard. Views in the vicinity of the Project Site are largely constrained by structures on adjacent parcels, and the area's relatively flat topography. An urban canyon effect (i.e. the tall buildings along either side of the street create a focal point far down the street) constrains views in the vicinity. There are no tall or topographic features on the Project Site from which scenic vistas may be obtained, or which make up part of the scenic landscape of the surrounding community. At the street level, views are limited and any potential points of visual interest in the area are the decorative facades (typically on the first floor and top level below the roof) on many of the multi-story buildings along Broadway, which would not be obscured by the Project. As there are no designated scenic vistas in the local area, the Project will not substantially block scenic vistas, and impacts will be less than significant.	
b.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur only if scenic resources would be damaged or removed by a project within a designated scenic highway. The Project Site is not located within or along a designated scenic highway, corridor, or parkway. Therefore impacts are less than significant.	
c.	LESS THAN SIGNIFICANT IMPACT	The project proposes the construction of a new 15-story mixed-use building on a site that is currently developed with a surface parking lot. The project site is located adjacent to the Broadway Theater and Commercial District, a National Register Historic District and within the Broadway CDO. The Broadway Theater and Commercial District contains	

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approximately seventy contributing resources built between 1894 and 1931 in a variety of architectural styles. It primarily features large office buildings, department stores, and theaters of one to twelve stories, with a fairly even 150'-0" streetwall interspersed with surface parking lots. The project site is located in an urbanized and fully developed portion of the City and the site acts as a transition from the historic district to the South Park neighborhood, which is characterized by more modern developments. The project has frontages on Broadway and Olympic Boulevard. Broadway has a fairly consistent streetwall and architectural style. Olympic Boulevard at this location ranges from one story commercial buildings to mid-rise residential and commercial buildings and is lacking in a consistent fabric. Buildings along Broadway have historically been commercial in nature and therefore projecting balconies are typically not found. The project as proposed contains recessed balconies along Broadway and projecting balconies along Olympic Boulevard. The row of projecting balconies with transparent metal railings at the north end of the Broadway façade mimic the fire escapes that are present on many historic buildings along Broadway. A significant impact may occur if a project were to introduce incompatible visual elements on the Project Site or visual elements that would be incompatible with the character of the area surrounding the Project Site. The incompatible elements are mitigated in Cultural Resources -Section V.a in order to ensure that the Broadway façade of the project does not introduce any incongruous design elements, thus insuring aesthetic impacts will be less than significant. According to the City of Los Angeles CEQA Thresholds Guide, shade and shadow impacts are considered significant when they cover shadow-sensitive uses for a substantial amount of time (three to four hours depending on the time of the year). The only shadow-sensitive use near the project site is the roof deck at the Ace Hotel. The Shade/Shadow analysis prepared by Solargy, Inc. shows that the proposed project would not cast shadows that affect shade-sensitive uses for more than three consecutive hours between

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		9:00 a.m. and 3:00 p.m. from late October to early April, or any time between 9:00 a.m. and 5:00 p.m. from early April to late October. Therefore, impacts related to shade and shadow would be less than significant.	
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project proposes the construction of a new 15-story mixed-use building on a site that is currently developed with a surface parking lot. As such, sources of light or glare on the upper levels of the structure may have an impact on the residential uses adjacent to or in close proximity to the structure. However, mitigation measures will reduce impacts to a less than significant level.	I-120, I-130 The attached mitigation measures will ensure any potential impacts due to light or glare are reduced to a less than significant level.

II. AGRICULTURE AND FOREST RESOURCES

a.	NO IMPACT	A significant impact would occur if the proposed project would convert valued farmland to non-agricultural uses. The project site is partially developed with a surface parking lot. No Farmland, agricultural uses, or related operations are present within the project site or surrounding area. Due to its urban setting, the project site and surrounding area are not included in the Farmland Mapping and Monitoring Program of the California Resources Agency. Therefore, the proposed project would not convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, and no impact would occur.	
b.	NO IMPACT	A significant impact would occur if the proposed project conflicted with existing agricultural zoning or agricultural parcels enrolled under the Williamson Act. The project site is not zoned for agricultural use or under a Williamson Contract. The project site is currently zoned C2-4D. As the project site and surrounding area do not contain farmland of any type, the proposed project would not conflict with a Williamson Contract. Therefore, no impacts would occur.	
c.	NO IMPACT	A significant impact would occur if the proposed project conflicted with existing zoning or caused rezoning of forest land or timberland, or result in the loss of forest land or in the conversion of forest land to non-forest use. The project site and the surrounding area are not zoned for forest land or timberland. As identified	

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		above, the project site is currently zoned C2-4D. Accordingly, the proposed project would not conflict with forest land or timberland zoning or result in the loss of forest land or conversion of forest land to non-forest use. Therefore, no impact would occur.	
d.	NO IMPACT	A significant impact would occur if the proposed project conflicted with existing zoning or caused rezoning of forest land or timberland, or result in the loss of forest land or in the conversion of forest land to non-forest use. The project site and the surrounding area are not zoned for forest land or timberland. As identified above, the project site is currently zoned C2-4D. Accordingly, the proposed project would not conflict with forest land or timberland zoning or result in the loss of forest land or conversion of forest land to non-forest use. Therefore, no impact would occur.	
e.	NO IMPACT	A significant impact would occur if the proposed project caused the conversion of farmland to non-agricultural use. The project site does not contain farmland, forestland, or timberland. Therefore, no impacts would occur.	

III. AIR QUALITY

a.	LESS THAN SIGNIFICANT IMPACT	A significant air quality impact may occur if the Proposed Project is not consistent with the applicable Air Quality Management Plan (AQMP) or would in some way represent a substantial hindrance to employing the policies or obtaining the goals of that plan. In the case of projects proposed within the City of Los Angeles or elsewhere in the South Coast Air Basin (Basin), the applicable plan is the Air Quality Management Plan (AQMP), which is prepared by the South Coast Air Quality Management District (SCAQMD). The SCAQMD is the agency principally responsible for comprehensive air pollution control in the Basin. To that end, the SCAQMD, a regional agency, works directly with the Southern California Association of Governments (SCAG), county transportation commissions, local governments, and cooperates actively with all State and federal government agencies. The SCAQMD develops rules and regulations, establishes permitting requirements, inspects emissions sources, and enforces such measures through educational programs or fines,	
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when necessary. The SCAQMD is directly responsible for reducing emissions from stationary (area and point), mobile, and indirect sources. It has responded to this requirement by preparing a series of AQMPs. The most recent AQMP was adopted by the Governing Board of the SCAQMD on June 1, 2007. The 2007 AQMP was prepared to comply with the federal and State Clean Air Acts and amendments, to accommodate growth, to reduce the high levels of pollutants in the Basin, to meet federal and State air quality standards, and to minimize the fiscal impact that pollution control measures have on the local economy. Projects that are consistent with the projections of employment and population forecasts identified in the Growth Management Chapter of the Regional Comprehensive Plan (RCP) are considered consistent with the AQMP growth projections, since the Growth Management Chapter forms the basis of the land use and transportation control portions of the AQMP. As discussed in Question 13(a), the project is consistent with the regional growth projections for the Los Angeles Subregion and is consistent with the smart growth policies of the RCP and Compass Vision Strategies to increase housing density within close proximity to transit stations. The proposed project's mixed-use nature and proximity to a regional transit station result in fewer trips and a reduction to the proposed project's vehicle miles traveled (VMTs) as compared to the base trip rates assigned to multi-family residential uses that are not in mixed-use developments or located in proximity to transit. Thus, the proposed project would not impair implementation of the AQMP, and this impact would be less than significant.

b. LESS THAN SIGNIFICANT IMPACT

An Air Quality Impact Report was prepared by Parker Environmental Consultants and is dated September 17, 2015. Based on the L.A. CEQA Thresholds Guide, a project may have a significant impact where project-related emissions would exceed federal, State, or regional standards or thresholds, or where project-related emissions would substantially contribute to an existing or projected air quality violation. The City of Los Angeles defers to the SCAQMD's

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thresholds of significance for determining project impacts upon air quality. For purposes of analyzing impacts associated with air quality during construction, the analysis assumed a conservative construction schedule of approximately 30 months. Construction activities associated with the Proposed Project would be undertaken in five main steps: (1) site clearing, (2) excavation, grading and foundations and (3) building construction, (4) paving, and (5) architectural coating/finishing. These construction activities would temporarily create emissions of dusts, fumes, equipment exhaust, and other air contaminants at various stages of construction. The analysis of daily construction emissions was prepared utilizing the California Emissions Estimator Model (CalEEMod) as recommended by the SCAQMD. These calculations assume that appropriate dust control measures would be implemented as part of the Proposed Project during each phase of development, as required and regulated by SCAQMD. The project will also be subject to regulatory compliance measures such as the fugitive dust requirements of SCAQMD District Rule 403, the commercial vehicle idling restrictions of Section 2485 of Title 13 in the California Code of Regulations, the fuel and emissions requirements of Section 93115 in Title 17 of the California Code of Regulations and SCAQMD Rule 1113's limitations on volatile organic compounds in architectural coatings. As demonstrated in the Air Quality Impact Report, construction-related daily emissions associated with the Proposed Project would not exceed any regional SCAQMND significance thresholds for criteria pollutants during the construction phases. Therefore, construction impacts are considered to be less than significant. Project operational emissions would be generated by both stationary and mobile sources would result from normal day-to-day activities of the Proposed Project. The project will be subject to regulatory compliance measures such as emission control measures required by SCAQMD District Regulation XIII, New Source Review, and the energy efficiency requirements of the L.A. Green Building Code. The average daily emissions

Impact?	Explanation	Mitigation Measures
	<p>generated by operational uses of the Proposed Project were estimated utilizing the California Emissions Estimator Model (CalEEMod), as shown in the Air Quality Impact Report. The Proposed Project's net operational emissions would not exceed the regional thresholds of significance set by the SCAQMD. Therefore operational impacts would be less than significant.</p>	
c. LESS THAN SIGNIFICANT IMPACT	<p>Based on the L.A. CEQA Thresholds Guide, a significant impact may occur if a project adds a considerable cumulative contribution to federal or State non-attainment pollutants. As the Basin is currently in State non-attainment for ozone, PM10 and PM2.5, related projects could exceed an air quality standard or contribute to an existing or projected air quality exceedance. In regards to determining the significance of the Project contribution, the SCAQMD neither recommends quantified analyses of construction and/or operational emissions from multiple development projects nor provides methodologies or thresholds of significance to be used to assess the cumulative emissions generated by multiple cumulative projects. Instead, the SCAQMD recommends that a project's potential contribution to cumulative impacts should be assessed utilizing the same significance criteria as those for project specific impacts. Furthermore, SCAQMD states that if an individual development project generates less than significant construction or operational emissions, then the development project would not generate a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment. As discussed under Question (b) above, the Project would not generate construction or operational emissions that exceed the SCAQMD's recommended regional thresholds of significance. Therefore, the Proposed Project would not generate a cumulatively considerable increase in emissions of the pollutants for which the Basin is in nonattainment, and impacts would be less than significant.</p>	

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d.	LESS THAN SIGNIFICANT IMPACT	<p>Based on the L.A. CEQA Thresholds Guide, a significant impact may occur if a project were to generate pollutant concentrations to a degree that would significantly affect sensitive receptors. The SCAQMD identifies the following as sensitive receptors: long-term health care facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, child care centers, and athletic facilities. The SCAQMD has developed localized significance thresholds (LSTs) for each of SCAQMD's 38 source receptor areas (SRA) at various distances from the source of emissions. The Project Site is located within SRA 1, which covers the Central Los Angeles area. The nearest sensitive receptors that could potentially be subject to localized air quality impacts associated with construction of the Proposed Project include hotel land uses. Per the Air Quality Impact Report, peak daily emissions generated within the Project Site during construction activities for each phase would not exceed the applicable construction LSTs for an approximate 0.46-acre site in SRA 1 for PM2.5 and PM10 for the site clearing and grading phases. These calculations assume that appropriate dust control measures would be implemented as part of the Proposed Project during each phase of development, as required by SCAQMD Rule 403 - Fugitive Dust. Specific Rule 403 control requirements include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the Project Site, and maintaining effective cover over exposed areas. Therefore, with implementation of the regulatory code compliance measures identified above, localized air quality impacts from construction activities on the off-site sensitive receptors would be reduced to less than significant. With regard to localized emissions from motor vehicle travel, the SCAQMD suggests conducting a CO hotspots analysis for any intersection where a project would worsen the Level of Service (LOS) to any</p>
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Impact?	Explanation	Mitigation Measures
	<p>level below C, and for any intersection rated D or worse where the project would increase the V/C ratio by two percent or more. Based on a review of the Project's Traffic Impact Study, all ten study intersections are estimated to operate at LOS C or better under the Existing Plus Project (2013) conditions and no significant traffic impacts would occur. Therefore, no further analysis for CO hotspots is warranted and localized operational emissions would be less than significant.</p>	
<p>e. LESS THAN SIGNIFICANT IMPACT</p>	<p>A significant impact may occur if objectionable odors adversely impact sensitive receptors. Odors are typically associated with industrial projects involving the use of chemicals, solvents, petroleum products, and other strong-smelling elements used in manufacturing processes, as well as sewage treatment facilities and landfills. As the proposed project involves no elements related to these types of activities, no odors from these types of uses are anticipated. Garbage collection areas for the proposed project would be covered and situated away from the property line and sensitive uses. Good housekeeping practices would be sufficient to prevent nuisance odors. In addition, SCAQMD Rule 402 (Nuisance), and SCAQMD Best Available Control Technology Guidelines would limit potential objectionable odor impacts during the proposed project's long-term operations phase. Therefore, potential operational odor impacts would be less than significant. During the construction phase, activities associated with the application of architectural coatings and other interior and exterior finishes may produce discernible odors typical of most construction sites. Such odors would be a temporary source of nuisance to adjacent uses, SCAQMD Rules 1108 and 1113 limit the amount of volatile organic compounds from cutback asphalt and architectural coatings and solvents, respectively. Based on mandatory compliance with SCAQMD Rules, no construction activities or materials that would create a significant level of objectionable odors are proposed. Therefore, impacts associated with objectionable odors would be less than significant.</p>	

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IV. BIOLOGICAL RESOURCES

a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	<p>A project would have a significant biological impact through the loss or destruction of individuals of a species or through the degradation of sensitive habitat. The project site is located in a highly urbanized area in Downtown. The project site is currently improved with a surface parking lot that does not include any vegetation on the project site. However, adjacent to the project site within the sidewalk is one street tree on Broadway and one street tree on Olympic Boulevard. The street trees are proposed to be removed and replaced. Nesting birds are protected under the Federal Migratory Bird Treaty Act (MBTA) (Title 33, United States Code, Section 703 et seq., see also Title 50, Code of Federal Regulation, Part 10) and Section 3503 of the California Department of Fish and Game Code. Thus, the project applicant shall comply with the mitigation measures to ensure that no significant impacts to nesting birds or sensitive biological species or habitat would occur with removal of the trees. Therefore, with mitigation, the impacts would be reduced to less than significant.</p>	<p>IV-20 The attached mitigation measure will ensure any potential impacts to nesting birds in the street trees to be removed will be reduced to a less than significant level.</p>
b.	LESS THAN SIGNIFICANT IMPACT	<p>A significant impact would occur if any riparian habitat or natural community would be lost or destroyed as a result of urban development. The project site does not contain any riparian habitat and does not contain any streams or water courses necessary to support riparian habitat. Therefore, the proposed project would not have any significant effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife (CDFW) or the United States Fish and Wildlife Services (USFWS), and impacts would be less than significant.</p>	
c.	NO IMPACT	<p>A significant impact would occur if federally protected wetlands would be modified or removed by a project. The project site does not contain any federally protected wetlands, wetland resources, or other waters of the United States as defined by Section 404 of the Clean Water Act. The project site is located in a</p>	

Impact?	Explanation	Mitigation Measures
	highly urbanized area and is developed with a surface parking lot. Therefore, the proposed project would not have any effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means, and no impacts would occur.	
d. LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project would interfere with, or remove access to, a migratory wildlife corridor or impede use of native wildlife nursery sites. Due to the highly urbanized nature of the project site and surrounding area, the lack of a major water body, and the limited number of trees, the project site does not support habitat for native resident or migratory species or contain native nurseries. Therefore, the proposed project would not interfere with wildlife movement or impede the use of native wildlife nursery sites, and impacts would be less than significant.	
e. POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	A significant impact would occur if the proposed project would be inconsistent with local regulations pertaining to biological resources. The proposed project would not conflict with any policies or ordinances protecting biological resources, such as the City of Los Angeles Protected Tree Ordinance (No. 177,404). The project site does not contain locally-protected biological resources, such as oak trees, Southern California black walnut, western sycamore, and California bay trees. The proposed project would be required to comply with the provisions of the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code (CFGF). Both the MBTA and CFGF protects migratory birds that may use trees on or adjacent to the project site for nesting, and may be disturbed during construction of the proposed project. The project will remove two unprotected street trees however. One tree is located on Broadway, and one tree is located on Olympic Boulevard. Incorporation of the attached mitigation measure for tree removal in the public right-of-way will ensure any potential impacts are mitigated to a	IV-90 The attached mitigation measure requiring Urban Forestry coordination for removal of street trees will reduce impacts to less than significant.

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		less than significant level.	
f.	LESS THAN SIGNIFICANT IMPACT	The project site and its vicinity are not part of any draft or adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan. Therefore, the proposed project would not conflict with the provisions of any adopted conservation plan, and impacts would be less than significant.	

V. CULTURAL RESOURCES

a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	<p>A Historic Resource Assessment and Impacts Analysis was prepared by Chattel, Inc. and is dated September 28, 2015. The project proposes the construction of a new 15-story mixed-use building on a site that is currently developed with a surface parking lot. The project site is located adjacent to the Broadway Theater and Commercial District, a National Register Historic District. Adjacent to the site to the north, at 939 South Broadway, is the Western Costume Building, a contributor to the historic district. The Broadway Theater and Commercial District contains approximately seventy contributing resources built between 1894 and 1931 in a variety of architectural styles. It primarily features large office buildings, department stores, and theaters of one to twelve stories, with a fairly even 150'-0" streetwall interspersed with surface parking lots. There are no historical resources on the project site, and the primary concern is whether there are impacts on adjacent resources, including the historic district. Buildings along Broadway have historically been commercial in nature and therefore projecting balconies are typically not found. The project as proposed contains recessed balconies along Broadway and projecting balconies along Olympic Boulevard. The row of projecting balconies with transparent metal railings at the north end of the Broadway façade mimic the fire escapes that are present on many historic buildings along Broadway. A significant impact may occur if a project were to introduce incompatible visual elements on the Project Site or</p>	<p>V-50 The attached mitigation will ensure the building is compatible with nearby historic resources.</p>
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Impact?	Explanation	Mitigation Measures
	<p>visual elements that would be incompatible with the character of the area surrounding the Project Site. The incompatible elements are mitigated with the attached mitigation regarding balconies in order to ensure that the Broadway façade of the project does not introduce any incongruous design elements, thus insuring aesthetic impacts will be less than significant. Projects that are in conformance with the Secretary of Interior's Standards are generally considered mitigated to a less than significant level under CEQA. The proposed project is found to conform with the Secretary's Standards, although it has the potential to cause direct and indirect impacts to identified historical resources. It is anticipated that these impacts would be reduced to a less than significant level by incorporation of mitigation measures for aesthetics and temporary groundborne vibration impacts during construction.</p>	
b. LESS THAN SIGNIFICANT IMPACT	<p>A significant impact would occur if a known or unknown archaeological resource would be removed, altered, or destroyed as a result of the proposed development. Section 15064.5 of the State CEQA Guidelines defines significant archaeological resources as resources that meet the criteria for historical resources or resources that constitute unique archaeological resources. A project-related significant impact could occur if a project would significantly affect archaeological resources that fall under either of these categories. If archaeological resources are discovered during excavation, grading, or construction activities, work shall cease in the area of the find until a qualified archaeologist has evaluated the find in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. Personnel of the proposed Modified Project shall not collect or move any archaeological materials and associated materials. Construction activity may continue unimpeded on other portions of the Project site. The found deposits would be treated in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2.</p>	

Impact?	Explanation	Mitigation Measures
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		Therefore, the impact would be less than significant.	
c.	LESS THAN SIGNIFICANT IMPACT	<p>A significant impact would occur if excavation or construction activities associated with the proposed project would disturb paleontological or unique geological features. If paleontological resources are discovered during excavation, grading, or construction, the City of Los Angeles Department of Building and Safety shall be notified immediately, and all work shall cease in the area of the find until a qualified paleontologist evaluates the find. Construction activity may continue unimpeded on other portions of the Project site. The paleontologist shall determine the location, the time frame, and the extent to which any monitoring of earthmoving activities shall be required. The found deposits would be treated in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. Therefore, the impact would be less than significant.</p>	
d.	LESS THAN SIGNIFICANT IMPACT	<p>A significant impact would occur if previously interred human remains would be disturbed during excavation of the project site. Human remains could be encountered during excavation and grading activities associated with the proposed project. While no formal cemeteries, other places of human interment, or burial grounds or sites are known to occur within the project area, there is always a possibility that human remains can be encountered during construction. If human remains are encountered unexpectedly during construction demolition and/or grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to California Public Resources Code (PRC) Section 5097.98. If human remains of Native American origin are discovered during project construction, compliance with state laws, which fall within the jurisdiction of the Native American Heritage Commission (NAHC) (Public Resource Code Section 5097), relating to the disposition of Native American burials will be adhered to. Therefore, the impact</p>	

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would be less than significant.

