DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT

City Planning Commission

Date: March 8, 2018
Time: After 8:30 a.m.*
Place: Los Angeles City Hall
Council Chamber
200 North Spring Street, Room 340
Los Angeles, CA 90012

Public Hearing: February 7, 2018
Appeal Status: City-initiated General Plan Amendment, Zone and Height District Change are not appealable. Sign District may only be appealed if denied, in whole or in part, by any owner or lessee of the District. All other entitlements are appealable to City Council.
Expiration Date: March 28, 2018

Case No.: CPC-2016-4219-GPA-ZC; CPC-2016-4220-SN; and CPC-2016-2595-DA-CU-MCUP-CUX-SPR
CEQA No.: ENV-2016-2594-EIR
SCH. No. 2016121063
Related Cases: VTT-74239
Council No.: 14 - Huizar
Plan Area: Central City
Plan Overlay: City Center Redevelopment Project
Certified NC: Downtown Los Angeles
Land Use: *Existing:* High Density Residential and Regional Commercial
Proposed: Regional Commercial
Zone: *Existing:* [Q]R5-4D-O; C2-4D-O
Proposed: (T)(Q)C2-4D-O-SN

Applicant: City of Los Angeles and Lightstone DTLA, LLC
Representative: James E. Pugh, Esq. / Sheppard Mullin Richter and Hampton, LLP

PROJECT LOCATION: 1248 S. Figueroa Street (1240-1260 S. Figueroa Street & 601 W. Pico Boulevard)

Additional Locations for Proposed Sign District: 1300 S. Figueroa Street, 535 W. Pico Boulevard, 520-638 W. Pico Boulevard, 1220-1308 S. Flower Street, & 1309-1315 S. Flower Street

PROPOSED PROJECT: The Fig+Pico Conference Center Hotels Project is a proposed mixed-use development with up to 1,162 guest rooms and 13,145 square feet of ground-floor retail/restaurant uses within two hotel towers ("Hotel A/B Tower" and "Hotel C Tower"), totaling up to 506,682 square feet of floor area on an approximately 1.22-acre site (9.9:1 FAR). The Hotel A/B Tower would include up to 820 hotel guest rooms, 11,000 square feet of ground-floor retail/restaurant uses, and podium parking for all three hotels within a 42-story, 529-foot tower on the northeast corner of S. Figueroa Street and W. Pico Boulevard. The Hotel C Tower would include up to 342 guest rooms and 2,145 square feet of ground-floor retail/restaurant uses in a 25-story, 326-foot tower located on the northwest corner of W. Pico Boulevard and S. Flower Street. An existing 27,800-square-foot two-story commercial building with surface parking would be demolished. *****

**Note: Since the February 7, 2018 public hearing, the project has been reduced to a total of 1,153 guest rooms and 505,335 square feet of floor area, with additional changes to number of guest rooms and building heights of each tower. These changes are described in the Project Analysis section of this report.*

A City-initiated Sign District would also be implemented on the Project Site and on certain surrounding parcels along S. Figueroa Street, W. Pico Boulevard, and S. Flower Street.

REQUESTED ACTIONS:

ENV-2016-2594-EIR

1. Pursuant to CEQA Guidelines, Sections 15162 and 15164, in consideration of the whole of the administrative record, that the project was assessed in the previously certified Fig+Pico Conference Center Hotels EIR No. ENV-2016-2594-EIR and Errata, SCH No. 2016121063 certified on February 9, 2018; and no subsequent EIR or addendum is required for approval of the project;

CPC-2016-4219-GPA-ZC

2. Pursuant to Section 555 of the City Charter and Section 11.5.6 of the Municipal Code, a City-initiated **General Plan Amendment** to the Central City Community Plan to redesignate a portion of the site (three parcels at 601 W. Pico Boulevard) from the High Density Residential to Regional Commercial land use;

3. Pursuant to Section 12.32 of the Municipal Code, a City-initiated **Zone Change and Height District Change** from [Q]R5-4D-O and C2-4D-O (Multiple Dwelling Zone and Commercial Zone, Height District 4 with Development Limitations, Oil Drilling District] to (T)(Q)C2-4D-O-SN (Commercial Zone, Height District 4 with Development Limitations, Oil Drilling District, Sign District);

CPC-2016-4220-SN

4. Pursuant to Section 13.11 of the Municipal Code, a City-initiated **Sign District** (-SN Supplemental Use District) for a comprehensive set of sign regulations, along portions of Figueroa Street, Pico Boulevard, and Flower Street;

CPC-2016-2595-DA-CU-MCUP-CUX-SPR

5. Pursuant to Sections 65865-65869.5 of the California Code, a **Development Agreement** between the Developer and the City of Los Angeles;

6. Pursuant to Section 12.24-W.24 of the Los Angeles Municipal Code, a **Conditional Use Permit** for a hotel located within 500 feet of an R residential zone;

7. Pursuant to Section 12.24-W.19 of the Los Angeles Municipal Code, a **Conditional Use Permit** for floor area ratio averaging in a unified mixed-use development in the C2 Zone;

8. Pursuant to Section 12.24-W.1 of the Los Angeles Municipal Code, a **Master Conditional Use Permit** to allow for the sale and dispensing of a full line of alcoholic beverages for on-site consumption;

9. Pursuant to Section 12.24-W.18 of the Los Angeles Municipal Code, a **Conditional Use Permit** to allow live entertainment and dancing; and

10. Pursuant to Section 16.05 of the Municipal Code, a **Site Plan Review** for a development project that creates 50 or more guest rooms and/or 50,000 gross square feet of non-residential floor area.