VI. GEOLOGY AND SOILS

a.	LESS THAN SIGNIFICANT IMPACT	<p>A significant impact would occur if the proposed project would cause personal injury or death or result in property damage as a result of a fault rupture occurring on the project site and if the project site is located within a State-designated Alquist-Priolo Zone or other designated fault zone. According to the California Department of Conservation Special Studies Zone Map, the project site is not located within an Alquist-Priolo Special Studies Zone or Fault Rupture Study Area. The proposed project would not expose people or structures to potential adverse effects resulting from the rupture of known earthquake faults. The Alquist-Priolo Earthquake Fault Zoning Act is intended to mitigate the hazard of surface fault rupture on structures for human occupancy. Therefore, impacts would be less than significant.</p>	
b.	LESS THAN SIGNIFICANT IMPACT	<p>A significant impact would occur if the proposed project would cause personal injury or death or resulted in property damage as a result of seismic ground shaking. The entire Southern California region is susceptible to strong ground shaking from severe earthquakes. Seismic activities associated with a number of nearby faults (e.g., Hollywood, Raymond, Verdugo, Newport-Inglewood, Santa Monica, Sierra Madre, and San Andreas Faults), as well as blind thrust faults (e.g., Elysian Park, Puente Hills, and Compton). Consequently, development of the proposed project could expose people and structures to strong seismic ground shaking. However, the proposed project would be designed and constructed in accordance with State and local building codes to reduce the potential for exposure of people or structures to seismic risks to the maximum extent possible. The proposed project would be required to comply with the California Department of Conservation, Division of Mines and Geology (CDMG) Special Publications 117, Guidelines for Evaluating and Mitigating Seismic Hazards in California (2008), which provides guidance for the evaluation and mitigation of earthquake-related hazards, and with the</p>	

Impact?	Explanation	Mitigation Measures
	seismic safety requirements in the Uniform Building Code (UBC) and the LAMC. Compliance with such requirements would reduce seismic ground shaking impacts to the maximum extent practicable with current engineering practices. Therefore, impacts related to strong seismic ground shaking would be less than significant.	
c. LESS THAN SIGNIFICANT IMPACT	Based upon the criteria established in the City of Los Angeles CEQA Thresholds Guide, a significant impact may occur if a proposed project site is located within a liquefaction zone. Liquefaction is the loss of soil strength or stiffness due to a buildup of pore-water pressure during severe ground shaking. This site is not located in the California Department of Conservation's Seismic Hazard Zones Map, and the project site is not located within a liquefaction zone. Therefore, impacts related to seismic-related ground failure, including liquefaction, would be less than significant.	
d. LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project would be implemented on a site that would be located in a hillside area with unstable geological conditions or soil types that would be susceptible to failure when saturated. According to the California Department of Conservation, Division of Mines and Geology, the Seismic Hazard Zones Map for the Hollywood Quadrangle shows the project site is not located within a landslide hazard zone. The project site and surrounding area are relatively flat. Therefore, the proposed project would not expose people or structures to potential effects resulting from landslides, and impacts would be less than significant.	
e. LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if construction activities or future uses would result in substantial soil erosion or loss of topsoil. Construction of the proposed project would result in ground surface disturbance during site clearance, excavation, and grading, which could create the potential for soil erosion to occur. In addition, excavation activities would be necessary to accommodate the proposed project, which would include four subterranean levels of parking. Construction activities would be performed in accordance with the requirements of the Los Angeles Building	

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		Code and the Los Angeles Regional Water Quality Control Board (LARWQBC) through the City's Stormwater Management Division. In addition, the proposed project would be required to develop a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP would require implementation of an erosion control plan to reduce the potential for wind or waterborne erosion during the construction process. In addition, all onsite grading and site preparation would comply with applicable provisions of Chapter IX, Division 70 of the LAMC, and conditions imposed by the City of Los Angeles Department of Building and Safety's Soils Report Approval Letter. Therefore, a less than significant impact would occur with respect to erosion or loss of topsoil.	
f.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if any unstable geological conditions would result in any type of geological failure, including lateral spreading, off-site landslides, liquefaction, or collapse. Development of the proposed project would not have the potential to expose people and structures to seismic-related ground failure, including liquefaction and landslide. Subsidence and ground collapse generally occur in areas with active groundwater withdrawal or petroleum production. The extraction of groundwater or petroleum from sedimentary source rocks can cause the permanent collapse of the pore space previously occupied by the removed fluid. The project site is not identified as being located in an oil field or within an oil drilling area. The proposed project would be required to implement standard construction practices that would ensure that the integrity of the project site and the proposed structures is maintained. Construction will be required by the Department of Building and Safety to comply with the City of Los Angeles Uniform Building Code (UBC) which is designed to assure safe construction and includes building foundation requirements appropriate to site conditions. With the implementation of the Building Code requirements and the Department of Building and Safety's Soils Report Approval Letter when issued, the potential for landslide lateral spreading, subsidence, liquefaction or collapse would	

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		be less-than-significant.	
g.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project would be built on expansive soils without proper site preparation or design features to provide adequate foundations for project buildings, thus, posing a hazard to life and property. Expansive soils have relatively high clay mineral and expand with the addition of water and shrink when dried, which can cause damage to overlying structures. Soils on the project site may have the potential to shrink and swell resulting from changes in the moisture content. However, the proposed project would be required to comply with the requirements of the UBC, LAMC, and other applicable building codes. Compliance with such requirements would reduce impacts related to expansive soils, and impacts would be less than significant.	
h.	NO IMPACT	A project would cause a significant impact if adequate wastewater disposal is not available. The project site is located in a highly urbanized area, where wastewater infrastructure is currently in place. The proposed project would connect to existing sewer lines that serve the project site and would not use septic tanks or alternative wastewater disposal systems. Therefore, no impact would occur.	

VII. GREEN HOUSE GAS EMISSIONS

a.	LESS THAN SIGNIFICANT IMPACT	A Greenhouse Gas Emissions Impact Report was prepared by Parker Environmental Consultants and is dated September 17, 2015. A significant impact would occur if the Project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. The City of Los Angeles L.A. Green Building Code (Ordinance No. 181480), which incorporates applicable provisions of the CALGreen Code, and in some cases outlines more stringent GHG reduction measures available to development projects in the City of Los Angeles is consistent with statewide goals and policies in place for the reduction of greenhouse gas emissions, including AB 32 and the corresponding Scoping Plan. Among the many GHG reduction measures outlined later in this Section, the L.A. Green Building Code requires projects to achieve a 20 percent reduction	
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Impact?	Explanation	Mitigation Measures
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		<p>in potable water use and wastewater generation, meet and exceed Title 24 Standards adopted by the California Energy Commission on December 17, 2008, and meet 50 percent construction waste recycling levels. New development Projects are required to comply with the L.A. Green Building Code, and therefore are generally considered consistent with statewide GHG-reduction goals and policies, including AB 32. A significant impact would occur if the Project requests certain variances or deviations from the building Code that would result in increased GHG emissions. No such requests are being sought by the Proposed Project. The Proposed Project's emissions were estimated using CalEEMod for two scenarios: (1) the project without the enhanced energy conservation measures mandated by the L.A. Green Building Code, and (2) the project with mitigation measures to effectively estimate the net benefit of code compliance measures in terms of a reduction in GHG emissions. The net increase in GHG emissions generated by the Proposed Project under the Project Without GHG Reduction Measures would be 2,705.16 CO₂e MTY. The Project With GHG Reduction Measures scenario would result in a net increase of 2,238.04 CO₂e MTY, a reduction of approximately 17 percent. While no GHG thresholds have been adopted the project will be in compliance with the Green Building Code and will be below SCAQMD's proposed (but not adopted) threshold of 3,000 CO₂e MTY for mixed-use projects. Notwithstanding this less than significant impact, mitigation measures to further reduce greenhouse gas emissions are attached. Therefore, the Project's GHG emissions will be less than significant.</p>	
b.	LESS THAN SIGNIFICANT IMPACT	<p>Although not specified in the L.A. CEQA Thresholds Guide, a significant impact would occur if the Proposed Project would conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The Proposed Project will comply with the City of Los Angeles' Green Building Ordinance standards that reduce emissions beyond the "Business-as-Usual" scenario, and are consistent with the AB 32 Scoping Plan's recommendation for communities to adopt</p>	

Impact?	Explanation	Mitigation Measures
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building codes that go beyond the State's codes. As described above and in Question (a), the Proposed Project would be consistent with local and statewide goals and policies aimed at reducing the generation of GHGs, including CARB's AB 32 Scoping Plan aimed at achieving 1990 GHG emission levels by 2020. Therefore, the Project's generation of GHG emissions would not make a project-specific or cumulatively considerable contribution to conflicting with an applicable plan, policy or regulation for the purposes of reducing the emissions of greenhouse gases and, the Proposed Project's impact would be less than significant.

VIII. HAZARDS AND HAZARDOUS MATERIALS

a. LESS THAN SIGNIFICANT IMPACT

A significant impact would occur if the proposed project would create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Construction of the proposed project would involve the temporary use of potentially hazardous materials, including vehicle fuels, oils, and transmission fluids. Operation of the project would involve the limited use and storage of common hazardous substances typical of those used in multi-family residential and retail/commercial developments, including lubricants, paints, solvents, custodial products (e.g., cleaning supplies), pesticides and other landscaping supplies, and vehicle fuels, oils, and transmission fluids. No industrial uses or activities are proposed that would result in the use or discharge of unregulated hazardous materials and/or substances, or create a public hazard through transport, use, or disposal. As a residential and retail/commercial development, the proposed project would not involve large quantities of hazardous materials that would require routine transport, use, or disposal. With compliance to applicable standards and regulations and adherence to manufacturer's instructions related to the transport, use, or disposal of hazardous materials, the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous

Impact?	Explanation	Mitigation Measures
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		materials, and impacts would be less than significant.	
b.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project created a significant hazard to the public or environment due to a reasonably foreseeable release of hazardous materials. The project site is currently improved as a surface parking lot. There are no structures on this site that would be demolished, which contain asbestos-containing materials (ACMs) and lead-based paint (LBP). The project site is located in a Methane Zone, however the project will be required to comply with Ordinance No. 175,790 and Section 91.7102 requiring an engineer to investigate and design a methane mitigation system in compliance with the LADBS Methane Mitigation Standards for the appropriate Site Design Level which will prevent or retard potential methane gas seepage into the building. Therefore, the proposed project would not result in a significant hazard to the public or environment, and impacts would be less than significant.	
c.	LESS THAN SIGNIFICANT IMPACT	Construction activities have the potential to result in the release, emission, handling, and disposal of hazardous materials within one-quarter mile of an existing school. There are no schools that exist within one-quarter mile of the project site. The proposed project would provide for a mixed-use, infill development that consists of residential and retail uses. These types of uses would be expected to use and store very small amounts of hazardous materials, such as paints, solvents, cleaners, pesticides, etc. Nevertheless, all hazardous materials within the project site would be acquired, handled, used, stored, transported, and disposed of in accordance with all applicable federal, State, and local requirements. With this compliance, the proposed project would result in a less-than-significant impact related to hazardous materials.	
d.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the project site is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would create a significant hazard to the public or the environment. The California Department of Toxic Substances Control (DTSC) maintains a	

Impact?	Explanation	Mitigation Measures
	<p>database (EnviroStor) that provides access to detailed information on hazardous waste permitted sites and corrective action facilities, as well as existing site cleanup information. EnviroStor also provides information on investigation, cleanup, permitting, and/or corrective actions that are planned, being conducted, or have been completed under DTSC's oversight. A review of EnviroStor did not identify any records of hazardous waste facilities on the project site. Therefore, the proposed project would not be located on a site that is included on a list of hazardous materials sites or create a significant hazard to the public or the environment, and no significant impacts would occur.</p>	
e. NO IMPACT	<p>The project site is not located in an airport land use plan area, or within two miles of a public airport or public use airport. Therefore, the proposed project would not result in a safety hazard for people residing or working in the project area, and no impacts would occur.</p>	
f. NO IMPACT	<p>The project site is not located within the vicinity of a private air strip. Therefore, the proposed project would not result in a safety hazard for people residing or working in the project area, and no impacts would occur.</p>	
g. LESS THAN SIGNIFICANT IMPACT	<p>Broadway is a designated disaster route (City of Los Angeles, Safety Element of the Los Angeles City General Plan, Critical Facilities and Lifeline Systems, Exhibit H, November 1996.), however the proposed project would not require the closure of any public or private streets, would not provide a driveway on Broadway and would not impede emergency vehicle access to the project site or surrounding area. Additionally, emergency access to and from the project site would be provided in accordance with requirements of the Los Angeles Fire Department (LAFD). Therefore, the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and impacts would be less than significant.</p>	

Impact?	Explanation	Mitigation Measures
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h.	NO IMPACT	A significant impact would occur if the proposed project exposed people and structures to high risk of wildfire. The project site is located in a highly urbanized area of the City. The area surrounding the project site is completely developed. Accordingly, the project site and the surrounding area are not subject to wildland fires. Therefore, the proposed project would not expose people or structures to a risk of loss, injury, or death involving wildland fires, and no impact would occur.	
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IX. HYDROLOGY AND WATER QUALITY

a.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project discharges water that does not meet the quality standards of agencies which regulate surface water quality and water discharge into storm water drainage systems, or does not comply with all applicable regulations as governed by the Los Angeles Regional Water Quality Control Board (LARWQCB). The proposed project is a mixed-use development with 163 residential units and 4,600 square feet of commercial uses. As is typical of most non-industrial urban development, stormwater runoff from the proposed project has the potential to introduce small amounts of pollutants into the stormwater system. Pollutants would be associated with runoff from landscaped areas (pesticides and fertilizers) and paved surfaces (ordinary household cleaners). Thus, the proposed project would be required to comply with the National Pollutant Discharge Elimination System (NPDES) standards and the City's Stormwater and Urban Runoff Pollution Control regulations (Ordinance No. 172,176 and No. 173,494) to ensure pollutant loads from the project site are minimized for downstream receiving waters. The Stormwater and Urban Runoff Pollution Control Ordinances contain requirements for construction activities and operation of development and redevelopment projects to integrate low impact development practices and standards for stormwater pollution mitigation, and maximize open, green and pervious space on all developments and redevelopments consistent with the City's landscape ordinance and other related requirements in the City's Development	
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Impact?	Explanation	Mitigation Measures
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		Best Management Practices (BMPs) Handbook. Conformance would be ensured during the City's building plan review and approval process. Therefore, the proposed project would result in less-than-significant impacts and would not violate water quality standards, waste discharge requirements, or stormwater NPDES permits or otherwise substantially degrade water quality.	
b.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project would substantially deplete groundwater or interferes with groundwater recharge. The proposed project would not require the use of groundwater at the project site. Potable water would be supplied by the Los Angeles Department of Water and Power (LADWP), which draws its water supplies from distant sources for which it conducts its own assessment and mitigation of potential environmental impacts. Therefore, the project would not require direct additions or withdrawals of groundwater. Excavation to accommodate subterranean levels is not proposed at a depth that would result in the interception of existing aquifers or penetration of the existing water table. In addition, since the existing project site is mostly impervious, the proposed project would not reduce any existing percolation of surface water into the groundwater table. Therefore, project development would not impact groundwater supplies or groundwater recharge, and impacts would be less than significant.	
c.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project would substantially alter the drainage pattern of an existing stream or river so that erosion or siltation would result. There are no streams or rivers located in the project vicinity. Project construction would temporarily expose on-site soils to surface water runoff. However, compliance with construction-related BMPs and/or the Storm Water Pollution Prevention Plan (SWPPP) would control and minimize erosion and siltation. During project operation, storm water or any runoff irrigation waters would be directed into existing storm drains that are currently receiving surface water runoff under existing conditions. Since the project site is almost entirely impervious,	

Impact?	Explanation	Mitigation Measures
	<p>impermeable surfaces resulting from the development of the proposed project would not substantially change the volume or direction of storm water runoff. Accordingly, significant alterations to existing drainage patterns within the project site and surrounding area would not occur. Therefore, the proposed project would result in a less-than-significant impact related to the alteration of drainage patterns and on- or off-site erosion or siltation.</p>	
d. LESS THAN SIGNIFICANT IMPACT	<p>A significant impact would occur if the proposed project would substantially alter the drainage pattern of an existing stream or river such that flooding would result. There are no streams or rivers located in the project vicinity. During project operation, storm water or any runoff irrigation waters would be directed into existing storm drains that are currently receiving surface water runoff under existing conditions. Impermeable surfaces resulting from the development of the project would not substantially change the volume of stormwater runoff in a manner that would result in flooding on- or off-site. Accordingly, significant alterations to existing drainage patterns within the site and surrounding area would not occur. Therefore, the proposed project would result in less-than-significant impacts related to the alteration of drainage patterns and on- or off-site flooding.</p>	
e. LESS THAN SIGNIFICANT IMPACT	<p>A significant impact would occur if runoff water would exceed the capacity of existing or planned storm drain systems serving the project site, or if the proposed project would substantially increase the probability that polluted runoff would reach the storm drain system. Site-generated surface water runoff would continue to flow to the City's storm drain system. Impermeable surfaces resulting from the development of the project would not significantly change the volume of stormwater runoff. Accordingly, since the volume of runoff from the site would not measurably increase over existing conditions, water runoff after development would not exceed the capacity of existing or planned drainage systems. Any project that creates, adds, or replaces 500 square feet of impervious surface must comply with the Low impact Development (LID)</p>	

Impact?	Explanation	Mitigation Measures
	Ordinance or alternatively, the City's Standard Urban Stormwater Mitigation Plan (SUSMP), as an LAMC requirement to address water runoff and storm water pollution. Therefore, the proposed project would result in less-than-significant impacts related to existing storm drain capacities or water quality.	
f. LESS THAN SIGNIFICANT IMPACT	A significant impact may occur if a project includes potential sources of water pollutants that would have the potential to substantially degrade water quality. The proposed project does not include potential sources of contaminants, which could potentially degrade water quality and would comply with all federal, state and local regulations governing stormwater discharge. Therefore, impacts would be less than significant.	
g. NO IMPACT	A significant impact would occur if the proposed project would be located within a 100-year or 500-year floodplain or would impede or redirect flood flows. According to the Safety Element of the City of Los Angeles General Plan Safety Element of the Los Angeles City General Plan, Critical Facilities and Lifeline Systems, Exhibit F, the project site is not located within a 100-year or 500-year floodplain. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding. Therefore, the proposed project would not be located in such areas, and no impact related to flood zones would occur.	
h. NO IMPACT	A significant impact would occur if the proposed project would be located within a 100-year or 500-year floodplain or would impede or redirect flood flows. According to the Safety Element of the City of Los Angeles General Plan Safety Element of the Los Angeles City General Plan, Critical Facilities and Lifeline Systems, Exhibit F, the project site is not located within a 100-year or 500-year floodplain. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that	

Impact?	Explanation	Mitigation Measures
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		this project is located in Zone C, areas of minimal flooding. Therefore, the proposed project would not be located in such areas, and no impact related to flood zones would occur.	
i.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project would be located within an area susceptible to flooding as a result of the failure of a levee or dam. The project site and the surrounding areas are not located within a flood hazard area or dam inundation area. Accordingly, the proposed project would not expose people or structures to a significant risk of loss, injury, or death involving flooding. Therefore, the proposed project would have less than significant impacts related to flooding.	
j.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project would be located within an area susceptible to inundation by seiche, tsunami, or mudflow. A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, or lake. A tsunami is a great sea wave produced by a significant undersea disturbance. Mudflows result from the down slope movement of soil and/or rock under the influence of gravity. The project site and the surrounding areas are not located near a water body to be inundated by seiche. Similarly, the project site and the surrounding areas are located approximately 12.5 miles east of the Pacific Ocean. Therefore, the project would have less than significant impacts related to inundation by seiche, tsunami, or mudflow.	

X. LAND USE AND PLANNING

a.	NO IMPACT	A significant impact would occur if the proposed project would be sufficiently large or configured in such a way so as to create a physical barrier within an established community. A physical division of an established community is caused by an impediment to through travel or a physical barrier, such as a new freeway with limited access between neighborhoods on either side of the freeway, or major street closures. The proposed project would not involve any street vacation or closure or result in development of new thoroughfares or highways. The proposed project, the construction of new mixed-use, infill development in an urbanized area in Los	
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Impact?	Explanation	Mitigation Measures
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		Angeles, would not divide an established community. Therefore, no impact would occur.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	<p>A significant impact may occur if a project is inconsistent with the General Plan or zoning designations currently applicable to the project site, and would cause adverse environmental effects, which the General Plan and zoning ordinance are designed to avoid or mitigate. The site is located within the Central City Community Plan Area. The site is zoned C2-4D, with a General Plan land use designation of Regional Center Commercial. The proposed project would be comprised of 163 residential dwelling units and 4,600 square feet of commercial retail uses. Both Commercial and Residential uses are permitted in C2 zoned lots. The Greater Downtown Housing Incentive Ordinance eliminated density and the D Limitation restricts the Floor Area Ratio (FAR) to 6:1. With the approval of requested entitlements for the subdivision of land, Transfer of Floor Area Rights (TFAR), Zone Change, Zone Variance, CDO Plan Approval and Site Plan Review, the proposed project would conform to the allowable land uses pursuant to the Los Angeles Municipal Code. The project has frontage along both Broadway and Olympic Boulevard. Broadway is a Modified Avenue II (Secondary Highway) and Olympic Boulevard is a Modified Avenue I (Secondary Highway). Noise impacts could occur from locating residents along an Avenue (Secondary Highway), however the attached mitigation measures requiring double pane glass and exterior wall construction with a Sound Transmission Class value of 50 would reduce potential land use impacts to a less than significant level. Any other potential impacts related to land use have been mitigated elsewhere, or are addressed through compliance with existing regulations. Therefore, the impact would be less than significant.</p>	<p>X 0</p> <p>The attached mitigation measure will reduce noise impacts due to locating residential uses on an Avenue (Secondary Highway) to a less than significant level.</p>

Impact?	Explanation	Mitigation Measures
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c.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project were located within an area governed by a habitat conservation plan or natural community conservation plan. The project site is not subject to any habitat conservation plan or natural community conservation plan. Therefore, no impact would occur.	
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XI. MINERAL RESOURCES

a.	NO IMPACT	A significant impact would occur if the proposed project would result in the loss of availability of known mineral resources of regional value or a locally-important mineral resource recovery site. The project site is not classified by the City as containing significant mineral deposits. The project site is currently designated for Regional Center Commercial and not as a mineral extraction land use. In addition, the project site is not identified by the City as being located in an oil field or within an oil drilling area. Therefore, the proposed project would not result in the loss of availability of any known, regionally- or locally-valuable mineral resource, and no impact would occur.	
b.	NO IMPACT	A significant impact would occur if the proposed project would result in the loss of availability of known mineral resources of regional value or locally-important mineral resource recovery site. The project site is not classified by the City as containing significant mineral deposits. The project site is currently designated for Regional Center Commercial and not as a mineral extraction land use. In addition, the project site is not identified by the City as being located in an oil field or within an oil drilling area. Therefore, the proposed project would not result in the loss of availability of any known, regionally- or locally-valuable mineral resource, and no impact would occur.	

XII. NOISE

a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	A Noise Impact Report was prepared by Parker Environmental Consultants, dated September 17, 2015 and revised on November 16, 2015, and December 10, 2015. A significant impact may occur if the Proposed Project would generate excess noise that would cause the ambient noise environment at the Project Site to exceed noise level standards set forth in the City of Los Angeles General Plan Noise	XII-20, XII-60 The attached mitigation measures will ensure that noise impacts during construction will be mitigated to a less than significant level.
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Impact?	Explanation	Mitigation Measures
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Element (Noise Element) and the City of Los Angeles Noise Ordinance (Noise Ordinance). Implementation of the Proposed Project would result in an increase in ambient noise levels during both construction and operation. Construction of the Project would require the use of heavy equipment for demolition/site clearing, grading and site preparation, the installation of utilities, paving, and building construction, which would generate noise levels capable of impacting adjacent land uses. For purposes of assessing noise impacts on sensitive populations, the United Artists Theater Building located at 927 S. Broadway was identified as a sensitive receptor as it is a mixed-use building with a hotel component and the Broadway Palace project, a mixed-use building with residential units located at 928-1026 S. Broadway and presently under construction. The building directly adjacent to the Project Site to the north, the Western Costume Building located at 939 S. Broadway, is currently vacant and does not have any residential or otherwise noise-sensitive uses in operation. The Western Costume Building is under the same ownership as the project site and the applicant has stated that although the Western Costume Building is in the process of a change of use to live/work units, it would not be occupied for two to three years, at which point construction of the proposed project would be finished. The attached mitigation measure assures that the Western Costume Building would not be occupied by sensitive uses prior to the completion of the construction of the proposed project. Construction noise levels can be expected to reach 73.1 dBA at the United Artists Theater Building (a 2.7 dBA increase over existing ambient levels) and 80.9 dBA at the Broadway Palace project site (a 10.5 dBA increase). The Western Costume Building breaks the line of sight between the project site and the United Artists Building, resulting in a 10 dBA reduction in noise level. Noise levels at the Broadway Palace project site would be a significant impact,

Impact?	Explanation	Mitigation Measures
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		however the attached mitigation measures, including a sound wall, will result in a 10 dBA reduction in noise so the estimated peak during construction would be 70.9. Therefore, impacts would be less than significant.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	<p>Construction activities have the potential to generate low levels of groundborne vibration. Vibration impacts can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage of buildings at the highest levels. The construction activities associated with the Proposed Project could have an adverse impact on both sensitive structures (i.e., building damage) and populations (i.e., annoyance). The City of Los Angeles has not adopted any significance thresholds associated with human annoyance for groundborne vibration impacts. Therefore, this analysis uses the Federal Transit Administration's (FTA) vibration impacts thresholds for human annoyance and building damage. The adjacent historic buildings are susceptible to building damage from vibration impacts. Project construction activities could result in significant impacts if a PPV ground-borne vibration level was to exceed 0.12 inches per second at any historical building or building that is extremely susceptible to vibration damage. There are a total of two historic or potentially historic resources that surround the Property. These off-site historic buildings include United Artists Theater Building (historic) and Western Costume Building (potentially historic). The Noise Impact Report indicates that the PPV level would be 0.02 in/sec at the United Artists Theater Building and 11.13 in/sec at the adjacent Western Costume Building. The attached mitigation measures will require preconstruction surveys and a structure monitoring program during construction activities to ensure the structural stability of the adjacent historic resources is not compromised or altered in a manner that would violate the Secretary of Interior's Standards. According to the FTA's</p>	XII-230

Impact?	Explanation	Mitigation Measures
	<p>Transit Noise and Vibration Impact Assessment Report, a groundborne noise impact for annoyance would occur for daytime residential areas if vibration levels (RMS) were to exceed 80 VdB. The construction-generated vibration levels experienced at the sensitive receptor identified would not exceed the 80 VdB threshold. The Proposed Project on the Property site is a mixed-use development and would not involve the use of stationary equipment that would result in high vibration levels, which are more typical for large commercial and industrial projects. Although groundborne vibration at the Project Site and immediate vicinity may currently result from heavy-duty vehicular travel (e.g., refuse trucks and transit buses) on the nearby local roadways, the proposed land uses on the Property would not result in the increased use of these heavy-duty vehicles on the public roadways. As such, vibration impacts associated with the construction and operation of the Proposed Project would be less than significant.</p>	
c. LESS THAN SIGNIFICANT IMPACT	<p>A significant impact would occur if noise levels associated with operation of the Proposed Project would increase the ambient noise levels by 3 dBA Community Noise Exposure (CNEL) at homes where the resulting noise level would be at least 70 dBA CNEL. In addition, any long-term increase of 5 dBA CNEL or more is considered to cause a significant impact. On-site operational noise would be generated by increases in traffic and by heating, ventilation, and air conditioning (HVAC) equipment. HVAC equipment would be installed on each of the proposed residential unit's private balcony on the Project Site. The Applicant proposes to utilize Carrier 25HBC5 Base 15 Heat Pump with Puron Refrigerant HVAC equipment for each of the condominium units which generates noise levels between 69 dBA and 74 dBA without a sound shield and 68 dBA to 73 dBA with a sound shield. It is anticipated that all HVAC equipment for the Proposed Project would have a sound shield. The loudest HVAC equipment unit size (60 – 30) at 73 dBA with a sound shield was analyzed. The ambient noise levels observed during the noise measurements</p>	

Impact?	Explanation	Mitigation Measures
	<p>ranged from 68.4 dBA Leq to 71.0 dBA Leq. The recorded Lmax levels during the noise measurements ranged from 82.8 dBA Lmax to 88.2 dBA Lmax. As such, the HVAC equipment associated with the Proposed Project would not increase ambient noise levels in excess of the 5 dBA threshold at the identified sensitive receptors. In addition, the design and operation of this and any other on-site stationary sources of noise would be required to comply with the LAMC Section 112.02, which prohibits noise from air conditioning, refrigeration, heating, pumping, and filtering equipment from exceeding the ambient noise level on the premises of other occupied properties by more than 5 dBA. HVAC equipment would be shielded from view by screening materials, which would serve to block the line-of-sight between the HVAC equipment and adjacent properties and attenuate exterior noise levels. The Proposed Project's mobile source vehicular noise impacts are based on the predicted traffic volumes as presented in a Project Traffic Study prepared by Overland Traffic Consultants, dated September 2013. Four nearby intersections were analyzed for potential mobile noise impacts: 1) Olympic Boulevard and Broadway, 2) Hill Street and Olympic Boulevard, 3) Hill Street and 9th Street, and 4) 9th Street and Broadway. The Proposed Project would increase local noise levels by a maximum of 0.09 dBA CNEL, which would be imperceptible to most people. Therefore, permanent noise impacts would be less than significant.</p>	
d. LESS THAN SIGNIFICANT IMPACT	<p>A significant impact may occur if the Proposed Project were to result in a substantial temporary or periodic increase in ambient noise levels above existing ambient noise levels without the Proposed Project. As defined in the L.A. CEQA Thresholds Guide threshold for construction noise impacts, a significant impact would occur if construction activities lasting more than one day would increase the ambient noise levels by 10 dBA or more at any off-site noise-sensitive location. In addition, the L.A. CEQA Thresholds Guide also states that construction activities lasting more than ten days in a three-month period, which would increase ambient exterior</p>	

Impact?	Explanation	Mitigation Measures
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		noise levels by 5 dBA or more at a noise sensitive use, would also normally result in a significant impact. As discussed above, impacts are expected to be reduced to less than significant for construction noise and vibration, and operational noise and vibration. Implementation of the above Mitigation Measures would ensure the Proposed Project would not result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity, and these impacts would be less than significant.	
e.	NO IMPACT	A significant impact may occur if the Proposed Project were located within an airport land use plan and would introduce substantial new sources of noise or substantially add to existing sources of noise within or in the vicinity of the Project Site. There are no airports within a two-mile radius of the Project Site, and the Project Site is not within any airport land use plan or airport hazard zone. The Proposed Project would not expose people to excessive noise levels associated with airport uses. No impact would occur.	
f.	NO IMPACT	This question would apply to a project only if it were in the vicinity of a private airstrip and would subject area residents and workers to a safety hazard. The Project Site is not located in the vicinity of a private airstrip. As no such facilities are located in the vicinity of the Project Site, no impact would occur.	

XIII. POPULATION AND HOUSING

a.	LESS THAN SIGNIFICANT IMPACT	A potentially significant impact would occur if the proposed project would induce substantial population growth that would not have otherwise occurred as rapidly or in as great a magnitude. The proposed project would result in the development of 163 residential units. The increase in residential population resulting from the proposed project would not be considered substantial in consideration of anticipated growth for the Central City Community Plan, and is within the Southern California Association of Governments' (SCAG) 2020 population projections for the City in their 2012-2035 Regional Transportation Plan. The project would meet a growing demand for housing near jobs and transportation centers, consistent with State, regional	
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Impact?	Explanation	Mitigation Measures
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		and local regulations designed to reduce trips and greenhouse gas emissions. Operation of the proposed project would not induce substantial population growth in the project area, either directly or indirectly. Therefore, impacts would be less than significant.	
b.	LESS THAN SIGNIFICANT IMPACT	A potentially significant impact would occur if the proposed project would displace a substantial quantity of existing residences or a substantial number of people. The project proposes to demolish an existing surface parking lot, which will not result in the loss of any existing residential units. Therefore, impacts would be less than significant.	
c.	LESS THAN SIGNIFICANT IMPACT	A potentially significant impact would occur if the proposed project would displace a substantial quantity of existing residences or a substantial number of people. The project proposes to demolish an existing surface parking lot, which will not result in the loss of any existing residential units. Therefore, impacts would be less than significant.	

XIV. PUBLIC SERVICES

a.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the Los Angeles Fire Department (LAFD) could not adequately serve the proposed project, necessitating a new or physically altered station. The project site and the surrounding area are currently served by three LAFD stations -- Fire Station 3, located at 108 N. Fremont Avenue (approximately 1.6 miles northwest of the project site), Fire Station 9, located at 430 E. 7th Street (approximately 0.7 miles northeast of the project site), and Fire Station 10, located at 1335 S. Olive Street (approximately 0.6 miles southwest of the project site). The proposed project would result in a net increase of 163 units, which could increase the number of emergency calls and demand for LAFD fire and emergency services. To maintain the level of fire protection and emergency services, the LAFD may require additional fire personnel and equipment. However, given that three fire stations are in close proximity to the project site, it is not anticipated that there would be a need to build a new or expand an existing fire station to serve the proposed project and maintain acceptable service ratios, response times, or other performance objectives for fire protection. By analyzing	
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Impact?	Explanation	Mitigation Measures
	<p>data from previous years and continuously monitoring current data regarding response times, types of incidents, and call frequencies, LAFD can shift resources to meet local demands for fire protection and emergency services. The proposed project would neither create capacity or service level problems nor result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for fire protection. Therefore, the proposed project would result in a less-than-significant impact.</p>	
<p>b. POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</p>	<p>A significant impact would occur if the Los Angeles Police Department (LAPD) could not adequately serve the proposed project, necessitating a new or physically altered station. The proposed project would result in a net increase of 163 units and could increase demand for police service. The project site and the surrounding area are currently served by LAPD's Central Community Police Station, located at 251 E. 6th Street (approximately 0.7 miles east of the project site). Prior to the issuance of a building permit, the LAPD would review the project plans to ensure that the design of the project follows the LAPD's Design Out Crime Program, an initiative that introduces the techniques of Crime Prevention Through Environmental Design (CPTED) to all City departments beyond the LAPD. Through the incorporation of these techniques into the project design, in combination with the safety features already incorporated into the proposed project, the proposed project would neither create capacity/service level problems nor result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for police protection. A mitigation measure has been incorporated to address screening of the site to prevent unpermitted persons from entering. Therefore, the proposed project would result in a</p>	<p>XIV-20</p>

Impact?	Explanation	Mitigation Measures
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		less-than-significant impact related to police protection services.	
c.	LESS THAN SIGNIFICANT IMPACT	<p>A significant impact would occur if the proposed project would include substantial employment or population growth, which could generate a demand for school facilities that would exceed the capacity of the school district. The proposed project would add 163 residential units, which could increase enrollment at schools that service the area. However, development of the proposed project would be subject to California Government Code Section 65995, which would allow LAUSD to collect impact fees from developers of new residential and commercial space. Conformance to California Government Code Section 65995 is deemed to provide full and complete mitigation of impacts to school facilities. Therefore, the proposed project would result in a less-than-significant impact to public schools.</p>	
d.	LESS THAN SIGNIFICANT IMPACT	<p>A significant impact would occur if the proposed project would exceed the capacity or capability of the local park system to serve the proposed project. The City of Los Angeles Department of Recreation and Parks (RAP) is responsible for the provision, maintenance, and operation of public recreational and park facilities and services in the City. The proposed project would result in a net increase of 163 units, which could result in increased demand for parks and recreation facilities. The proposed project would include approximately 12,420 square feet of project amenities, including a 15th floor roof and pool deck and a gym. The project also provides 6,950 square feet of balconies. These project features would reduce the demand for park space created by the proposed project. Pursuant to Section 17.12-A or 17.58 of the Los Angeles Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of dwelling units. Therefore, the proposed project would not create capacity or service level problems, or result in substantial physical impacts associated with the provision or new or altered parks facilities. Accordingly, the proposed project would result in a less-than-significant impact on park</p>	

Impact?	Explanation	Mitigation Measures
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e.	LESS THAN SIGNIFICANT IMPACT	<p>facilities.</p> <p>A significant impact would occur if the proposed project would result in substantial employment or population growth that could generate a demand for other public facilities, including libraries, which exceed the capacity available to serve the project site, necessitating new or physically altered public facilities, the construction of which would cause significant environmental impacts. The proposed project would result in a net increase of 163 units, which could result in increased demand for library services and resources of the Los Angeles Public Library System. However, the proposed project would not create substantial capacity or service level problems that would require the provision of new or physically improved public facilities in order to maintain an acceptable level of service for libraries and other public facilities. Therefore, the proposed project would result in a less-than-significant impact on other public facilities.</p>	
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XV. RECREATION

a.	LESS THAN SIGNIFICANT IMPACT	<p>A significant impact may occur if a project includes substantial employment or population growth, which would increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated. Based on the City of Los Angeles CEQA Thresholds Guide, the determination of whether the project results in a significant impact on recreation and parks shall be made considering the following factors: (a) the net population increase resulting from the project; (b) the demand for recreation and park services anticipated at the time of project buildout compared to the expected level of service available. Consider, as applicable, scheduled improvements to recreation and park services (renovation, expansion, or addition) and the project's proportional contribution to the demand; and (c) whether the project includes features that would reduce the demand for park services (e.g., on-site recreation facilities, land dedication, or direct financial support to the Department of Recreation and Parks). The proposed project will provide a minimum of 19,370 square feet of open space areas,</p>	
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Impact?	Explanation	Mitigation Measures
	<p>including private open space on balconies and common open space areas with a gym, court yard and roof deck. The availability of these on-site recreation amenities and opportunities would serve to reduce the demand for off-site park services. Notwithstanding the availability of on-site recreational amenities and open space areas, it is reasonable to assume that the future occupants of the proposed project would utilize recreation and park facilities in the surrounding area. There are 12 existing, new and recently improved parks within the project area totalizing more than 30.75 acres that are available to serve the future residents and retail visitors to the project site. Notable new additions to the downtown area are Grand Park, at the LA Civic Center, and Spring Street Park, a pocket park recently developed at 426 S. Spring Street. The proposed project would not substantially increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated and impacts would be less than significant. Therefore, under the City's mandatory Dwelling Unit Construction Tax, which is collected prior to a certificate of occupancy for residential land uses the proposed project's impact upon parks and recreational facilities would be less than significant.</p>	
b. LESS THAN SIGNIFICANT IMPACT	<p>A significant impact may occur if a project includes the construction or expansion of park facilities and such construction would have a significant adverse effect on the environment. The proposed project will provide a minimum of 19,370 square feet of open space areas on site. As previously discussed above, the proposed project would not require the construction or expansion of recreational facilities beyond the limits of the project site. As noted above, there are 12 existing, new and recently improved parks within the project area totalizing more than 30.75 acres that are available to serve the future residents and retail visitors to the project site. Recently constructed parks within the downtown area include Grand Park at the LA Civic Center and Spring Street Park, a pocket park recently developed at 426 S. Spring Street. Although the proposed project would place some additional demands on park facilities, the increase</p>	

Impact?	Explanation	Mitigation Measures
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	in demand would be met through a combination of on-site amenities and existing parks in the project area. The proposed project's increased demands upon recreational facilities would not in and of itself result in the construction of a new park, which might have an adverse physical effect on the environment. Thus, impacts to park and recreational facilities would be less than significant.	
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XVI. TRANSPORTATION/TRAFFIC

a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	<p>A significant impact could occur if a project were to result in substantial increases in traffic volumes in the vicinity of the project such that the existing street capacity experiences a decrease in the existing volume to capacity ratios, or experiences increased traffic congestion exceeding the Los Angeles Department of Transportation's (LADOT) recommended level of service. The project would construct 163 dwelling units and 4,600 square feet of commercial/retail on a site that is currently improved with a surface parking lot. According to the updated Los Angeles Department of Transportation's (LADOT) Traffic Assessment Letter, dated November 19, 2013, the proposed 163 residential units and 4,600 square feet of ground floor commercial/retail uses are estimated to generate approximately 1,275 net new daily trips with 93 net new trips in the a.m. peak hour and 117 net new trips in the p.m. peak hour. The LADOT has reviewed the project and the traffic analysis prepared by Overland Traffic Consultants, Inc., dated September 2013, as stated in their memo dated November 19, 2013. LADOT has determined that the proposed project is not expected to result in significant impacts at any of the ten intersections studied. LADOT recommends that the project requirements as stated in their memo dated November 19, 2013 be adopted as conditions of project approval. Implementation of these requirements will result in the project having a less than significant impact on the existing load and capacity of the street system. The project would be exporting approximately 31,055</p>	XVI-30
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Impact?	Explanation	Mitigation Measures
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		cubic yards of dirt, however the attached mitigation measure will ensure the project obtains a haul route, which will reduce any potential impacts from hauling to a less than significant level.	
b.	LESS THAN SIGNIFICANT IMPACT	<p>A significant impact may occur if the adopted Los Angeles County Metropolitan Transportation Authority (Metro) thresholds for a significant project impact would be exceeded. The Congestion Management Program (CMP) was adopted to regulate and monitor regional traffic growth and transportation improvement programs. The CMP designates a transportation network that includes all state highways and some arterials within the County of Los Angeles. The traffic impact guidelines of the current 2010 Congestion Management Program (CMP) for Los Angeles County require analysis of all CMP arterial monitoring locations where a project could add a total of 50 or more trips during either peak hour. Additionally, all freeway monitoring locations where a project could add 150 or more trips in either direction during the peak hours are to be analyzed. The nearest CMP arterial monitoring locations are the following intersections: Alameda Street/Washington Boulevard (approx. 2 miles southeast of the Project Site) and Alvarado Street/Wilshire Boulevard (approx. 2 miles northwest). The project is not expected to contribute 50 or more peak-hour trips at either of these intersections due to the distance between the above-mentioned monitoring stations and the project site. With Project traffic contributions well below the 50-trip threshold, no significant Project impacts to CMP arterial monitoring locations are forecast and no additional arterial intersection analysis is necessary. In addition, in terms of CMP freeway monitoring segment analysis, the project would not generate more than 117 total direction trips beyond the study area, during either peak hour. Given the distance between the Project Site and the surrounding freeways, as well as the anticipated distribution of Project trips, the Project would contribute well below the 150 directional-trip threshold to all CMP freeway monitoring segments, no significant Project impacts to CMP freeway monitoring locations are forecast,</p>	

Impact?	Explanation	Mitigation Measures
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		and no additional freeway analysis is necessary. Therefore, impacts are less than significant.	
c.	NO IMPACT	This question would apply to the proposed project only if it involved an aviation-related use or would influence changes to existing flight paths. The proposed project does not include any aviation-related uses and would have no airport impact. It would also not require any modification of flight paths for the existing airports in the Los Angeles Basin. Therefore, no impact would occur.	
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	A significant impact may occur if the proposed project includes new roadway design or introduces a new land use or features into an area with specific transportation requirements and characteristics that have not been previously experienced in that area, or if project site access or other features were designed in such a way as to create hazard conditions. The proposed project would not include unusual or hazardous design features. However the proposed project will include new vehicular access driveways to the project site, which, if aren't properly designed and constructed, could potentially conflict with pedestrian circulation in the project area. Access to the project site will be provided via Olympic Boulevard and Blackstone Court (alley). With proper site planning and implementation of requirements identified in LADOT's Traffic Assessment letter dated November 19, 2013 as well as the attached mitigation measure, potential vehicle-pedestrian conflicts will be mitigated to a less than significant level.	XVI-40
e.	LESS THAN SIGNIFICANT IMPACT	A significant impact may occur if the project design would not provide emergency access meeting the requirements of the LAFD, or in any other way threatened the ability of emergency vehicles to access and serve the project site or adjacent uses. The proposed project is not located on or near an adopted emergency response or evacuation plan. Development of the project site may require temporary and/or partial street closures due to construction activities. However, any such closures would be temporary in nature and would	