RECOMMENDED ACTIONS:

ENV-2016-2594-EIR

1. **Find,** based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in the Fig+Pico Conference Center Hotels EIR No. ENV-2016-2594-EIR and Errata, SCH No. 2016121063, certified on February 9, 2018; and pursuant to CEQA

Guidelines, Sections 15162 and 15164, no subsequent EIR or addendum is required for approval of the project;

CPC-2016-4219-GPA-ZC

2. **Recommend** that the Mayor and City Council approve a **General Plan Amendment** to the Central City Community Plan to redesignate a portion of the site (three parcels at 601 W. Pico Boulevard) from the High Density Residential to Regional Commercial land use, including a modification to Footnote 3 of the Central City Community Plan to allow for an FAR of 10:1 pursuant to the Zone Change ordinance for the entire Project Site;
3. **Recommend** that the City Council approve a **Zone Change** and **Height District Change** from [Q]R5-4D-O and C2-4D-O to (T)(Q)C2-4D-O-SN, including new D-limitations on the Project Site;

CPC-2016-4220-SN

4. **Recommend** that the City Council approve a **Sign District** (-SN Supplemental Use District) for the Figueroa and Pico Sign District;

CPC-2016-2595-DA-CU-MCUP-CUX-SPR

5. **Recommend** that the City Council approve a **Development Agreement** between the Developer and the City of Los Angeles;
6. **Approve** a **Conditional Use Permit** for a hotel located within 500 feet of an R residential zone;
7. **Approve** a **Conditional Use Permit** for floor area ratio averaging in a unified mixed-use development in the C2 Zone;
8. **Approve** a **Master Conditional Use Permit** to allow for the sale and dispensing of alcohol for on-site consumption;
9. **Approve** a **Conditional Use Permit** to allow live entertainment and dancing;
10. **Approve** a **Site Plan Review** for a development project that creates 50 or more guest rooms and/or 50,000 gross square feet of non-residential floor area;
11. **Adopt** the attached Findings;
12. **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring; and
13. **Advise** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption may be 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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ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the Commission Secretariat, 200 North Spring Street, Room 532, Los Angeles, CA 90012 (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to this programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

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B – Mitigation Monitoring Program

C – Draft Sign District Ordinance

D – Draft Development Agreement Ordinance

E – Draft Development Agreement

Environmental Impact Report link:

https://planning.lacity.org/eir/FigPico/FigPico_CoverPg.html

PROJECT ANALYSIS

Project Summary

The Fig+Pico Conference Center Hotels Project encompasses over half a million square feet of development in two high-rise towers on a key 1.22-acre site in Downtown Los Angeles, strategically located between the Los Angeles Convention Center (LACC) and the Los Angeles County Metro Rail Line Pico Station. The project is a unique private-public partnership utilizing both privately-owned and City-owned parcels, proposing to bring up to 1,153 hotel guest rooms, 13,145 square feet of active ground-floor commercial uses, several publically-accessible rooftop amenity spaces, and a host of streetscape and transit-oriented improvements to the immediate area. The development would replace the existing two-story commercial building and surface parking lots currently occupying the site.

The development is a joint effort with the City to facilitate the development of much needed hotel rooms in close proximity to the Los Angeles Convention Center. In 2011, the City initiated a process to identify a developer to construct a major hotel development at the City-owned portion of the site, consisting of three parcels located at the corner of Figueroa Street and Pico Boulevard (601 Pico Boulevard). After an unsuccessful 2013 RFP process, the City received a proposal from the owner of the two parcels adjacent to the City property to the north and east. The proposal offered to work in cooperation with the City to develop over 1,000 hotel rooms by jointly utilizing the City parcel and the two adjacent private parcels, consistent with City policy and the RFP to develop a hotel product that could support Convention Center activities and create new jobs. On December 1, 2017, the City Council voted to authorize a Memorandum of Understanding between the City and the developer, instructed the preparation of documents for the sale of the City's surplus property, and directed the Chief Legislative Analyst's Office to finalize a revenue participation agreement for the hotel development (Council File No. 16-0073). This agreement is currently being finalized by the Chief Legislative Analyst's office, and includes a public benefits package primarily focused on local job creation.