Impact?	Explanation	Mitigation Measures
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		<p>be coordinated with the Departments of Transportation, Building and Safety, and Public Works. Nonetheless, while such closures may cause temporary inconvenience, they would not be expected to substantially interfere with emergency response or evacuation plans. Therefore, the proposed project would not cause permanent alterations to vehicular circulation routes and patterns, impede public access or travel upon public rights-of-way. The proposed project would be subject to the site plan review requirements of the LAFD and the LAPD to ensure that all access roads, driveways and parking areas would remain accessible to emergency service vehicles. The proposed project would satisfy the emergency response requirements of the LAFD. Furthermore, as discussed above, there are no hazardous design features included in the access design or site plan for the proposed project that could impede emergency access. With implementation of requirements identified in LADOT's Traffic Assessment letter dated November 19, 2013, impacts to emergency access will be mitigated to a less than significant level.</p>	
f.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	<p>For the purpose of this Initial Study, a significant impact may occur if the proposed project would conflict with adopted policies or involve modification of existing alternative transportation facilities located on- or off-site. The proposed project would require the relocation of a Metro bus stop along Olympic Boulevard. The proposed project would not interfere with any class I or class II bikeway systems. During operation, the project would not impact any sidewalks, however there could be impacts to sidewalks during construction. The attached mitigation measures will ensure that any impacts to bus and pedestrian access are mitigated to a less than significant level.</p>	<p>XVI-80 The attached mitigation measures will ensure impacts to pedestrians and transit users are mitigated to a less than significant level.</p>
XVII. UTILITIES AND SERVICE SYSTEMS			
a.	LESS THAN SIGNIFICANT IMPACT	<p>A significant impact would occur if the proposed project would exceed wastewater treatment requirements of the Los Angeles Regional Water Quality Control Board (LARWQCB). It is important to consider the existing and anticipated wastewater generation of the project in</p>	

Impact?	Explanation	Mitigation Measures
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		<p>relation to current average daily flows experienced at Hyperion Treatment Plant (HTP), as well as in proportion to remaining capacity of the system. The HTP experiences an average daily flow of 362 million gallons per day (mgd), below a capacity of 450 mgd. As a proportion of total average daily flow experienced by the HTP, the wastewater generation of the proposed project would account for a small percentage of average daily wastewater flow. This increase in wastewater flow would not jeopardize the HTP to operate within its established wastewater treatment requirements. Furthermore, all wastewater from the project would be treated according to requirements of the NPDES permit authorized by the LARWQCB. Therefore, the proposed project would result in a less-than-significant impact related to wastewater treatment requirements.</p>	
b.	LESS THAN SIGNIFICANT IMPACT	<p>A significant impact would occur if the proposed project would increase water consumption or wastewater generation to such a degree that the capacity of facilities currently serving the project site would be exceeded. The Los Angeles Department of Water and Power (LADWP) conducts water planning based on forecast population growth. Accordingly, the increase in residential population resulting from the proposed project would not be considered substantial in consideration of anticipated growth. The addition of 163 units as a result of the proposed project would be consistent with Citywide growth, and, therefore, the project demand for water is not anticipated to require new water supply entitlements and/or require the expansion of existing or construction of new water treatment facilities beyond those already considered in the LADWP 2010 Urban Water Management Plan. Thus, it is anticipated that the proposed project would not create any water system capacity issues, and there would be sufficient reliable water supplies available to meet project demands. Prior to any construction activities, the project applicant would be required to coordinate with the City of Los Angeles Bureau of Sanitation (BOS) to determine the exact wastewater conveyance requirements of the proposed project, and any upgrades to the wastewater lines in the vicinity of</p>	

Impact?	Explanation	Mitigation Measures
	the project site that are needed to adequately serve the proposed project would be undertaken as part of the project. Therefore, the proposed project would have a less-than-significant impact related to water or wastewater infrastructure.	
c. LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project would increase surface water runoff, resulting in the need for expanded off-site storm water drainage facilities. Development of the proposed project would maintain existing drainage patterns; site-generated surface water runoff would continue to flow to the City's storm drain system. Since the project site is entirely impervious, impermeable surfaces resulting from the development of the project would not significantly change the volume of stormwater runoff. Accordingly, since the volume of runoff from the site would not measurably increase over existing conditions, the proposed project would not create or contribute runoff water that would exacerbate any existing deficiencies in the storm drain system or provide substantial additional sources of polluted runoff. Therefore, the proposed project would result in a less-than-significant impact related to existing storm drain capacities.	
d. LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project would increase water consumption or wastewater generation to such a degree that the capacity of facilities currently serving the project site would be exceeded. The Los Angeles Department of Water and Power (LADWP) conducts water planning based on forecast population growth. Accordingly, the increase in residential population resulting from the proposed project would not be considered substantial in consideration of anticipated growth. The addition of 163 units as a result of the proposed project would be consistent with Citywide growth, and, therefore, the project demand for water is not anticipated to require new water supply entitlements and/or require the expansion of existing or construction of new water treatment facilities beyond those already considered in the LADWP 2010 Urban Water Management Plan. Thus, it is anticipated that the proposed	

Impact?	Explanation	Mitigation Measures
	<p>project would not create any water system capacity issues, and there would be sufficient reliable water supplies available to meet project demands. Prior to any construction activities, the project applicant would be required to coordinate with the City of Los Angeles Bureau of Sanitation (BOS) to determine the exact wastewater conveyance requirements of the proposed project, and any upgrades to the wastewater lines in the vicinity of the project site that are needed to adequately serve the proposed project would be undertaken as part of the project. Therefore, the proposed project would have a less-than-significant impact related to water or wastewater infrastructure.</p>	
<p>e. LESS THAN SIGNIFICANT IMPACT</p>	<p>A significant impact would occur if the proposed project would increase water consumption or wastewater generation to such a degree that the capacity of facilities currently serving the project site would be exceeded. The Los Angeles Department of Water and Power (LADWP) conducts water planning based on forecast population growth. Accordingly, the increase in residential population resulting from the proposed project would not be considered substantial in consideration of anticipated growth. The addition of 163 units as a result of the proposed project would be consistent with Citywide growth, and, therefore, the project demand for water is not anticipated to require new water supply entitlements and/or require the expansion of existing or construction of new water treatment facilities beyond those already considered in the LADWP 2010 Urban Water Management Plan. Thus, it is anticipated that the proposed project would not create any water system capacity issues, and there would be sufficient reliable water supplies available to meet project demands. Prior to any construction activities, the project applicant would be required to coordinate with the City of Los Angeles Bureau of Sanitation (BOS) to determine the exact wastewater conveyance requirements of the proposed project, and any upgrades to the wastewater lines in the vicinity of the project site that are needed to adequately serve the proposed project would be undertaken as part of the project. Therefore, the proposed project</p>	

Impact?	Explanation	Mitigation Measures
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		would have a less-than-significant impact related to water or wastewater infrastructure.	
f.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project's solid waste generation exceeded the capacity of permitted landfills. The Los Angeles Bureau of Sanitation (BOS) and private waste management companies are responsible for the collection, disposal, and recycling of solid waste within the City, including the project site. Solid waste during the operation of the proposed project is anticipated to be collected by the BOS and private waste haulers, respectively. Solid waste collected from the proposed project is anticipated to be hauled to Sunshine Canyon Landfill. In compliance with Assembly Bill (AB) 939, the project applicant would be required to implement a Solid Waste Diversion Program and divert at least 50 percent of the solid waste generated by the project from the Sunshine Canyon Landfill. The proposed project would also comply with all federal, State, and local regulations related to solid waste. Therefore, the proposed project would have a less-than-significant impact related to solid waste.	
g.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project's solid waste generation exceeded the capacity of permitted landfills. The Los Angeles Bureau of Sanitation (BOS) and private waste management companies are responsible for the collection, disposal, and recycling of solid waste within the City, including the project site. Solid waste during the operation of the proposed project is anticipated to be collected by the BOS and private waste haulers, respectively. Solid waste collected from the proposed project is anticipated to be hauled to Sunshine Canyon Landfill. In compliance with Assembly Bill (AB) 939, the project applicant would be required to implement a Solid Waste Diversion Program and divert at least 50 percent of the solid waste generated by the project from the Sunshine Canyon Landfill. The proposed project would also comply with all federal, State, and local regulations related to solid waste. Therefore, the proposed project would have a less-than-significant impact related to solid waste.	

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Impact?	Explanation	Mitigation Measures
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a.	LESS THAN SIGNIFICANT IMPACT	Based on the analysis in this Initial Study, the proposed project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. Implementation of the mitigation measures identified and compliance with existing regulations would reduce impacts to less-than-significant levels.	
b.	LESS THAN SIGNIFICANT IMPACT	A significant impact may occur if the proposed project, in conjunction with the related projects, would result in impacts that are less than significant when viewed separately but significant when viewed together. Although projects may be constructed in the project vicinity, the cumulative impacts to which the proposed project would contribute would be less than significant. None of these potential impacts are considered cumulatively considerable, and implementation of the mitigation measures identified will ensure that no cumulative impacts will occur as a result of the proposed project.	
c.	LESS THAN SIGNIFICANT IMPACT	A significant impact may occur if the proposed project has the potential to result in significant impacts, as discussed in the preceding sections. All potential impacts of the proposed project have been identified, and mitigation measures have been prescribed, where applicable, to reduce all potential impacts to less-than-significant levels. Upon implementation of mitigation measures identified and compliance with existing regulations, the proposed project would not have the potential to result in substantial adverse impacts on human beings either directly or indirectly.	

**DEPARTMENT OF
CITY PLANNING**

CITY PLANNING COMMISSION

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MITIGATION MONITORING PROGRAM

Section 21081.6 of the Public Resources Code requires a Lead Agency to adopt a “reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment” (Mitigation Monitoring Program, Section 15097 of the *CEQA Guidelines* provides additional direction on mitigation monitoring or reporting). This Mitigation Monitoring Program (MMP) has been prepared in compliance with the requirements of CEQA, Public Resources Code Section 21081.6, and Section 15097 of the CEQA Guidelines. The City of Los Angeles is the Lead Agency for this project.

A Mitigated Negative Declaration (MND) has been prepared to address the potential environmental impacts of the Project. Where appropriate, this environmental document identified Project design features, regulatory compliance measures, or recommended mitigation measures to avoid or to reduce potentially significant environmental impacts of the Proposed Project. This Mitigation Monitoring Program (MMP) is designed to monitor implementation of the mitigation measures identified for the Project.

The MMP is subject to review and approval by the City of Los Angeles as the Lead Agency as part of the approval process of the project, and adoption of project conditions. The required mitigation measures are listed and categorized by impact area, as identified in the MND.

The Project Applicant shall be responsible for implementing all mitigation measures, unless otherwise noted, and shall be obligated to provide documentation concerning implementation of the listed mitigation measures to the appropriate monitoring agency and the appropriate enforcement agency as provided for herein. All departments listed below are within the City of Los Angeles unless otherwise noted. The entity responsible for the implementation of all mitigation measures shall be the Project Applicant unless otherwise noted.

As shown on the following pages, each required mitigation measure for the proposed Project is listed and categorized by impact area, with accompanying discussion of:

Enforcement Agency – the agency with the power to enforce the Mitigation Measure.

Monitoring Agency – the agency to which reports involving feasibility, compliance, implementation and development are made, or whom physically monitors the project for compliance with mitigation measures.

Monitoring Phase – the phase of the Project during which the Mitigation Measure shall be monitored.

- Pre-Construction, including the design phase
- Construction
- Pre-Operation
- Operation (Post-construction)

Monitoring Frequency – the frequency of which the Mitigation Measure shall be monitored.

Action Indicating Compliance – the action of which the Enforcement or Monitoring Agency indicates that compliance with the required Mitigation Measure has been implemented.

The MMP performance shall be monitored annually to determine the effectiveness of the measures implemented in any given year and reevaluate the mitigation needs for the upcoming year.

It is the intent of this MMP to:

Verify compliance of the required mitigation measures of the MND;

Provide a methodology to document implementation of required mitigation;

Provide a record and status of mitigation requirements;

Identify monitoring and enforcement agencies;

Establish and clarify administrative procedures for the clearance of mitigation measures;

Establish the frequency and duration of monitoring and reporting; and

Utilize the existing agency review processes' wherever feasible.

This MMP shall be in place throughout all phases of the proposed Project. The entity responsible for implementing each mitigation measure is set forth within the text of the mitigation measure. The entity responsible for implementing the mitigation shall also be obligated to provide certification, as identified below, to the appropriate monitoring agency and the appropriate enforcement agency that compliance with the required mitigation measure has been implemented.

After review and approval of the final MMP by the Lead Agency, minor changes and modifications to the MMP are permitted, but can only be made by the Applicant or its successor subject to the approval by the City of Los Angeles through a public hearing. The Lead Agency, in conjunction with any appropriate agencies or departments, will determine the adequacy of any proposed change or modification. The flexibility is necessary in light of the proto-typical nature of the MMP, and the need to protect the environment with a workable program. No changes will be permitted unless the MMP continues to satisfy the requirements of CEQA, as determined by the Lead Agency.

MITIGATION MONITORING PROGRAM

Aesthetics

Subsequent to publication of the MND, Mitigation Measures I-120 and I-130 have been removed pursuant to SB 743, which limits the extent to which aesthetics and parking are defined as impacts under CEQA. Specifically, Section 21099 (d)(1) of the Public Resources Code (PRC) states that a project's aesthetic and parking impacts shall not be considered a significant impact if the project is a residential, mixed-use residential, or employment center project; and the project is located on an infill site within a Transit Priority Area (TPA). A TPA means an areas within on-half mile of a major transit stop.

Biology

IV-20 Habitat Modification (Nesting Native Birds, Non-Hillside or Urban Areas)

The project will result in the removal of vegetation and disturbances to the ground and therefore may result in take of nesting native bird species. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).

- 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).
- If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:
 - a. 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.
 - b. If a protected native bird 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.
 - c. 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.

- d. 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.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once, prior to issuance of building permit; or, if vegetation removal, building demolition or grading is initiated during the nesting season, as determined by a qualified biologist

Action Indicating Compliance: if vegetation removal, building demolition, or grading is initiated during the nesting season, submittal of a survey report by a qualified biologist.

IV-90 Tree Removal (Public Right-of-Way)

- Removal of trees in the public right-of-way requires approval by the Board of Public Works.
- The required Tree Report shall include the location, size, type, and condition of all existing trees in the adjacent public right-of-way and shall be submitted for review and approval by the Urban Forestry Division of the Bureau of Street Services, Department of Public Works (213-847-3077).
- The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) trees in the public right-of-way.
- All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

Enforcement Agency: Board of Public Works

Monitoring Agency: Board of Public Works Urban Forestry Division

Monitoring Phase: Pre-Construction, Construction

Monitoring Frequency: Once during plan check, once during field inspection

Action Indicating Compliance: Issuance of Certificate of Occupancy

Cultural Resources

V-50 Cultural/Historic Resources

- Balconies on the Broadway façade shall not project from the building face, except for the one row of balconies at the north end of the façade, which may project as long as the balcony material is mostly transparent metal railings.
- The balconies on the south end of the Broadway façade shall not project beyond the edge of the building towards Olympic Boulevard.
- Balconies along the Broadway façade shall be comprised of a solid material similar to the adjacent facades.

Enforcement Agency: Department of City Planning

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Pre-construction (Design Phase)

Monitoring Frequency: Once during plan check

Action Indicating Compliance: Plan Check approval

Land Use and Planning

X-0 Land Use (Noise)

Environmental impacts to future occupants may result from this project's implementation due to mobile noise. However, these impacts will be mitigated to a less than significant level by the following measures:

- All exterior windows having a line of sight of a Boulevard or Avenue shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Class (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto. The applicant, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

Enforcement Agency: Los Angeles Department of City Planning (plan review); Los Angeles Department of Building and Safety (operation)

Monitoring Agency: Los Angeles Department of City Planning (plan review); Los Angeles Department of Building and Safety (operation and maintenance)

Monitoring Phase: Pre-construction; Construction

Monitoring Frequency: Once, at plan check for Project; Once, during field inspection

Action Indicating Compliance: Plan approval and issuance of applicable building permit (Preconstruction); Issuance of Certificate of Occupancy of Use of Land (Construction)

Noise

XII-20 Increased Noise Levels (Demolition, Grading, and Construction Activities)

- Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- A temporary noise barrier such as, but not limited to, plywood structures or flexible sound control curtains extending eight feet in height and capable of sound attenuation of at least 10 dBA shall be erected around the perimeter of the construction site (excluding the northern property line where adequate space is not available) to minimize the amount of noise during construction on the nearby noise-sensitive uses.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during field inspection

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

XII-60 Increased Noise Levels (Mixed-Use Development)

Environmental impacts to proposed on-site residential uses from noises generated by proposed on-site commercial uses may result from project implementation. However, the potential impact will be mitigated to a less than significant level by the following measure:

- 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.

Enforcement Agency: Los Angeles Department of City Planning (plan review); Los Angeles Department of Building and Safety (operation)

Monitoring Agency: Los Angeles Department of City Planning (plan review); Los Angeles Department of Building and Safety (operation and maintenance)

Monitoring Phase: Pre-construction; Construction

Monitoring Frequency: Once, at plan check for Project; Once, during field inspection

Action Indicating Compliance: Plan approval and issuance of applicable building permit (Preconstruction); Issuance of Certificate of Occupancy of Use of Land (Construction)

XII-230 Increased Noise Levels

Environmental impacts to the adjacent residential properties may result due to noise generated on the site. However, this potential impact will be mitigated to a less than significant level by the following measure:

- The monitoring program shall survey for vertical and horizontal movement, as well as vibration thresholds. If the thresholds are met or exceeded, or noticeable structural damage becomes evident to the project contractor, work shall stop in the area of the affected building until measures have been taken to stabilize the affected building to prevent construction related damage to historic resources.
- All new construction work shall be performed so as not to adversely affect the historic designations surrounding the Project Site. Specifically, this mitigation measure is provided to ensure vibration from construction of the proposed project does not adversely impact nearby buildings, which include the following structures: (a) the Western Costume Building, at 939 S. Broadway. Prior to commencement of construction, a qualified structural engineer shall survey the existing foundations and structures of the nearby buildings listed above, and provide a plan to protect them from potential damage. Pot holing or other destructive testing of below grade conditions on the project site and immediately adjacent historical resources may be necessary to establish baseline conditions and prepare the shoring design. If feasible, the project and shoring designs shall avoid pile driving within twenty-five feet of immediately adjacent historical resources. The shoring design shall specify threshold limits for vibration causing activities.
- The performance standards of the structure monitoring plan shall including the following:
 - The qualified structural engineer shall monitor vibration during the pile driving or other vibration-causing construction activities to ensure that the established impact threshold and shoring design is not exceeded. If feasible, alternative means of setting piles such as predrilled holes or hydraulic pile driving shall be employed to avoid exceeding the impact threshold established. At the conclusion of vibration causing activities, the qualified structural engineer shall issue a follow-on letter describing damage, if any, to immediately adjacent historical resources and recommendations for any repair, as may be necessary, in conformance with the Secretary's Standards. Repairs shall be undertaken and completed in conformance with all applicable codes including the California Historical Building Code (Part 8

- of Title 24) prior to issuance of any temporary or permanent certificate of occupancy for the new building.
- The structure monitoring program shall be submitted to the Department of Building and Safety and received into the case file for the associated discretionary action permitting the project prior to initiating any construction activities.
 - To avoid or minimize potential construction vibration damage and annoyance to the adjacent Western Costume Building, the contractor shall install and maintain at least two continuously operational automated vibrational monitors on the adjacent Western Costume Building during construction. The monitors must be capable of being programmed with two predetermined vibratory velocities levels: a first-level alarm equivalent to a 0.45 inches per second at the face of the building and a regulatory alarm level equivalent to a 0.5 inches per second at the face of the building. The monitoring system must produce real-time specific alarms (via text message and/or email to on-site personnel) when velocities exceed either of the predetermined levels. In the event of a first-level alarm, feasible steps to reduce vibratory levels shall be undertaken, including but not limited to staggering concurrent activities and utilizing lower-vibratory techniques. In the event of an exceedance of the regulatory level, feasible steps to reduce vibratory levels shall be undertaken, including but not limited to staggering concurrent activities and utilizing lower-vibratory techniques.
 - The Applicant shall erect a temporary acoustic sound attenuation blanket along the south façade of the Western Costume Building covering all south facing windows and the light well. The acoustic blanket shall have a minimum 1-inch thickness and shall be capable of achieving a 20 dBA attenuation factor. The sound attenuation blanket(s) may be draped from the roof of the Western Costume building with adequate separation from the façade of the structure to allow for indirect light and air trespass, and/or can be mounted on poles positioned within the Project Site.
 - A construction noise monitoring program shall be instituted to field check the construction noise levels from within interior residential spaces of the Western Costume Building. The construction noise monitoring program shall demonstrate that the interior noise levels are 45 dBA or below during construction activities on the Project Site. The monitoring plan shall consist of periodic noise samples throughout the construction process and shall include a minimum of four 15-minute Leq measurements and at least one 24-hour CNEL measurement. Noise monitoring logs shall be submitted to the case file during and after construction.

Enforcement Agency: Los Angeles Department of Building and Safety, Department of City Planning, Office of Historic Resources

Monitoring Agency: Los Angeles Department of Building and Safety, Department of City Planning, Office of Historic Resources

Monitoring Phase: Pre-Construction, Construction

Monitoring Frequency: Once during Plan Check; Ongoing during field inspection

Action Indicating Compliance: Submittal of structure monitoring program prior to construction; Compliance report submitted by engineer; Issuance of Certificate of Occupancy or Use of Land

Public Services

XIV-20 Public Services (Police – Demolition/Construction Sites)

Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.

Enforcement Agency: Los Angeles Department of building and Safety

Monitoring Agency: Los Angeles Department of building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Periodic field inspections during construction

Action Indicating Compliance: Field inspection sign-off

Transportation and Traffic

XVI-30 Transportation (Haul Route)

- The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- (*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.

Enforcement Agency: Los Angeles Department of Building and Safety, Los Angeles Department of Transportation

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during construction

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

XVI-40 Safety Hazards

Environmental impacts may result from project implementation due to hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses. However, the potential impacts can be mitigated to a less than significant level by the following measure:

- The developer shall install appropriate traffic signs around the site to ensure pedestrian, bicycles, and vehicle safety.
- The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

Enforcement Agency: Los Angeles Department of Building and Safety, Los Angeles Bureau of Engineering, Los Angeles Department of Transportation

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-Construction

Monitoring Frequency: Once, at plan check

Action Indicating Compliance: Issuance of building permit.

XVI-80 Transportation/Traffic

- Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.
- Temporary pedestrian facilities shall be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.
- Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.
- Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.
- The existing Metro bus stop on Olympic Boulevard along the south side of the project site, shall be maintained or relocated during the construction and operation phase of the project, consistent with the needs of Metro Bus Operations. The applicant shall provide an approved relocation plan prior to issuance of permits.

Enforcement Agency: Los Angeles Department of Building and Safety, LADOT, BOE, Metro

Monitoring Agency: Los Angeles Department of Building and Safety, LADOT, Metro

Monitoring Phase: Construction

Monitoring Frequency: Ongoing

ENV-2014-2948-MND

Action Indicating Compliance: Issuance of Certificate of Occupancy

Regulatory Compliance Measures

In addition to the Mitigation Measures required of the project, and any proposed Project Design Features, the applicant shall also adhere to any applicable Regulatory Compliance Measures required by law. Listed below is a list of often required Regulatory Compliance Measures. Please note that requirements are determined on a case by case basis, and these are an example of the most often required Regulatory Compliance Measures.

AESTHETICS

- **Regulatory Compliance Measure RC-AE-1 (Hillside): Compliance with Baseline Hillside Ordinance.** To ensure consistency with the Baseline Hillside Ordinance, the project shall comply with the City's Hillside Development Guidelines, including but not limited to setback requirements, residential floor area maximums, height limits, lot coverage and grading restrictions.
- **Regulatory Compliance Measure RC-AE-2 (LA River): Compliance with provisions of the Los Angeles River Improvement Overlay District.** The project shall comply with development regulations set forth in Section 13.17.F of the Los Angeles Municipal Code as applicable, including but not necessarily limited to, landscaping, screening/fencing, and exterior site lighting.
- **Regulatory Compliance Measure RC-AE-3 (Vandalism): Compliance with provisions of the Los Angeles Building Code.** The project shall comply with all applicable building code requirements, including the following:
 - Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
 - The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley, pursuant to Municipal Code Section 91.8104.15.
- **Regulatory Compliance Measure RC-AE-4 (Signage): Compliance with provisions of the Los Angeles Building Code.** The project shall comply with the Los Angeles Municipal Code Section 91.6205, including on-site signage maximums and multiple temporary sign restrictions, as applicable.
- **Regulatory Compliance Measure RC-AE-5 (Signage on Construction Barriers): Compliance with provisions of the Los Angeles Building Code.** The project shall comply with the Los Angeles Municipal Code Section 91.6205, including but not limited to the following provisions:
 - 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".
 - Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier.

- 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.

AGRICULTURE and FORESTRY

AIR QUALITY

- **Regulatory Compliance Measure RC-AQ-1(Demolition, Grading and Construction Activities): Compliance with provisions of the SCAQMD District Rule 403.** The project shall comply with all applicable standards of the Southern California Air Quality Management District, including the following provisions of District Rule 403:
 - 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 could reduce fugitive dust by as much as 50 percent.
 - 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.
 - 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.
 - All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
 - All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
 - General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
 - Trucks having no current hauling activity shall not idle but be turned off.
- **Regulatory Compliance Measure RC-AQ-2:** In accordance with Sections 2485 in Title 13 of the California Code of Regulations, the idling of all diesel-fueled commercial vehicles (weighing over 10,000 pounds) during construction shall be limited to five minutes at any location.
- **Regulatory Compliance Measure RC-AQ-3:** In accordance with Section 93115 in Title 17 of the California Code of Regulations, operation of any stationary, diesel-fueled, compression-ignition engines shall meet specified fuel and fuel additive requirements and emission standards.
- **Regulatory Compliance Measure RC-AQ-4:** The Project shall comply with South Coast Air Quality Management District Rule 1113 limiting the volatile organic compound content of architectural coatings.
- **Regulatory Compliance Measure RC-AQ-5:** The Project shall install odor-reducing equipment in accordance with South Coast Air Quality Management District Rule 1138.

- **Regulatory Compliance Measure RC-AQ-6:** New on-site facility nitrogen oxide emissions shall be minimized through the use of emission control measures (e.g., use of best available control technology for new combustion sources such as boilers and water heaters) as required by South Coast Air Quality Management District Regulation XIII, New Source Review.
- **Regulatory Compliance Measure RC-AQ-7 (Spray Painting): Compliance with provisions of the SCAQMD District Rule 403.** The project shall comply with all applicable rules of the Southern California Air Quality Management District, including the following:
 - All spray painting shall be conducted within an SCAQMD-approved spray paint booth featuring approved ventilation and air filtration system.
 - Prior to the issuance of a building permit, use of land, or change of use to permit spray painting, certification of compliance with SCAQMD air pollution regulations shall be submitted to the Department of Building and Safety.
- **Regulatory Compliance Measure RC-AQ-8 (Wireless Facilities):** If rated higher than 50 brake horsepower (bhp), permit required in accordance with SCAQMD Rule 1470 - Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Initial Engines and SCAQMD Rule 1110.2 - Emissions from Gaseous- and Liquid- Field Engines.

BIOLOGY

- **(Duplicate of WQ Measure) Regulatory Compliance Measure RC-WQ-5 (Alteration of a State or Federal Watercourse):** The project shall comply with the applicable sections of the federal Clean Water Act (CWA) and California's Porter Cologne Water Quality Control Act (Porter Cologne). Prior to the issuance of any grading, use of land, or building permit which may affect an existing watercourse, the applicant shall consult with the following agencies and obtain all necessary permits and/or authorizations, to the satisfaction of the Department of Building and Safety. Compliance shall be determined through written communication from each jurisdictional agency, a copy of which shall be submitted to the Environmental Review case file for reference:
 - *United States Army Corps of Engineers.* The applicant shall obtain a Jurisdictional Determination (preliminary or approved), or a letter otherwise indicating that no permit is required. Contact: Aaron O. Allen, Chief - North Coast Branch, Regulatory Division, 805-585-2148.
 - *State Water Resources Control Board.* The applicant shall consult with the 401 Certification and Wetlands Unit and obtain all necessary permits and/or authorizations, or a letter otherwise indicating that no permit is required. Contact: 401 Certification and Wetlands Unit, Los Angeles Region, 320 W 4th Street, #200, Los Angeles, CA 90013, (213) 576-6600.
 - *California Department of Fish and Wildlife.* The applicant shall consult with the Lake and Streambed Alteration Agreement Program and obtain a Streambed Alteration Agreement, or a letter otherwise indicating that no permit is required. Contact: LSAA Program, 4949 Viewridge Avenue, San Diego, CA 92123, (858) 636-3160.

CULTURAL RESOURCES

- **Regulatory Compliance Measure RC-CR-1 (Designated Historic-Cultural Resource): Compliance with United States Department of the Interior – National Park Service – Secretary of the Interior’s Standards for the Treatment of Historic Properties.** The project shall comply with the Secretary of the Interior’s Standards for Historical Resources, including but not limited to the following measures:
 - Prior to the issuance of any permit, the project shall obtain clearance from the Department of Cultural Affairs for the proposed work.
 - A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
 - The historic character of a property shall be retained and preserved. The removal of historic material or alteration of features and spaces shall be avoided.
 - Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other buildings, shall not be undertaken.
 - Most properties change over time; those changes that have acquired significance in their own right shall be retained and preserved.
- **Regulatory Compliance Measure RC-CR-2 (Archaeological):** If archaeological resources are discovered during excavation, grading, or construction activities, work shall cease in the area of the find until a qualified archaeologist has evaluated the find in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. Personnel of the proposed Modified Project shall not collect or move any archaeological materials and associated materials. Construction activity may continue unimpeded on other portions of the Project site. The found deposits would be treated in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2.
 - Distinctive features, finishes and construction techniques or examples of skilled craftsmanship which characterize an historic property shall be preserved.
 - Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive historic feature, the new feature shall match the old in design, color, texture, and other visual qualities, and where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
 - Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
 - Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
 - New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

- New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- **Regulatory Compliance Measure RC-CR-3 (Paleontological):** If paleontological resources are discovered during excavation, grading, or construction, the City of Los Angeles Department of Building and Safety shall be notified immediately, and all work shall cease in the area of the find until a qualified paleontologist evaluates the find. Construction activity may continue unimpeded on other portions of the Project site. The paleontologist shall determine the location, the time frame, and the extent to which any monitoring of earthmoving activities shall be required. The found deposits would be treated in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2.
- **Regulatory Compliance Measure CR-4 (Human Remains):** If human remains are encountered unexpectedly during construction demolition and/or grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to California Public Resources Code (PRC) Section 5097.98. In the event that human remains are discovered during excavation activities, the following procedure shall be observed:
 - 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)If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC).
The NAHC will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
 - 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.
 - If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the NAHC.

GEOLOGY AND SOILS

- **Regulatory Compliance Measure RC-GEO-1 (Seismic):** The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
- **Regulatory Compliance Measure RC-GEO-2 (Hillside Grading Area):** The grading plan shall conform with the City's Landform Grading Manual guidelines, subject to approval by the Advisory Agency and the Department of Building and Safety's Grading Division. Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, vee-channels, and

inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.

- **Regulatory Compliance Measure RC-GEO-3 (Landslide Area):** Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The geotechnical report shall assess potential consequences of any landslide and soil displacement, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to:
 - ground stabilization
 - selection of appropriate foundation type and depths
 - selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures

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.

- **Regulatory Compliance Measure RC-GEO-4 (Liquefaction Area):** The project shall comply with the Uniform Building Code Chapter 18. Division 1 Section 1804.5 Liquefaction Potential and Soil Strength Loss. Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to:
 - ground stabilization
 - selection of appropriate foundation type and depths
 - selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.

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.

- **Regulatory Compliance Measure RC-GEO-5 (Subsidence Area):** Prior to the issuance of building or grading permits, the applicant shall submit a geotechnical report prepared by a registered civil engineer or certified engineering geologist to the written satisfaction of the Department of Building and Safety. The geotechnical report shall assess potential consequences of any subsidence and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures. 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.

- **Regulatory Compliance Measure RC-GEO-6 (Expansive Soils Area):** Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The geotechnical report shall assess potential consequences of any soil expansion and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures. 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.
- **Regulatory Compliance Measure RC-GHG-1 (Green Building Code):** In accordance with the City of Los Angeles Green Building Code (Chapter IX, Article 9, of the Los Angeles Municipal Code), the Project shall comply with all applicable mandatory provisions of the 2013 Los Angeles Green Code and as it may be subsequently amended or modified.

HAZARDS AND HAZARDOUS MATERIALS

- **Regulatory Compliance Measure RC-HAZ-1: Explosion/Release (Existing Toxic/Hazardous Construction Materials)**
 - **(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.
 - **(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.
 - **(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.
- **Regulatory Compliance Measure RC-HAZ-2: Explosion/Release (Methane Zone):** As the Project Site is within a methane zone, prior to the issuance of a building permit, the Site shall be independently analyzed by a qualified engineer, as defined in Ordinance No. 175,790 and Section 91.7102 of the LAMC, hired by the Project Applicant. The engineer shall investigate

and design a methane mitigation system in compliance with the LADBS Methane Mitigation Standards for the appropriate Site Design Level which will prevent or retard potential methane gas seepage into the building. The Applicant shall implement the engineer's design recommendations subject to DOGGR, LADBS and LAFD plan review and approval.

- **Regulatory Compliance Measure RC-HAZ-3: Explosion/Release (Soil Gases):** During subsurface excavation activities, including borings, trenching and grading, OSHA worker safety measures shall be implemented as required to preclude any exposure of workers to unsafe levels of soil-gases, including, but not limited to, methane.
- **Regulatory Compliance Measure RC-HAZ-4 Listed Sites (Removal of Underground Storage Tanks):** Underground Storage Tanks shall be decommissioned or removed as determined by the Los Angeles City Fire Department Underground Storage Tank Division. If any contamination is found, further remediation measures shall be developed with the assistance of the Los Angeles City Fire Department and other appropriate State agencies. Prior to issuance of a use of land or building permit, a letter certifying that remediation is complete from the appropriate agency (Department of Toxic Substance Control or the Regional Water Quality Control Board) shall be submitted to the decision maker.
- **Regulatory Compliance Measure RC-HAZ-5 (Hazardous Materials Site):** Prior to the issuance of any use of land, grading, or building permit, the applicant shall obtain a sign-off from the Fire Department indicating that all on-site hazardous materials, including contamination of the soil and groundwater, have been suitably remediated, or that the proposed project will not impede proposed or on-going remediation measures.

HYDROLOGY AND WATER QUALITY

- **Regulatory Compliance Measure RC-WQ-1: National Pollutant Discharge Elimination System General Permit.** Prior to issuance of a grading permit, the Applicant shall obtain coverage under the State Water Resources Control Board National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, National Pollutant Discharge Elimination System No. CAS000002) (Construction General Permit) for Phase 1 of the proposed Modified Project. The Applicant shall provide the Waste Discharge Identification Number to the City of Los Angeles to demonstrate proof of coverage under the Construction General Permit. A Storm Water Pollution Prevention Plan shall be prepared and implemented for the proposed Modified Project in compliance with the requirements of the Construction General Permit. The Storm Water Pollution Prevention Plan shall identify construction Best Management Practices to be implemented to ensure that the potential for soil erosion and sedimentation is minimized and to control the discharge of pollutants in stormwater runoff as a result of construction activities.
- **Regulatory Compliance Measure RC-WQ-2: Dewatering.** If required, any dewatering activities during construction shall comply with the requirements of the Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties (Order No. R4-2008-0032, National Pollutant Discharge Elimination System No. CAG994004) or subsequent

permit. This will include submission of a Notice of Intent for coverage under the permit to the Los Angeles Regional Water Quality Control Board at least 45 days prior to the start of dewatering and compliance with all applicable provisions in the permit, including water sampling, analysis, and reporting of dewatering-related discharges.

- **Regulatory Compliance Measure RC-WQ-3: Low Impact Development Plan.** Prior to issuance of grading permits, the Applicant shall submit a Low Impact Development Plan and/or Standard Urban Stormwater Mitigation Plan to the City of Los Angeles Bureau of Sanitation Watershed Protection Division for review and approval. The Low Impact Development Plan and/or Standard Urban Stormwater Mitigation Plan shall be prepared consistent with the requirements of the Development Best Management Practices Handbook.
- **Regulatory Compliance Measure RC-WQ-4: Development Best Management Practices.** The Best Management Practices shall be designed to retain or treat the runoff from a storm event producing 0.75 inch of rainfall in a 24-hour period, in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a licensed civil engineer or licensed architect confirming that the proposed Best Management Practices meet this numerical threshold standard shall be provided.
- **Regulatory Compliance Measure RC-WQ-5 (Alteration of a State or Federal Watercourse):** The project shall comply with the applicable sections of the federal Clean Water Act (CWA) and California's Porter Cologne Water Quality Control Act (Porter Cologne). Prior to the issuance of any grading, use of land, or building permit which may affect an existing watercourse, the applicant shall consult with the following agencies and obtain all necessary permits and/or authorizations, to the satisfaction of the Department of Building and Safety. Compliance shall be determined through written communication from each jurisdictional agency, a copy of which shall be submitted to the Environmental Review case file for reference:
 - *United States Army Corps of Engineers.* The applicant shall obtain a Jurisdictional Determination (preliminary or approved), or a letter otherwise indicating that no permit is required. Contact: Aaron O. Allen, Chief - North Coast Branch, Regulatory Division, 805-585-2148.
 - *State Water Resources Control Board.* The applicant shall consult with the 401 Certification and Wetlands Unit and obtain all necessary permits and/or authorizations, or a letter otherwise indicating that no permit is required. Contact: 401 Certification and Wetlands Unit, Los Angeles Region, 320 W 4th Street, #200, Los Angeles, CA 90013, (213) 576-6600.
 - *California Department of Fish and Wildlife.* The applicant shall consult with the Lake and Streambed Alteration Agreement Program and obtain a Streambed Alteration Agreement, or a letter otherwise indicating that no permit is required. Contact: LSAA Program, 4949 Viewridge Avenue, San Diego, CA 92123, (858) 636-3160.
- **Regulatory Compliance Measure RC-WQ-6 (Flooding/Tidal Waves):** The project shall comply with the requirements of the Flood Hazard Management Specific Plan, Ordinance No. 172081 effective 7/3/98.

LAND USE AND PLANNING

- **Regulatory Compliance Measure RC-LU-1 (Slope Density):** The project shall not exceed the maximum density permitted in Hillside Areas, as calculated by the formula set forth in Los Angeles Municipal Code Section 17.05-C (for tracts) or 17.50-E (for parcel maps).

MINERAL RESOURCES

NOISE

- **Regulatory Compliance Measure RC-NO-1 (Demolition, Grading, and Construction Activities):** The project shall comply with the City of Los Angeles Noise Ordinance and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

POPULATION AND HOUSING

- **New Regulatory Compliance Measure RC-PH-1 (Tenant Displacement):**
 - **Apartment Converted to Condominium** - Prior to final map recordation, and pursuant to the provisions of Section 12.95.2-G and 47.06 of the Los Angeles Municipal Code (LAMC), a tenant relocation plan shall be submitted to the Los Angeles Housing Department for review and approval.
 - **Apartment Demolition** - Prior to the issuance of a demolition permit, and pursuant to the provisions of Section 47.07 of the Los Angeles Municipal Code, a tenant relocation plan shall be submitted to the Los Angeles Housing Department for review and approval.
 - **Mobile Home Park Closure or Conversion to Different Use** Prior to the issuance of any permit or recordation, and pursuant to the provisions of Section 47.08 and 47.09 of the Los Angeles Municipal Code, a tenant relocation plan and mobile home park closure impact report shall be submitted to the Los Angeles Housing Department for review and approval.

PUBLIC SERVICES

Schools

- **Regulatory Compliance Measure RC-PS-1 (Payment of School Development Fee)** Prior to issuance of a building permit, the General Manager of the City of Los Angeles, Department of Building and Safety, or designee, shall ensure that the Applicant has paid all applicable school facility development fees in accordance with California Government Code Section 65995.

Parks

- **Regulatory Compliance Measure RC-PS-2 (Increased Demand For Parks Or Recreational Facilities):**
 - (*Subdivision*) Pursuant to Section 17.12-A or 17.58 of the Los Angeles Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of dwelling units.

- (*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.
- **Regulatory Compliance Measure RC-PS-3 (Increase Demand For Parks Or Recreational Facilities – Zone Change)** Pursuant to Section 12.33 of the Los Angeles Municipal Code, the applicant shall pay the applicable fees for the construction of dwelling units.

RECREATION

See RC measures above under Parks.

TRANSPORTATION AND TRAFFIC

- **Regulatory Compliance Measure RC-TT-1 (Increased Vehicle Trips/Congestion - West Side Traffic Fee)** Prior to issuance of a Building Permit, the applicant shall pay a traffic impact fee to the City, based on the requirements of the West Los Angeles Traffic Improvement and Mitigation Specific Plan (WLA TIMP).

PUBLIC UTILITIES AND SERVICE SYSTEMS

Water Supply

- **Regulatory Compliance Measure RC-WS-1 (Fire Water Flow)** The Project Applicant shall consult with the LADBS and LAFD to determine fire flow requirements for the Proposed Project, and will contact a Water Service Representative at the LADWP to order a SAR. This system hydraulic analysis will determine if existing LADWP water supply facilities can provide the proposed fire flow requirements of the Project. If water main or infrastructure upgrades are required, the Applicant would pay for such upgrades, which would be constructed by either the Applicant or LADWP.
- **Regulatory Compliance Measure RC-WS-2 (Green Building Code):** The Project shall implement all applicable mandatory measures within the LA Green Building Code that would have the effect of reducing the Project's water use.
- **Regulatory Compliance Measure RC-WS-3 (New Carwash):** The applicant shall incorporate a water recycling system to the satisfaction of the Department of Building and Safety.
- **Regulatory Compliance Measure RC-WS-4 (Landscape)** The Project shall comply with Ordinance No. 170,978 (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).

Energy

- **Regulatory Compliance Measure RC-EN-1(Green Building Code):** The Project shall implement all applicable mandatory measures within the LA Green Building Code that would have the effect of reducing the Project's energy use.

Solid Waste

- **Regulatory Compliance Measure RC-SW-1 (Designated Recycling Area)** In compliance with Los Angeles Municipal Code, the proposed Modified Project shall provide readily accessible areas that serve the entire building and are identified for the depositing, storage, and collection of nonhazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, and metals.
- **Regulatory Compliance Measure RC-SW-2 (Construction Waste Recycling)** In order to meet the diversion goals of the California Integrated Waste Management Act and the City of Los Angeles, which will total 70 percent by 2013, the Applicant shall salvage and recycle construction and demolition materials to ensure that a minimum of 70 percent of construction-related solid waste that can be recycled is diverted from the waste stream to be landfilled. Solid waste diversion would be accomplished through the on-site separation of materials and/or by contracting with a solid waste disposal facility that can guarantee a minimum diversion rate of 70 percent. In compliance with the Los Angeles Municipal Code, the General Contractor shall utilize solid waste haulers, contractors, and recyclers who have obtained an Assembly Bill (AB) 939 Compliance Permit from the City of Los Angeles Bureau of Sanitation.
- **Regulatory Compliance Measure RC-SW-3 (Commercial/Multifamily Mandatory Recycling)** In compliance with AB341, 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 Proposed Project's regular solid waste disposal program. The Project Applicant shall only contract for waste disposal services with a company that recycles solid waste in compliance with AB341.

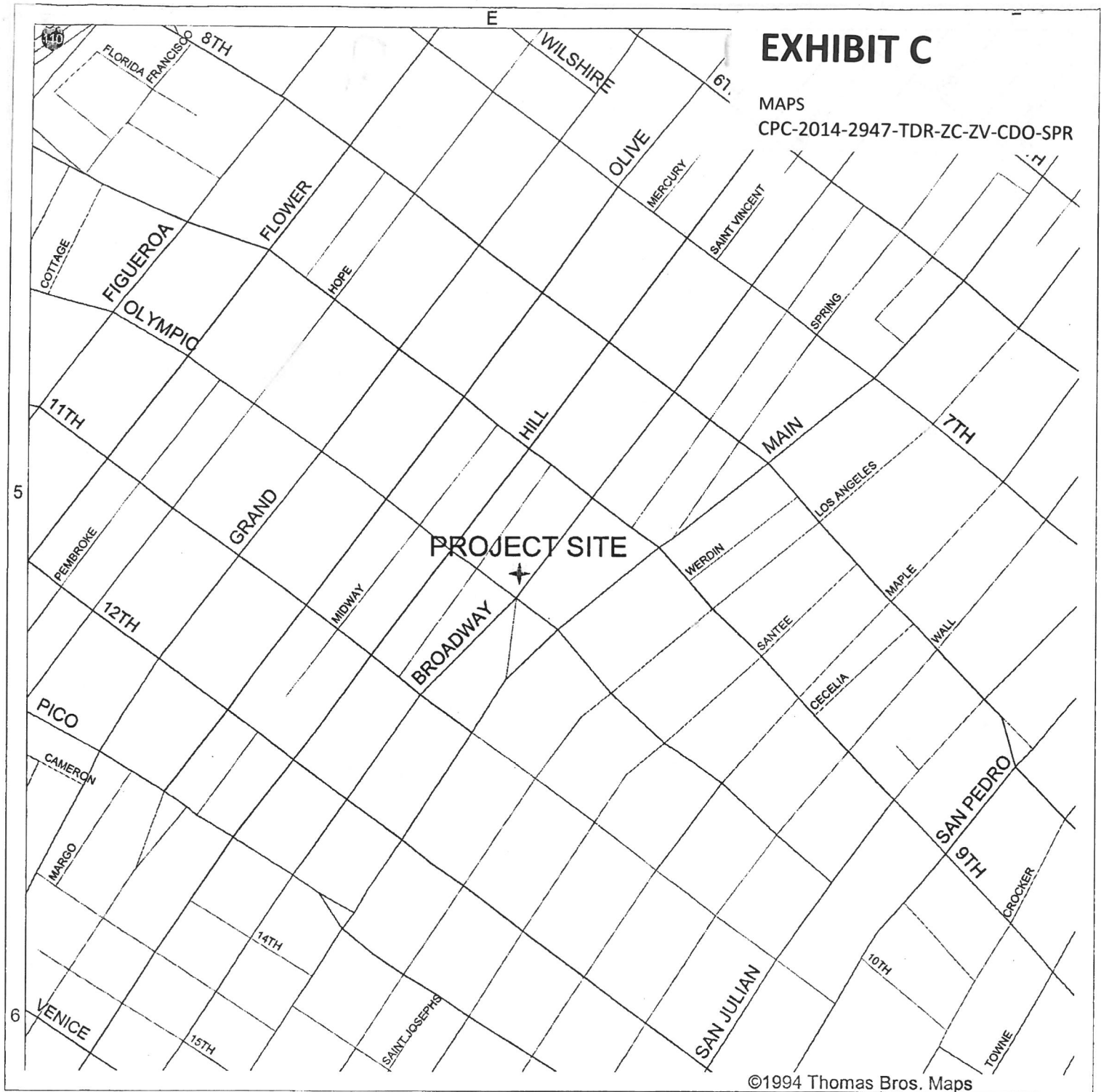


EXHIBIT C

MAPS

CPC-2014-2947-TDR-ZC-ZV-CDO-SPR

VICINITY MAP

SITE : 955 S. BROADWAY

CPC 2014-2947

GC MAPPING SERVICE, INC.

3055 WEST VALLEY BOULEVARD

ALHAMBRA CA 91803

(626) 441-1080, FAX (626) 441-8850

GCMAPPING@RADIUSMAPS.COM



DEPARTMENT OF
CITY PLANNING

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ
PRESIDENT

RENEE DAKE WILSON
VICE-PRESIDENT

ROBERT L. AHN
CAROLINE CHOE
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JOHN W. MACK
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VERONICA PADILLA-CAMPOS
DANA M. PERLMAN

JAMES K. WILLIAMS
COMMISSION EXECUTIVE ASSISTANT
(213) 978-1300

CITY OF LOS ANGELES EXHIBIT D
CALIFORNIA



ERIC GARCETTI
MAYOR

VTT-72342-CN DETERMINATION LETTER
CPC-2014-2947-TDR-ZC-ZV-CDO-SPR

KEVIN J. KELLER, AICP
DEPUTY DIRECTOR
(213) 978-1272

LISA M. WEBBER, AICP
DEPUTY DIRECTOR
(213) 978-1274

JAN ZATORSKI
DEPUTY DIRECTOR
(213) 978-1273

<http://planning.lacity.org>

Decision Date: October 13, 2016

Appeal End Date: October 24, 2016

Agoura Oaks, LLC (A)
5506 Colodny Drive
Agoura Hills, CA 91301

Kate Bartolo (R)
Kate Bartolo & Associates
645 West 9th Street, Suite 110
Los Angeles, CA 90017

Case No. Vesting Tentative Tract No. 72342-CN
Related Case: CPC-2014-2947-TDR-ZC-ZV-
CDO-SPR
951-959 South Broadway
Central City Planning Area
Zone : [Q]C2-4D-CDO-SN
D.M. : 126A209 and 127-5A209
C.D. : 14
CEQA : ENV-2014-2948-MND
Legal Description: John G. Downey Tract,
Block B, Lots 10, 11, and Fr. 12

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code (LAMC), the Advisory Agency adopted Mitigated Negative Declaration ENV-2014-2948-MND as the environmental clearance, adopted the Mitigation Monitoring Program, and approved Vesting Tentative Tract No. 72342-CN composed of **one (1) master lot and two (2) airspace lots**, located at 951-959 South Broadway and 215 West Olympic Boulevard for a maximum **163-unit residential condominium and 8-unit commercial condominium** as shown on revised map stamp-dated July 22, 2016 in the Central City Community Plan. This unit density is based on the C2 Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which will legally interpret the Zoning Code as it applies to this particular property.) The Advisory Agency's approval is subject to the following conditions:

NOTE on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That a 3-foot wide right-of-way be dedicated along Olympic Boulevard adjoining the tract to complete a 53-foot wide half right-of-way in accordance with **Modified Avenue I** of LA Mobility plan including a 20-foot radius or 15-foot by 15-foot property line corner cut at the intersection with Broadway. **The above 15-foot by 15-foot cut corner dedication shall be limited to a height of 14 feet measured from the finished sidewalk surface adjoining the tract.**
2. That a 4-foot wide strip of land be dedicated along the alley adjoining the tract to complete a 10-foot wide alley.
3. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.
4. That a set of drawings for airspace lots be submitted to the City Engineer showing the following:
 - a. Plan view at different elevations.
 - b. Isometric views.
 - c. Elevation views.
 - d. Section cuts at all locations where air space lot boundaries change.
5. That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary private easements for ingress and egress purposes to serve proposed airspace lots to use upon the sale of the respective lots and they will maintain the private easements free and clear of obstructions an in safe conditions for use at all times.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

6. That prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Letter dated April 15, 2015 Log No. 87867 and attached to the case file for Tract No. 72342.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

7. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
 - a. Provide a copy of CPC case CPC-2014-2947-TDR-ZV-CDO-SPR. Show compliance with all the conditions/requirements of the CPC case as applicable.
 - b. Provide a copy of affidavits AFF-12792, AFF-19598, AFF-50269, and AF-80-1244757. Show compliance with all the conditions/requirements of the above affidavit as applicable. Termination of above affidavit may be

required after the Map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.

- c. Show all street dedication as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be rechecked as per net lot area after street dedication. Front yard requirement shall be required to comply with current code as measured from new property lines after dedication.
- d. Record a Covenant and Agreement to treat the buildings and structures located in an Air Space Subdivision as if they were within a single lot.

Notes:

The project site is within the Greater Downtown Housing Incentive Area. Number of dwelling unit is not regulated by density but by FAR.

Each Air Space lot shall have access to a street by one or more easements or other entitlements to use in a form satisfactory to the Advisory Agency and the City Engineer.

The proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. With the exception of revised health or safety standards, the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect at the time the subdivision application was deemed complete. Plan check will be required before any construction, occupancy or change of use.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

- 8. That the project be subject to any recommendations from the Department of Transportation.

FIRE DEPARTMENT

- 9. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
 - a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
 - b. In order to mitigate the inadequacy of fire protection in travel distance, sprinkler systems will be required throughout any structure to be built, in accordance with the Los Angeles Municipal Code, Section 57.09.07.

- c. Construction of public or private roadway in the proposed development shall not exceed 15 percent in grade.
- d. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- e. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- f. Entrance to the main lobby shall be located off the address side of the building.
- g. Any required Fire Annunciator panel or Fire Control Room shall be located within 50 ft. visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.

Note: The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting please call (213) 482-6509. You should advise any consultant representing you of this requirement as well.

DEPARTMENT OF WATER AND POWER

- 10. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1.(c).)

BUREAU OF STREET LIGHTING – SPECIFIC CONDITIONS

- 11. Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

BUREAU OF SANITATION

- 12. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

INFORMATION TECHNOLOGY AGENCY

13. To assure that cable television facilities will be installed in the same manner as other required improvements, please email cabletv.ita@lacity.org that provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of three people in case the applicant/owner has any additional questions.

DEPARTMENT OF RECREATION AND PARKS

14. That the Quimby fee be based on the C2 Zone.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

15. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- a. Limit the proposed development to a maximum of 163 residential condominium units and 8 commercial condominium units with a total of 4,600 square feet of commercial floor area.
- b. Residential parking shall be provided per LAMC Section 12.21-A.4,(p). Commercial parking shall be provided per LAMC Section 12.21-A.4,(i),(3).

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (201 N. Figueroa Street, 4th Floor).

- c. **Note to City Zoning Engineer and Plan Check.** The Advisory Agency has reviewed and approved the location(s) of the following item(s) as it applies to this subdivision and the proposed development on the site.

Not Applicable

- d. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
- e. The applicant shall install an air filtration system(s) to reduce the effects of diminished air quality on occupants of the project.
- f. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.

- g. That the subdivider consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
- h. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
- i. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Action includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

16. That prior to the issuance of the building permit or the recordation of the final map, a copy of Case No. CPC-2014-2947-TDR-ZC-ZV-CDO-SPR shall be submitted to the satisfaction of the Advisory Agency. In the event that CPC-2014-2947-TDR-ZC-ZV-CDO-SPR is not approved, the subdivider shall submit a tract modification.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

17. That prior to recordation of the final map the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770 and Exhibit CP-6770. M) in a manner satisfactory to the Planning Department requiring the subdivider to identify (a) mitigation monitor(s) who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition Nos. 18 and 19 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, postconstruction/maintenance) to ensure continued implementation of the above mentioned mitigation items.
18. Prior to the recordation of the final map, the subdivider will prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
 - MM-1. 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 or kill (Fish and Game Code Section 86).

MM-2. If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:

- 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.
- If a protected native bird 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.
- 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.
- 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.

MM-3. Removal of trees in the public right-of-way requires approval by the Board of Public Works.

MM-4. The required Tree Report shall include the location, size, type, and condition of all existing trees in the adjacent public right-of-way and shall be submitted for review and approval by the Urban Forestry Division of the Bureau of Street Services, Department of Public Works (213-847-3077).

MM-5. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Measures such as replacement

by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) trees in the public right-of-way.

- MM-6. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.
- MM-7. Balconies on the Broadway façade shall not project from the building face, except for the one row of balconies at the north end of the façade, which may project as long as the balcony material is mostly transparent metal railings.
- MM-8. The balconies at the south end of the Broadway façade shall not project beyond the edge of the building towards Olympic Boulevard.
- MM-9. Balconies along the Broadway façade shall be comprised of a solid material similar to adjacent facades.
- MM-10. Environmental impacts to future occupants may result from this project's implementation due to mobile noise. However, these impacts will be mitigated to a less than significant level by the following measures: All exterior windows having a line of sight of a Boulevard or Avenue shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Class (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto. The applicant, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.
- MM-11. Wall and floor-ceiling assemblies separating commercial tenant spaces, residential units, and public places, shall have a Sound Transmission Class (STC) value of at least 50, as determined in accordance with ASTM E90 and ASTM E413.
- MM-12. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- MM-13. **(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.
- MM-14. The developer shall install appropriate traffic signs around the site to ensure pedestrian, bicycle, and vehicle safety.
- MM-15. The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

MM-16. The existing Metro bus stop on Olympic Boulevard along the south side of the project site, shall be maintained or relocated during the construction and operation phase of the project, consistent with the needs of Metro Bus Operations. The applicant shall provide an approved relocation plan prior to issuance of permits.

19. **Construction Mitigation Conditions** - Prior to the issuance of a grading or building permit, or the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

CM-1 That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract map number. **YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.**

- Locate the sign in a conspicuous place on the subject site or structure (if developed) so that it can be easily read by the public. The sign must be sturdily attached to a wooden post if it will be free-standing.
- Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.
- If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres, or portion thereof. Each sign must be posted in a prominent location.

CM-2. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.

CM-3. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.

CM-4. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

CM-5. A temporary noise barrier such as, but not limited to, plywood structures or flexible sound control curtains extending eight feet in height and capable of sound attenuation of at least 10 dBA shall be erected around the perimeter of the construction site (excluding the northern property line where adequate space is not available) to minimize the amount of noise during construction on the nearby noise-sensitive uses.

CM-6. Temporary construction fencing shall be placed along the periphery of the

active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.

- CM-7. Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc.) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.
- CM-8. Temporary pedestrian facilities should be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.
- CM-9. Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.
- CM-10. Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.
- CM-11. The monitoring program shall survey for vertical and horizontal movement, as well as vibration thresholds. If the thresholds are met or exceeded, or noticeable structural damage becomes evident to the project contractor, work shall stop in the area of the affected building until measures have been taken to stabilize the affected building to prevent construction related damage to historic resources.
- CM-12. All new construction work shall be performed so as not to adversely affect the historic designations surrounding the Project Site. Specifically, this mitigation measure is provided to ensure vibration from construction of the proposed project does not adversely impact nearby buildings, which include the following structures: (a) the Western Costume Building, at 939 S. Broadway. Prior to commencement of construction, a qualified structural engineer shall survey the existing foundations and structures of the nearby buildings listed above, and provide a plan to protect them from potential damage. Pot holing or other destructive testing of below grade conditions on the project site and immediately adjacent historical resources may be necessary to establish baseline conditions and prepare the shoring design. If feasible, the project and shoring designs shall avoid pile driving within twenty-five feet of immediately adjacent historical resources. The shoring design shall specify threshold limits for vibration causing activities.
- CM-13. The performance standards of the structure monitoring plan shall include the following:

- The qualified structural engineer shall monitor vibration during the pile driving or other vibration-causing construction activities to ensure that the established impact threshold and shoring design is not exceeded. If feasible, alternative means of setting piles such as predrilled holes or hydraulic pile driving shall be employed to avoid exceeding the impact threshold established. At the conclusion of vibration causing activities, the qualified structural engineer shall issue a follow-on letter describing damage, if any, to immediately adjacent historical resources and recommendations for any repair, as may be necessary, in conformance with the Secretary's Standards. Repairs shall be undertaken and completed in conformance with all applicable codes including the California Historical Building Code (Part 8 of Title 24) prior to issuance of any temporary or permanent certificate of occupancy for the new building.
- The structure monitoring program shall be submitted to the Department of Building and Safety and received into the case file for the associated discretionary action permitting the project prior to initiating any construction activities.

CM-14. To avoid or minimize potential construction vibration damage and annoyance to the adjacent Western Costume Building, the contractor shall install and maintain at least two continuously operational automated vibrational monitors on the adjacent Western Costume Building during construction. The monitors must be capable of being programmed with two predetermined vibratory velocities levels: a first-level alarm equivalent to a 0.45 inches per second at the face of the building and a regulatory alarm level equivalent to a 0.5 inches per second at the face of the building. The monitoring system must produce real-time specific alarms (via text message and/or email to on-site personnel) when velocities exceed either of the predetermined levels. In the event of a first-level alarm, feasible steps to reduce vibratory levels shall be undertaken, including but not limited to staggering concurrent activities and utilizing lower-vibratory techniques. In the event of an exceedance of the regulatory level, feasible steps to reduce vibratory levels shall be undertaken, including but not limited to staggering concurrent activities and utilizing lower-vibratory techniques.

CM-15. The Applicant shall erect a temporary acoustic sound attenuation blanket along the south façade of the Western Costume Building covering all south facing windows and the light well. The acoustic blanket shall have a minimum 1-inch thickness and shall be capable of achieving a 20 dBA attenuation factor. The sound attenuation blanket(s) may be draped from the roof of the Western Costume building with adequate separation from the façade of the structure to allow for indirect light and air trespass, and/or can be mounted on poles positioned within the Project Site.

CM-16. A construction noise monitoring program shall be instituted to field check the construction noise levels from within interior residential spaces of the

Western Costume Building. The construction noise monitoring program shall demonstrate that the interior noise levels are 45 dBA or below during construction activities on the Project Site. The monitoring plan shall consist of periodic noise samples throughout the construction process and shall include a minimum of four 15-minute Leq measurements and at least one 24-hour CNEL measurement. Noise monitoring logs shall be submitted to the case file during and after construction.

DEPARTMENT OF CITY PLANNING - STANDARD CONDOMINIUM CONDITIONS

C-1 That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:

1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
2. All other conditions applying to Model Dwellings under Section 12.22A, 10 and 11 and Section 17.05 O of the Code shall be fully complied with satisfactory to the Department of Building and Safety.

C-2 Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with Section 17.12 of the Los Angeles Municipal Code and to be paid and deposited in the trust accounts of the Park and Recreation Fund.

C-3 That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any permit. The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

C-4 In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy

of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

BUREAU OF ENGINEERING - STANDARD CONDITIONS

- S-1 (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the Municipal Code.
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
- (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
- (e) That drainage matters be taken care of satisfactory to the City Engineer.
- (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
- (g) That any required slope easements be dedicated by the final map.
- (h) That each lot in the tract comply with the width and area requirements of the Zoning Ordinance.
- (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.

- (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
 - (k) That no public street grade exceeds 15%.
 - (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2 That the following provisions be accomplished in conformity with the improvements constructed herein:
- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
 - (b) Make satisfactory arrangements with the Department of Traffic with respect to street name, warning, regulatory and guide signs.
 - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
 - (d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
 - (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.
- S-3 That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
 - (b) Construct any necessary drainage facilities.
 - (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
 - a. Construct two (2) new pedestrian lights on Olympic Boulevard.
 - b. Construct two (2) new pedestrian lights on Broadway.
 - c. If street widening per BOE improvement conditions, relocate and upgrade street lights; two (2) on Broadway and one (1) on Olympic Boulevard.

Notes:

The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering condition S-3 (i), requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division ((213) 847-3077) upon completion of construction to expedite tree planting.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a. Improve the alley being dedicated adjoining the subdivision by the construction of a suitable surfacing to complete a 10-foot wide half alley with 2-foot wide longitudinal concrete gutter including any necessary removal and reconstruction of the existing improvements.
 - b. Improve Olympic Boulevard adjoining the subdivision and adjoining the tract by the construction of an additional concrete sidewalk to complete a full-width sidewalk with tree wells including any necessary removal and reconstruction of the existing improvements.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract action. However the existing or proposed zoning may not permit this number of units. This vesting map does not constitute approval of any variations from the Municipal Code, unless approved specifically for this project under separate conditions.

Any removal of the existing street trees shall require Board of Public Works approval.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with Section 17.05-N of the Los Angeles Municipal Code.

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

FINDINGS OF FACT (CEQA)

Mitigated Negative Declaration ENV-2014-2984-MND was prepared and circulated for public review on December 31, 2015. The circulation period ended on January 20, 2016. The project will incorporate all mitigation measures set forth in ENV-2014-2984-MND, with modifications discussed below, to ensure project impacts remain less than significant with respect to biological resources, cultural resources, land use and planning, noise, public services, and transportation/traffic.

The Mitigation Monitoring Program (MMP) has been prepared in accordance with Section 21081.6 of Public Resources Code and Section 15097 of the CEQA Guidelines, which requires a Lead or Responsible Agency that approves or carries out a project where an MND has identified significant environmental effects to adopt a "reporting or monitoring program for the changes to project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment." The City is the Lead Agency for the proposed project.

The MMP is designed to monitor implementation of all feasible mitigation measures as identified in the MND for the proposed project. The Project applicant shall be obligated to provide certification prior to the issuance of site or building plans that compliance with the required mitigation measures has been achieved. All departments listed are within the City unless otherwise noted. The entity responsible for the implementation of all mitigation measures shall be the Project applicant unless otherwise noted.

During the circulation period, the Department of City Planning received three comment letters from two parties. The comments are summarized below.

Adams Broadwell Joseph & Cardoza

On behalf of the Coalition for Responsible Equitable Economic Development (CREED LA)

Adams Broadwell Joseph & Cardoza submitted two comments on behalf of CREED LA. The initial comments were submitted on January 20, 2016 and supplemental comments were submitted on February 25, 2016. The January 20th comment stated that they believed the analysis of the project's potential environmental effects contained a number of deficiencies, including the City's underestimation of the project's construction emissions, the inadequacy of the greenhouse gas analysis, as well as other issues, such as traffic, noise, and hazards. The supplemental comments submitted on February 25th stated that the MND fails to adequately disclose, investigate, and analyze the project's potentially significant impacts, and fails to provide substantial evidence to conclude that impacts will be mitigated to a less-than-significant level. The comments focused on air quality and greenhouse gas impacts, noise and vibration impacts, hydrological impacts, and wastewater impacts, as summarized below.

- **Air Quality and Greenhouse Gas** – The comment letter states that several of the values inputted into the project's air quality model are inconsistent with the information in the associated technical studies, in particular the model uses the incorrect number of construction equipment pieces and uses incorrect off-road equipment usage hours. The discrepancy regarding equipment pieces was due to a text error in the Air Quality Report, which has since been addressed, and the model uses the correct assumptions. The operating hours are consistent with other assumptions regarding the project and the hours used in the model inputs correspond to the anticipated equipment use. The comment letter also states that the model's inclusion of sequestration is unsubstantiated, however the 46 trees that will be planted as part of the project are shown on the site plan and will be required to be planted. The comment letter further states that the greenhouse gas analysis is flawed and should be measured against a threshold of a 49 percent reduction in emissions from a "business-as-usual" level, per the state-wide goal in Executive Order B-30-15. As analyzed in the MND, the greenhouse gas emissions anticipated from the project were quantified and two methods were used to evaluate potential impacts as the City of Los Angeles does not have an adopted threshold: a draft numerical threshold considered by the South Coast Air Quality Management District (SCAQMD) and a policy consistency analysis. Nothing in CEQA requires a business-as-usual based approach and the California Supreme Court has expressly approved a numeric threshold approach and has provided that a policy consistency analysis is also permissible for the purposes of impact determination (*Communities for a Better Environment v. California Department of Fish and Wildlife*, 2015).
- **Noise and Vibration Impacts** – The comment letter states that the mitigation measures for potential vibration damage to adjacent historic buildings do not comply with the requirements of CEQA as they only require monitoring and that action is only taken once the damage has been done. Parker Environmental, environmental consultant for the applicant, submitted a letter on February 24, 2016 proposing revisions to Mitigation Measure XII-230 which would include a lower "first alarm" vibration threshold, set below the vibration levels at which damage to historic structures might be expected to occur. The monitoring system will provide real-time transmission of alarms, and a trigger of the first alarm would require additional measures to reduce construction-related vibration, including changes in construction practices and methods. In the event a "regulatory alarm" occurs, a visual inspection and documentation of the building must occur, and any

damage must be repaired according to applicable historic preservation standards. The revised mitigation measure is included below.

- **Hydrological Impacts** – The comment letter states that the MND failed to disclose the depth of the groundwater table at the project site or the project's potential to encounter groundwater during construction of four subterranean levels. The comment further states that shallow groundwater has been encountered at 1000 W. 6th Street, which is close to a mile northwest of the project site and is on the other side of the 110 freeway. The comment also contends that due to the perceived shallow groundwater table de-watering will be required during construction, which was not properly disclosed or analyzed in the MND. The minimum depth to groundwater at the property was established by physical testing and was reported in the December 19, 2013 Geotechnical Engineering Investigation prepared by Geotechnologies, Inc., which was approved by the Bureau of Engineering in a letter dated February 10, 2014. The measured depth to groundwater in 2013 was 132 feet below ground surface and the historic depth to groundwater was 140 feet below ground surface. It is unlikely that the subterranean parking would reach 50 feet below ground surface, therefore not interfering with the groundwater table.
- **Wastewater Impacts** – The comment letter states that the MND did not adequately analyze potential impacts to the Hyperion Treatment Plant and the wastewater conveyance system. While the projected flow from the project would exceed the threshold for more detailed analysis of 4,000 gallons per day, it was determined that nearly 90 million galls per day of treatment capacity remain. Additionally, the project will be incorporating water conservation features that will reduce the anticipated wastewater discharge. The applicant will also be required to coordinate with the Bureau of Sanitation to determine the exact wastewater conveyance requirements and any upgrades to the wastewater lines in the vicinity of the project site that are needed to adequately serve the proposed project would be undertaken as part of the project.

Joyce Dillard

Joyce Dillard submitted a comment regarding concerns about methane, oil wells, fire safety, watershed quality, infrastructure, and the increase in housing units. The comments identified were addressed in the MND, the MMP, and in the Regulatory Compliance Measures. No actual evidence is provided and nothing provided in the comments from Ms. Dillard rises to the standard that a fair argument can be made that any potentially significant impacts cannot be mitigated or addressed through existing regulations.

Subsequent to publication of the MND, Mitigation Measures I-120 (Light) and I-130 (Glare) have been removed pursuant to SB 743, which limits the extent to which aesthetics and parking are defined as impacts under CEQA. Specifically, Section 21099 (d)(1) of the Public Resources Code (PRC) states that a project's aesthetic and parking impacts shall not be considered a significant impact if the project is a residential, mixed-use residential, or employment center project; and the project is located on an infill site within a Transit Priority Area (TPA). A TPA means an area within one-half mile of a major transit stop.

Pursuant to Section 15074.1 of the CEQA Guidelines, the Department of City Planning has concluded that Mitigation Measure XII-230 (Increased Noise Levels) identified in the Noise impact areas in the Mitigated Negative Declaration should be superseded to reflect amended project design features.

New mitigation measures CM-11 through CM-16 will be equivalent in mitigation and in avoiding potential significant effects as the previous mitigation measure. These mitigation measures will reduce the significant impacts to the same degree as the original measure, yet will not create unintended consequences, and will create no more adverse effect of their own than would have the original measure.

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2014-2948-MND reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition Nos. 18 and 19 of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

In accordance with Section 21081.6 of the Public Resources Code (AB3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in Condition No. 17.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract No. 72342-CN, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The adopted Central City Community Plan designates the subject property for Regional Center Commercial land use with the corresponding zones of CR, C1.5, C2, C4, C5, R3, R4, R5, RAS3, and RAS4. The property is approximately 0.47 net acres (20,663.81 net square feet) and is presently zoned [Q]C2-4D-CDO. The proposed vesting tentative tract map is consistent with the area requirements of the zone and therefore consistent with the Central City Community Plan. The proposed map is not located in a Specific Plan area. The proposed map is however located in the Broadway Theater and Entertainment District Community Design Overlay (CDO). A request for a Design Overlay Plan Approval for the CDO is being processed concurrently with the tract map (Case No. CPC-2014-2947-TDR-ZC-ZV-CDO-SPR).

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

The Bureau of Engineering has reviewed the proposed subdivision and found the subdivision layout generally satisfactory. There are existing sewers in the streets adjoining the subdivision. This subdivision will connect to the public sewer system and will not result in violation of the California Water Code. As a condition of approval, the Bureau of Engineering is requiring a 3-foot wide right-of-way dedication along Olympic Boulevard adjoining the tract to complete a 53-foot wide half right-of-way in accordance with Modified Avenue I of the LA Mobility Plan including a 20-foot radius or 15-foot by 15-foot property line corner cut at the intersection with Broadway. The applicant is also required to make improvements to and provide a four-foot dedication along the adjoining alley and construct additional concrete sidewalk on Olympic Boulevard.

The proposed subdivision was also reviewed by the Department of Building and Safety and the Fire Department. Their recommendations for approval are incorporated into the tract map's conditions of approval.

Therefore, as conditioned, the design and improvement of the proposed subdivision is consistent with the applicable General Plan.

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

The site is level and is not located in a slope stability area, high erosion hazard area, or a fault-rupture study area. The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud-prone areas, coastal high-hazard and flood-related erosion hazard areas).

The Grading Division of the Department of Building and Safety reviewed and approved the soils report for the proposed construction of a 15-story residential tower, over one-story of podium and four levels of subterranean parking. According to the report, the subsurface materials have low to moderate expansive potential, and consist of three feet of fill over native soil of gravelly silty sand, and sand. Groundwater was encountered at 132 feet below the ground surface during the exploration. The report recommended supporting the proposed structures with mat foundations bearing on the native soil. The soils report was found acceptable by the Department of Building and Safety, Grading Division.

The site is therefore physically suitable for the proposed type of development as approved and conditioned by the Grading Division of the Department of Building and Safety.

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

The site is a corner, parcel of land, consisting of three lots fronting approximately 159 feet on the north side of Olympic Boulevard and 130 feet on the west side of Broadway. The site is currently improved with a surface parking lot. The development of this site is an infill of an otherwise mid-to-high density area of downtown Los Angeles. The site fronts on two Modified Avenues that are major arterials for public transit.

The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

The proposed development is a mixed-use, 15-story development, comprised of 163 residential condominium units and eight commercial condominium units with a total of 4,600 square feet of retail space. The proposed building will contain 184,705 square feet of floor area.

The adopted Central City Community Plan designates the subject property for Regional Center Commercial land use with the corresponding zones of CR, C1.5, C2, C4, C5, R3, R4, R5, RAS3, and RAS4. The property is approximately 0.47 net acres (20,663.81 net square feet) and is presently zoned [Q]C2-4D-CDO. The property is also located within the Greater Downtown Housing Incentive Area which permits unlimited density within the confines of the permitted floor area ratio (FAR).

The soils and geology reports for the proposed subdivision were found to be adequate by the Grading Division of the Department of Building and Safety and has conditionally approved the tract map.

Based on its location and size, the proposed site is physically suitable for the proposed density of development.

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

The Deputy Advisory Agency, certified that Mitigated Negative Declaration No. ENV-2014-2948-MND reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition Nos. 18 and 19 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.

Furthermore, the project site, as well as the surrounding area are presently developed and do not provide a natural habitat for either fish or wildlife.

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

No such easements are known to exist. Needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed tract.

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

- 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.
- 2) 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.
- 3) The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.
- 4) The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.
- 5) 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. 72342-CN.

Vincent P. Bertoni, AICP
Advisory Agency


KEVIN GOLDEN
Deputy Advisory Agency


BLAKE E. LAMB
Senior City Planner

VPB:BEL:KG:JV

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figueroa Plaza
201 North Figueroa Street
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

Forms are also available on-line at <http://cityplanning.lacity.org>

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

n:tract_letters (08-20-15)
Residential Condos

EXHIBIT E

CRA/LA GOVERNING BOARD & TFAR
CPC-2014-2947-TDR-ZC-ZV-CDO-SPR

CRA/LA, A DESIGNATED LOCAL AUTHORITY
(Successor Agency to the Community Redevelopment Agency of the City of Los Angeles, CA)

MEMORANDUM

DATE: DECEMBER 12, 2016
TO: GOVERNING BOARD
FROM: STEVE VALENZUELA, CHIEF EXECUTIVE OFFICER
STAFF: BARRON MCCOY, CHIEF OPERATING OFFICER
CRAIG BULLOCK, SPECIAL OPERATIONS OFFICER

4

SUBJECT: **Land Use Approval – Non-Monetary Action.** Consideration of Mitigated Negative Declaration ENV-2014-2948-MND; and, approval of a 65,982 square foot Transfer of Floor Area to allow the construction of a 15-story mixed-use development at 951 S. Broadway & 215 W. Olympic Blvd. in the City Center Redevelopment Project Area.

RECOMMENDATIONS

That the Governing Board take the following actions:

1. Adopt a Resolution (Attachment C) certifying that the Governing Board has reviewed and considered the environmental effects of the proposed project as shown in the City of Los Angeles' Mitigated Negative Declaration ENV-2014-2948-MND ("MND"), pursuant to California Environmental Quality Act ("CEQA") Guidelines set forth in California Code of Regulations Section 15096(f); and
2. Approve the Transfer of Floor Area Ratio (TFAR) of not more than 65,982 square feet from City-owned convention center air rights (Attachment D), pursuant to Sections 512.5 and 520 of the City Center Redevelopment Plan (Redevelopment Plan), by making the necessary determinations which will permit the development of a 15-story, mixed-use development.

SUMMARY

The recommended actions will facilitate the development of a mixed-used development comprising 163 market rate residential units, including eight (8) live-work condominium units, four (4) units with Mobility Features and two (2) units with Hearing/Vision features and 4,600 square feet of ground level retail space. Agoura Oaks, LLC, the Developer and property owner (Applicant) is requesting that CRA/LA approve 65,982 square feet of TFAR to allow for the development of a 15-story project located at 951-959 S. Broadway and 215 W. Olympic Boulevard (Attachment B, Site Plan) pursuant to the City Center Redevelopment Plan (Project).

The CRA/LA is authorized under Section 512.5 of the Redevelopment Plan and Section 14.5.6.B of the Los Angeles Municipal Code to take the recommended actions. Pursuant to Section 14.5.6.B of the City of Los Angeles Municipal Code ("Municipal Code"), the Applicant is requesting approval of a Transfer Plan for 65,982 square feet from City-owned excess air rights

at the Los Angeles Convention Center (Block 106). As a condition of the approval, the Project will make a Public Benefit Payment to the City in the amount of \$1,275,169.

Following receipt of an application for TFAR and pursuant to Section 14.5.6 of the Municipal Code, the Chief Executive Officer is to issue a report to the CRA/LA Governing Board with recommendations to approve, approve with conditions or deny a request from an applicant for TFAR over 50,000 square feet based on specific findings. This memorandum constitutes that report. After City Planning Commission takes action, the request is forwarded to the City Council for approval and then to the Mayor.

As a condition for approving the TFAR application, the Successor Agency requested and the Developer agreed to incorporate enhanced accessibility features within the project. Specifically, the Developer has agreed to include units having Mobility and Vision/Hearing Features. The number of accessible units was determined based on the amount of the additional density being transferred to the site. The recommended TFAR will result in 65 additional units; four (4) units or 5% will have Mobility Features and, two (2) units or 2% will include Vision/Hearing Features. The accessibility requirements will be imposed through a recorded Accessible Housing Covenant (Attachment E).

The City of Los Angeles, acting through the Department of City Planning, issued a Deputy Advisory Agency Letter of Determination (CPC-2014-2497-TDR-ZC-ZV-CDO-SPR) on October 13, 2016 to adopt the Mitigated Negative Declaration (ENV-2014-2948-MND) and approve various discretionary actions to allow the construction of the Project. The deadline for appeals ended on October 24, 2016. No appeals were submitted. The City Planning Commission will hear the case again on January 12, 2017 prior to being considered by the City Council and Mayor.

This Project satisfies the criteria in Sections 512.4 and 512.5 of the Redevelopment Plan and the requested TFAR will allow the proposed Project to move forward expeditiously.

DISCUSSION & BACKGROUND

Location

The Project Site consists of three (3) parcels totaling 20,664 square feet (0.47 acres) of land area. The Project Site consists of a surface parking lot, and is bounded by Broadway to the east, Olympic Boulevard to the south, Blackstone Court (alley) to the west and an existing 11-story hotel (Western Costume Building) to the north. The Project Site is situated in the Historic Core of Downtown. This area contains a concentration of some of the most architecturally and historically significant structures found in the greater Los Angeles area. The area also includes two National Register Historic Districts. The Applicant has worked with the Department of City Planning to ensure that the project design is sensitive to the surrounding area.

Developer Entity

Agoura Oaks, LLC is a development partnership that, taken together, brings 60 years of development and construction experience to the project. The Development team has developed more than 2,500 units of apartments and condominiums. Nine (9) projects totaling 1,400 units are adaptive reuse projects located in downtown Los Angeles. In addition, one of partners operates a construction company that oversees development of multi-family residential projects.

Description, Project Context and Project History

The Developer proposes to construct a 15-story, 184,705 square-foot mixed-use tower fronting Broadway and Olympic Boulevard. The project consists of 163 market rate residential units, including eight (8) live-work condominium units, four (4) units with Mobility Features and two (2) units with Vision/Hearing Features, 19,370 square feet of open space and 4,600 square feet of ground floor commercial/retail space. A total of 219 parking spaces will be provided in four (4) subterranean levels. There will be 186 short and long term bicycle parking spaces located on multiple floors.

The Project, designed by David Takacs Architecture, will have 119 one-bedroom units, and 44 two-bedroom units. David Takacs Architecture, based in Los Angeles, has designed many quality projects throughout the greater Los Angeles area ranging from single family homes to large scale mixed use projects.

Pedestrian access will be provided from Broadway and Olympic Boulevard and vehicular access for the residential and retail/commercial space will be located along Olympic Boulevard. Tenant and commercial parking will be separated from one another. Ground floor retail space, a residential elevator lobby and a lounge area will be available to residents and their visitors on the ground floor level. Also proposed for the ground floor is vehicle and bicycle parking as well as a waste and recycle center for the building.

The Project will have 19,370 square feet of open space consisting of courtyards, common areas, rooftop patio and private balconies. Open space amenities include an outdoor swimming pool, seating areas, lounges, fire pits, barbeque cooking areas and community rooms. The common areas will be landscaped and maintained to take advantage of the temperate climate.

The three parcels constituting the site encompass 20,664 square feet and are zoned [Q]C2-4D-CDO-SN. The Site's "Q" limitation restricts the building's height to a maximum of 150 feet. The "D" limitations restrict the FAR to 6:1, unless a TFAR is granted. The "CDO" indicates the requirements of the Broadway Theatre and Entertainment Commercial Design Overlay District (CDO). The "SN" refers to the Broadway Historic Supplemental Signage Use District. If the requested TFAR is granted, the Project's FAR will be 9.2:1. The maximum FAR allowed is 13:1.

Findings to Allow Higher Maximum Floor Area

Pursuant to Section 512.4 of the Redevelopment Plan, CRA/LA may permit projects that exceed maximum FAR set forth in Section 512.1 as long as the transfer is consistent with the five criteria below.

1. Higher Density Development is appropriate in terms of location, access, and compatibility with other existing development and consistent with purposes and objectives of the Redevelopment Plan.

The proposed Project promotes community revitalization in the area by redeveloping a surface parking lot. The proposed Project meets a number of Plan objectives including: eliminating and preventing the spread of blight and deterioration (Project Objective 1); furthering the development of Downtown as the major center of the Los Angeles metropolitan region (Objective 2); promoting the development and rehabilitation of economic enterprises including retail and other commercial uses (Objective 4); creating a modern, efficient and balanced urban environment for people, including a full range of around-the-clock activities and uses (Objective 6); achieving excellence in design (Objective 9); and providing high-density housing close to employment and transportation centers (Objective 13).

2. Floor Area may only be transferred from parcels which are within the Historic Downtown, City Center or South Park Development Area of the Project Area.

The donor site is the Los Angeles Convention Center, which is located in the South Park Development Area of the City Center Redevelopment Project Area.

3. The Floor Area on any parcel shall not exceed the Floor Area Ratio set forth in the applicable City Zoning Ordinance in effect at the time the transfer is made.

The underlying zoning of the Site is [Q]C2-4D-CDO-SN, with a height district classification that allows a Floor Area Ratio of 6:1. The proposed TFAR of 65,982 square feet would result in a floor area ratio of 9.2:1, within the maximum 13:1 Floor Area Ratio established by the City Zoning Ordinance.

4. Transfers of floor area to parcels with reasonable proximity or direct access to public or private rapid transit stations shall be particularly encouraged.

The Project is located 0.8 miles from Metro Pico Station, which serves the Blue and Expo Lines to Long Beach, Culver City and Santa Monica and connects to the Metro Red & Purple Line at the 7th & Metro Station. The Red and Purple Lines provide access to Hollywood and the San Fernando Valley and Wilshire Center/Koreatown, respectively. The Red line further provides connections to the Orange Line in North Hollywood, providing access to the Mid, West and Northwest San Fernando Valley. In addition, the Metro Red and Purple Lines provide access to Union Station with connections to Metrolink, Amtrak, Metro Gold Line (Pasadena & East Los Angeles) and bus and regional services, including DASH Lines D & E.

The site is also within close proximity to numerous freeways, including Interstates 5, 10 & 110 and the Hollywood Freeway (101).

5. Transfers of the floor area from parcels on which buildings of historic, architectural or cultural merit are located shall be particularly encouraged where the transfer can reasonably be expected to further the goal of preservation of such buildings.

The floor area donor site is the City-owned Los Angeles Convention Center, which prevents this objective from being satisfied. The Community Benefits Package, however, includes funding towards Broadway Streetcar, offsite public improvements and additional funding for services provided by the business improvement district. These benefits are important amenities to Downtown and the Historic Core where many of the City's historic buildings are located.

Community Benefits

The City of Los Angeles Municipal Code (Municipal Code) Section 14.5.7(B)(2)(b)(1) stipulates that as a condition of approval of a transfer of more than 50,000 square feet of floor area, the Applicant shall make a Public Benefit Payment in conformance with Section 14.5.9 of the Municipal Code. Additionally, since the Floor Area Donor Site is the City-owned Los Angeles Convention Center, a TFAR Transfer Payment is also required by Section 14.5.10.

A Public Benefit must serve the public purpose, such as providing for affordable housing; public open space; historic preservation; recreational, cultural, community and public facilities; job

training and outreach program; affordable child care; streetscape improvements; public art programs; homeless service programs; and public transportation improvements in the area.

The Proposed Development requests a TFAR of 65,982 square feet and results in a Public Benefit Payment equivalency of approximately \$1,275,169. The Developer has requested the ability to designate the beneficiaries for 50% of the Public Benefit payment, which is allowed with the approval of the City Council. The balance of the Public Benefit Payment will be deposited into the City's Public Benefit Payment Trust Fund. There are three proposed beneficiaries of these funds:

1. Deep Green Housing and Community Development (\$233,819)
Funds will go towards Deep Green Housing and Community Development Corporation, a non-profit organization dedicated to expanding opportunities available to low-income persons to obtain affordable, decent, safe and sanitary housing through the development, acquisition and rehabilitation of affordable housing. These funds would rehabilitate the basement of the Coronado Apartments to provide support and outreach services to homeless individuals.
2. Los Angeles Streetcar (\$155,619)
Funds will go towards the streetcar planning, design and engineering, which is proposed to run along Broadway between 1st and 11th Streets, in front of the Project, Connecting passengers to Metro stations, employment centers and sports and entertainment venues.
3. Los Angeles Public Works (\$132,159):
Off site public improvements projects funding the Broadway streetscape improvements and road improvements
4. Los Angeles Neighborhood Initiative (\$101,129)
Funds will go towards the Broadway Historic Façade Lighting Grant Program. This program allocates funds to buildings along Broadway for the purpose of providing lighting for public safety as well as to highlight the architectural features of the building.
5. Chyrsalis (\$14,858)
Fund additional sidewalk power washing and cleaning along Broadway in the historic core district

SOURCE OF FUNDS

No funding is required for this action.

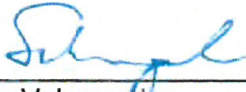
ROPS AND ADMINISTRATIVE BUDGET IMPACT

The approval of a density transfer constitutes a "Land Use Function" as defined under Section 34173(i) of Assembly Bill 1484. On June 20, 2013, the Governing Board approved a resolution authorizing the transfer of all land use plans and functions of the successor agency to the City of Los Angeles pursuant to Section 34173(i) of the Health and Safety Code. To date, the City of Los Angeles has not taken all the necessary steps to formally assume the CRA/LA-DLA's land use authority which would effectuate such a transfer. The Department of City Planning has been advised of the actions in this memorandum and concurs with recommendations. The recommended actions will not impose a financial obligation on the CRA/LA.

ENVIRONMENTAL REVIEW

The City of Los Angeles is the lead agency for the Proposed Project for purposes of the California Environmental Quality Act (CEQA). The City of Los Angeles, acting through its Planning Department, prepared and circulated for public review ENV-2014-2948-MND on January 20, 2016. On February 25, 2016, a public hearing took place in which the Deputy Advisory Agency adopted a Mitigated Negative Declaration. The Letter of Determination was issued on October 13, 2016 and the appeals period expired on October 24, 2016. No appeals were filed. The CRA/LA Governing Board, as a Responsible Agency, is to consider the environmental effects of the Project as shown in the MND prepared by the City of Los Angeles prior to acting on the Proposed Project and to approve the attached Resolution.

There is no evidence of any substantial changes that have occurred since adoption of the MND with respect to the circumstances under which the Project is being undertaken; therefore, no revisions to the MND are required. No new information of substantial importance to the Project, which was not known or could not have reasonably been known at the time the MND was adopted, has become available.



Steve Valenzuela
Chief Executive Officer

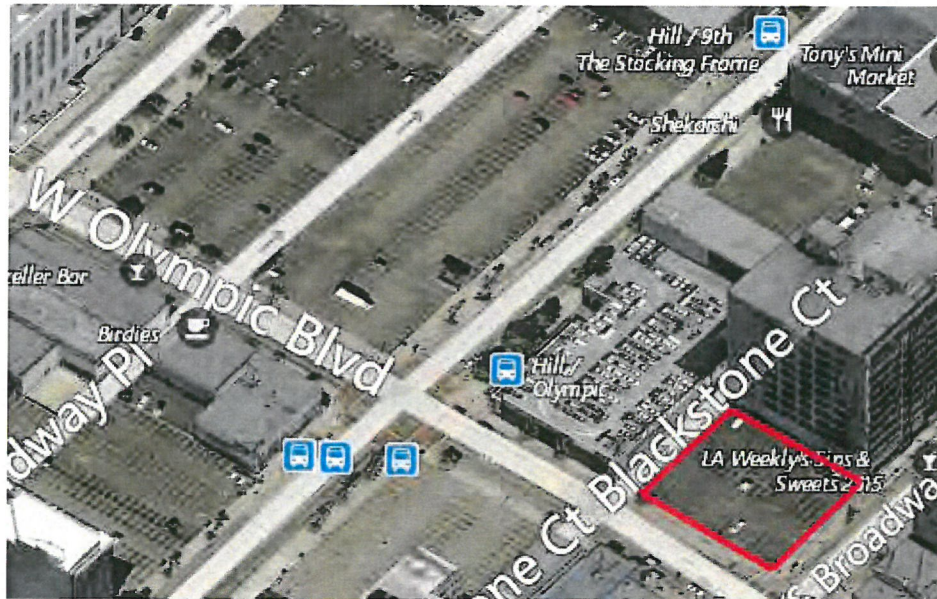
There is no conflict of interest known to me which exists with regard to any CRA/LA officer or employee concerning this action.

ATTACHMENTS

- Attachment A – Site Map
- Attachment B – Project Rendering
- Attachment C – Environmental Resolution
- Attachment D – Donor Site
- Attachment E – Accessible Housing Covenant

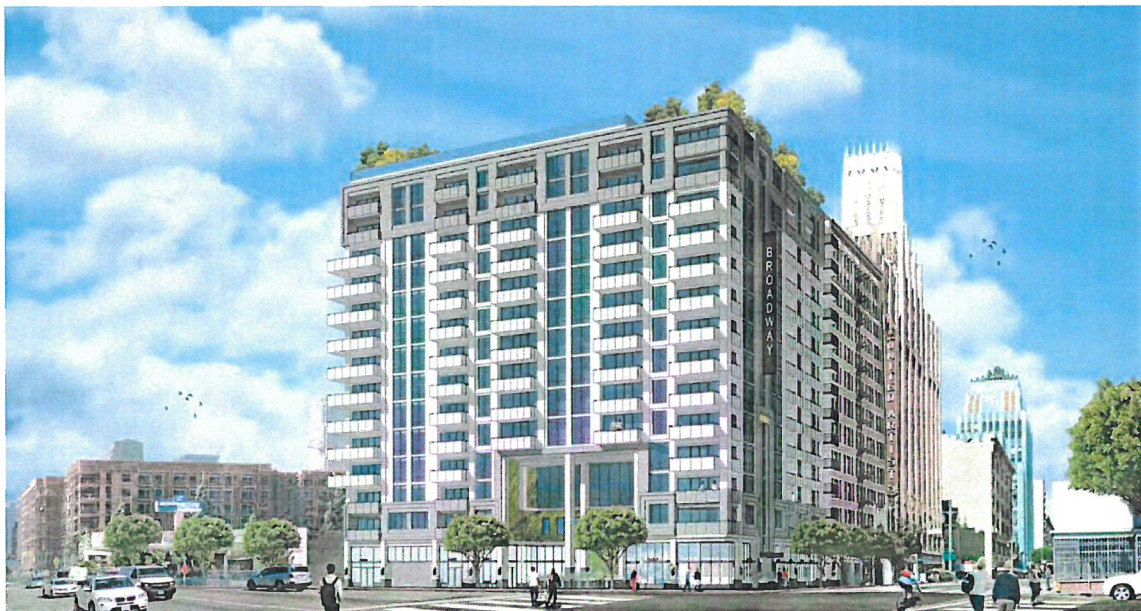
CRA/LA, A DESIGNATED LOCAL AUTHORITY
(Successor Agency to the Community Redevelopment Agency of the City of Los Angeles, CA)

Attachment A



CRA/LA, A DESIGNATED LOCAL AUTHORITY
(Successor Agency to the Community Redevelopment Agency of the City of Los Angeles, CA)

Attachment B



CRA/LA, A DESIGNATED LOCAL AUTHORITY
(Successor Agency to the Community Redevelopment Agency of the City of Los Angeles, CA)

Attachment C

RESOLUTION NO. _____

A RESOLUTION OF THE CRA/LA, A DESIGNATED LOCAL AUTHORITY (SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF LOS ANGELES, CALIFORNIA), CERTIFYING THAT IT HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE CITY OF LOS ANGELES' MITIGATED NEGATIVE DECLARATION FOR THE 951-955 BROADWAY AND 215 W. OLYMPIC BOULEVARD PROJECT IN THE CITY CENTER REDEVELOPMENT PROJECT AREA AND ADOPTING A MITIGATION MONITORING PROGRAM

WHEREAS, Agoura Oaks, LLC (Developer), the project applicant, proposes to develop a 15-story mixed-use development consisting of 163 residential dwelling units, including eight (8) commercial condominiums, four (4) units with Mobility Features and two (2) units with Hearing/Vision Features and 219 vehicular parking and 186 short and long term bicycle parking spaces ("Project"); and

WHEREAS, the City of Los Angeles ("City") was the Lead Agency under the California Environmental Quality Act ("CEQA") for the Project and prepared a Mitigated Negative Declaration, ENV-2014-2948-MND; ("MND") that was issued on January 20, 2016 , for the Project; and

WHEREAS, on October 13, 2016, the MND for the Project was adopted and the Project was approved by the City of Los Angeles Deputy Advisory Agency; and

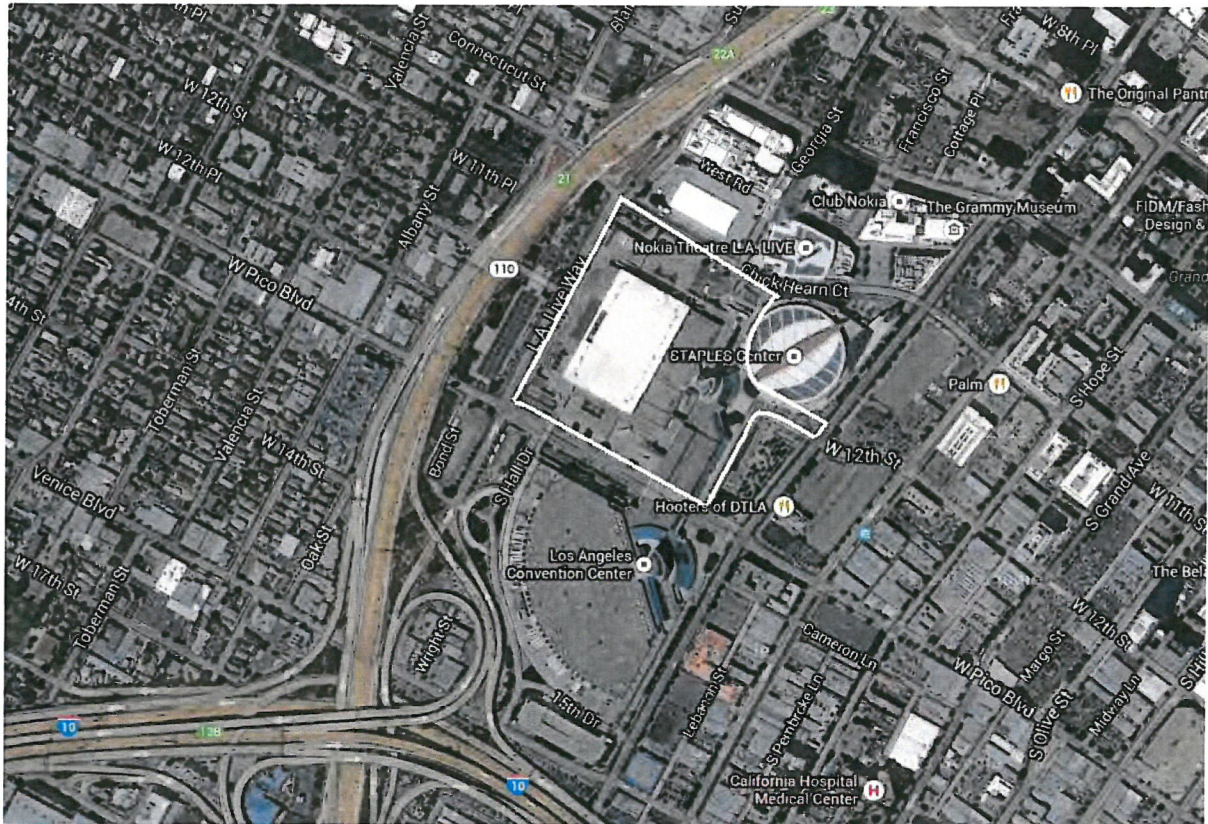
NOW, THEREFORE, BE IT RESOLVED by the CRA/LA a Designated Local Authority (Successor Agency to the Community Redevelopment Agency of the City of Los Angeles, California), as follows:

1. The CRA/LA Governing Board's discretionary approval is required to receive Transfer of Floor Area (TFAR) as defined in Section 512.5 of the City Center Redevelopment Plan.
2. The CRA/LA is a Responsible Agency pursuant to CEQA (Public Resources Code Section 21069, State CEQA Guidelines Section 15381). As a Responsible Agency, the CRA/LA Governing Board considered the environmental effects of the Project as shown in the City of Los Angeles' MND. (State CEQA Guidelines Section 15096).
3. Based on such review and consideration, the CRA/LA Governing Board hereby determines:
 - a. No substantial changes have been proposed in the Project since adoption of the MND; therefore, no revisions to the MND are required.
 - b. There is no evidence of any substantial changes that have occurred since adoption of the MND with respect to the circumstances under which the Project is being undertaken; therefore, no revisions to the MND are required; and

- c. No new information of substantial importance to the Project, which was not known or could not have reasonably been known at the time the MND was adopted, has become available.
- 4. The CRA/LA Governing Board adopts the Mitigation Monitoring Program ("MMP") prepared and adopted by the City.
- 5. The CRA/LA has mitigated the impacts of those parts of the Project that it is approving by adopting the MMP.

ADOPTED: _____

Attachment D



Attachment E

Document entitled to free
Recording per Government Code
Section 6103

Recorded at the request of and mail to:
CRA/LA, A Designated Local Authority
448 South Hill Street, Suite 1200
Los Angeles, CA 90013

-----SPACE ABOVE THIS LINE FOR RECORDER'S USE-----

ACCESSIBLE HOUSING COVENANT

Between

CRA/LA, A DESIGNATED LOCAL AUTHORITY

and

AGOURA OAKS, LLC

relating to

CRA/LA GOVERNING BOARD APPROVAL OF A TRANSFER OF FLOOR AREA

For

**951 – 959 S. BROADWAY & 215 W. OLYMPIC BOULEVARD
LOS ANGELES**

Dated as of December ___, 2016

ACCESSIBLE HOUSING COVENANT

THIS ACCESSIBLE HOUSING COVENANT ("Covenant Agreement") is made, entered into and dated as of December __, 2016 by and between **CRA/LA, A Designated Local Authority ("CRA/LA")**, successor to The Community Redevelopment Agency of the City of Los Angeles and Agoura Oaks, LLC ("Owner").

WITNESSETH:

WHEREAS, Owner is the fee owner of that certain proposed development commonly referred to as the Broadway Lofts and located at 951-959 S. Broadway and 215 W. Olympic Boulevard (the "Project") as more particularly described in Exhibit A attached hereto; and

WHEREAS, Owner proposes to develop 163 residential units at the Project; and

WHEREAS, CRA/LA granted Owner transfer of floor area (TFAR) of 65,982 square feet for the Project, allowing Owner to construct a larger development yielding additional housing 65 units as a result of the TFAR of floor area; and

WHEREAS, in consideration for the CRA/LA authorizing TFAR for the Project, Owner has agreed to provide accessible units in the Project in accordance with this Covenant Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and undertakings set forth herein, and other good and valuable consideration, the receipt and sufficiency of which hereby are acknowledged, CRA/LA and the Owner hereby agree as follows:

Section 1. Definitions.

"Accessibility Requirements" refers to the accessibility requirements that must be followed in the design, construction or alteration of the Project or an individual housing unit of the Project (including public/common use elements), based on all the applicable laws and regulations, including: (1) Title II of the Americans with Disabilities Act ("ADA"), 42 U.S.C. §12101, et seq. and the implementing standards ("2010 ADA Standards") at 28 C.F.R. Part 35 and the 2004 ADA Accessibility Guidelines ("ADAAG"), (2) Section 504 of the Rehabilitation Act of 1973 ("Section 504"), 29 U.S.C. §794, the implementing regulations at 24 C.F.R. Part 8, as well as the requirements of UFAS, (3) the Fair Housing Act of 1968, as amended, 42 U.S.C. §§3601-3620; and its implementing regulations as 24 C.F.R. Parts 100, 103, 108, 110, and 121; and (4) the California Building Codes.

"Accessible" means when used with respect to a Housing Unit or Housing Development, full compliance with the Accessibility Requirements.

"Accessible Housing Development" means a Housing Development that is Accessible, including Accessible public and common use areas.

"Accessible Housing Units" means collectively Housing Units that are on an Accessible Route, are Accessible, and are located in an Accessible Housing Development. The term Accessible Units refers collectively to Housing Units with Mobility Features and Housing Units with Hearing/Vision Features.

"Housing Development" means the whole of one or more residential structures and appurtenant structures in the Project, including common walkways and parking lots that were or are designed, constructed, altered, operated, administered or financed in whole or in part in connection with the OPA.

"Housing Unit" means a single unit of residence in the Housing Development that provide spaces for living, bathing, and sleeping.

"Housing Unit with Hearing/Vision Features" means a Housing Unit that complies with 24 C.F.R. §8.22 and the applicable UFAS or 2010 ADA Standards.

"Housing Unit with Mobility Features" means a Housing Unit that complies with 24 C.F.R. §8.22 and the applicable UFAS or 2010 ADA Standards.

"UFAS" means the Uniform Federal Accessibility Standards for the design, construction or alteration of buildings and facilities to ensure that they are readily accessible to and usable by individuals with disabilities, 24 C.F.R §40, Appendix A.

Section 2. Requirements of CRA/LA. As of the Effective Date, the Owner represents, warrants, covenants and agrees as follows:

(a) Accessible Housing Units. The Housing Development shall be constructed in accordance with the 2010 ADA Standards to ensure accessibility for persons with disabilities. Accessibility retrofit of the Housing Development shall take place concurrently with other Project construction activities. The following types of Accessible Housing Units shall be prioritized for persons with disabilities who have a disability-related need for the accessibility features of the unit.

(i) At least five percent (5%) of the 65 additional Housing Units that will be constructed as a result of the additional TFAR in the Housing Development or four (4) Housing Units shall be constructed by the Owner as Housing Units with Mobility Features.

(ii) At least two percent (2%) of the 65 additional Housing Units that will be constructed as a result of the additional TFAR in the Housing Development or two (2) Housing Units shall be constructed by the Owner as Housing Units with Hearing/Vision Features.

(iii) The Accessible Housing Units shall, to the maximum extent feasible, be dispersed in terms of location within the Housing Development, and shall be provided in a range of unit sizes and types.

(iv) Following reasonable notice to Owner, Owner shall allow CRA/LA to conduct annual onsite inspections of the Housing Development and the Housing Units in order to verify compliance with the Accessibility Standards.

(b) The Housing Development as a whole and all Housing Units shall meet the requirements of the Fair Housing Act of 1968, as amended.

Section 3. Occupancy of Accessible Units. Owner shall use suitable means to assure that information regarding the availability of Accessible Units reaches qualified Professionals in the real estate industry specializing in the marketing and sale of Accessible Units. Owner shall also make suitable means to assure that information regarding the availability of Accessible Units is made known to advocacy groups and individuals with disabilities.

- a. First, Owner will offer the Accessible Unit to a qualified disabled buyer whose needs correspond with the Accessible Unit's features.
- b. Secondly, Owner, having made a good faith effort to market the Accessible Unit without success, shall be able to sell Accessible Unit to a non-disabled qualified buyer. Good faith efforts shall be documented for review. Accessible Units shall be marketed for a time period reflecting industry standards for the sale of Accessible Units.

Section 4. Notices, Demands, Payments and Communication. Formal notices, demands, payments and communications between the CRA/LA and the Owner shall be sufficiently given and dispatched by registered or certified mail, or delivered personally to the principal office of the CRA/LA as follows:

To CRA/LA:

CRA/LA, A Designated Local Authority
448 South Hill Street, Suite 1200
Los Angeles, CA 90013

To Owner:

Agoura Oaks, LLC
5506 Colondy Drive
Agoura Hills, CA 91301

Section 5. Effective Date and Term of the Covenant Agreement. This Covenant Agreement shall be effective on the date this Covenant Agreement is recorded in the Official Records of the County of Los Angeles (the "Effective Date"). The covenant shall terminate as to as to an Accessible Unit upon its first sale to a buyer.

Section 6. Covenant To Run With the Land. The Owner hereby subjects the Project to the covenants, reservations and restrictions set forth in this Covenant Agreement. CRA/LA and the Owner hereby declare their express intent that the covenants, reservations and restrictions set forth herein shall be deemed covenants running with the land and shall pass to and be binding upon the Owner's successors in title to the Project, provided, however, that on the termination of this Covenant Agreement said covenants, reservations and restrictions shall expire. Each and every contract, deed or other instrument hereafter executed covering or

conveying the project or any portion thereof shall conclusively be held to have been executed, delivered and accepted subject to such covenants, reservations and restrictions, regardless of whether such covenants, reservations and restrictions are set forth in such contract, deed or other instruments.

Section 7. Default and Remedies. In the event of any breach of this Covenant Agreement by Owner, CRA/LA will first notify the Owner in writing of its purported breach or failure, giving the Owner thirty (30) days from receipt of such notice to cure such breach or failure. If the Owner does not cure the default within such thirty-day period (or if the default is not reasonably susceptible of being cured within such thirty-day period and the Owner fails to commence the cure within such period and thereafter to prosecute the cure diligently to completion), then CRA/LA may pursue any and all remedies at law and equity, including specific performance.

Section 8. Americans with Disabilities Act. The Owner hereby certifies that it and any contractor and subcontractor will comply with the Accessibility Requirements. The Owner and any contractor and subcontractor will provide reasonable accommodations to allow qualified individuals with disabilities to have access to and to participate in its programs, services, and activities in accordance with the applicable provisions the Section 504 of the Rehabilitation Act of 1973, 29 U.S.C §794, and implementing regulations at 24 C.F.R. Part 8 (Section 504); Title II of the Americans with Disabilities Act, 42 U.S.C. 12131-12134, and implementing regulations at 28 C.F.R. pt. 35 ("ADA"); and the Fair Housing Act of 1968, as amended, 42 U.S.C. §§3601-3620, and implementing regulations at 24 C.F.R. Parts 100, 103, 108, 110, and 121. The Owner and any contractor and subcontractor will not discriminate against persons with disabilities or against persons due to their relationship to or association with a person with a disability. Any contract and subcontract entered into by the Owner, relating to this Covenant Agreement and the Project, to the extent allowed hereunder, shall be subject to the provisions of this paragraph.

Section 9. Governing Law. This Covenant Agreement shall be governed by the laws of the State of California.

Section 10. Counterparts. This Covenant Agreement may be executed in counterparts, each of which, when the parties hereto have signed the Agreement, shall be one and the same instrument.

Section 11. Recording and Filing. CRA/LA shall cause this Covenant Agreement to be recorded and filed in the real property records of the County of Los Angeles and in such other places as CRA/LA may reasonably request.

Section 12. Entire Agreement. The provisions herein constitute the entire agreement between the parties hereto. Each party to this Agreement acknowledges that no representations, inducements, promises or agreements, orally or otherwise, have been made by any party or anyone acting on behalf of any party, which are not embodied herein. This Covenant Agreement shall be amended only by a written instrument executed by the parties hereto or their successors in title, and duly recorded in the real property records of the County of Los Angeles, California.

[Signature Page Follows]

IN WITNESS WHEREOF, the parties have executed this Covenant Agreement by their duly authorized representatives, all as set forth as of the date written above.

CRA/LA,
A DESIGNATED LOCAL AUTHORITY

AGOURA OAKS, LLC

By: _____
Estevan Valenzuela
Chief Executive Officer

By: Joseph Bedner
Name: Joseph Bedner
Title: managing member LLC

APPROVED AS TO FORM:

GOLDFARB & LIPMAN, LLP

By: _____
Thomas Webber
CRA/LA Legal Counsel

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

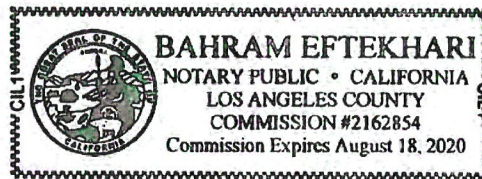
State of California

County of Los Angeles

On 12/3/2016, before me, Bahram Eftekhari - Notary Public personally appeared Joseph Badnar who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the law of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature

(Seal)

-----OPTIONAL INFORMATION-----

DESCRIPTION OF ATTACHED DOCUMENT

Accessible Housing Covenant
(Title of document)

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual
- ☐ Corporate Officer
- ☐ Partner
- ☐ Attorney-In-Fact
- ☐ Trustee
- ☒ Other Managing Member

Number of Pages 6 (Including Acknowledgment)

Document Date 12/3/16

(Additional Information)