As such, to develop the project, the City and applicant have made requests for several land use entitlements, including: a City-initiated general plan amendment and zone change to allow for a unified commercial zone and height district; the adoption of tailored City-initiated sign regulations for the site and surrounding area; a development agreement between the City of Los Angeles and Lightstone DTLA, LLC to extend the term of the entitlements and to memorialize additional public benefits; conditional uses requests to: enable hotel uses in proximity to residential areas, average floor area across a unified mixed-use development, permit alcohol sales, and allow live entertainment and dancing; a site plan and design review; and consideration of the project's environmental impacts.

In addition to the development of the hotel project, a City-initiated Sign District is proposed for the project site and on surrounding parcels (comprising approximately 4.35 acres) along the corridor connecting the Convention Center to the Metro Station. The Sign District is intended to create a unified signage theme, promote the transit-oriented character of the corridor, and support connectivity between public transit and the Convention Center, LA Live, and adjacent regional entertainment destinations. The proposed standards of the Sign District provide flexibility in design for ground-mounted and wall-mounted signage, set illumination standards, allow for integrated large-scale architectural lighting, relax restrictions on off-site signage promoting Convention Center and Metro facilities, and permit the installation of supergraphic signage and digital displays in tandem with reducing signage blight within the larger neighborhood context.

Generally, the Fig+Pico Hotels project and the proposed Sign District have garnered significant public support from local agencies, community groups, trade groups, local workers, and neighborhood residents, as summarized in the Public Hearing and Communications section of this report. Support has cited the project's benefits for economic growth, tourism, and enhancements to the South Park district. Limited community concerns regarding the project have focused on requests for a more integrated building design for signage and a greater focus on the development's connections to pedestrian activity. In response to these concerns, the current project design was crafted to activate portions of both tower's podiums with hotel amenities, and included improvements to the project design along the Figueroa Street and Pico Boulevard frontages.

In consideration of the project's significant community support, and within the context of development patterns within the designated Downtown Center area, Staff recommends approval of the requested entitlements, as the resulting mixed-use project and Sign District would support planning policies for hotel and commercial development within the Central City community.

Background

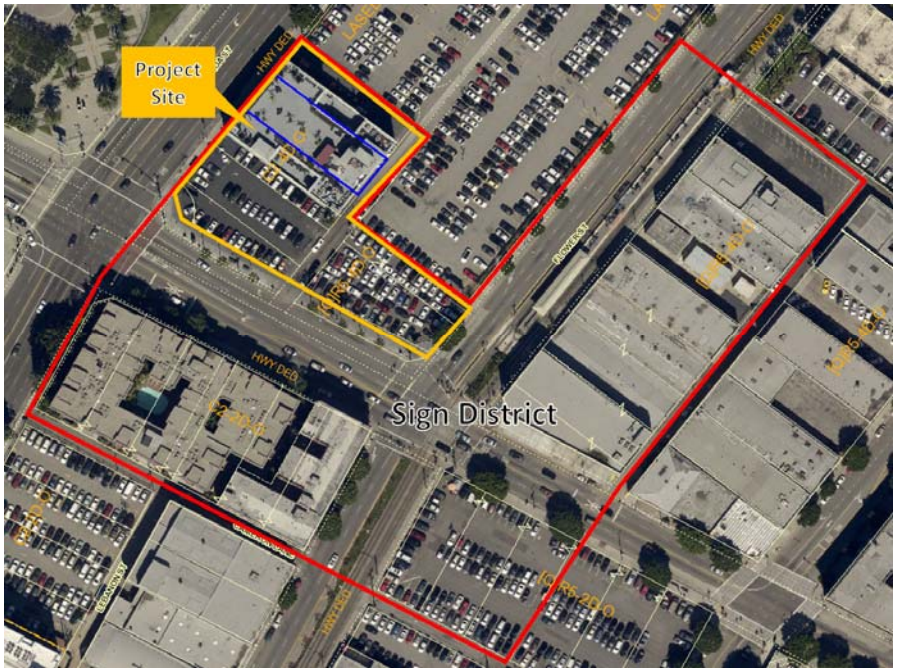
Location and Setting

The Project Site and Sign District are located within the Downtown Center of the City of Los Angeles, and within the Central City Community Plan area and the South Park District. The immediate vicinity is characterized by a mix of regional entertainment, commercial, restaurant, bar, office, and high-rise residential uses, which include the Los Angeles Sports and Entertainment District, LA Live, and the Convention Center.

Project Site and Characteristics

The project site is an irregularly-shaped 1.22 net acre (52,948 square-foot) site, generally bound by Figueroa Street to the west, Pico Boulevard to the south, Flower Street to the east, and the under-construction Circa mixed-use development to the north. The site is bisected by a mid-block public alley with access from Pico Boulevard. The alley terminates just north of the Project Site, with an adjacent publically-accessible turnaround area located within the Circa property. The Community Plan designates the portion of the site west of the alley for Regional Commercial uses and the C2-4D-O zone, and the portion of the property east of the alley designated for High Density Residential land uses and the [Q]R5-4D-O zone. Currently, a two-story commercial building and surface parking lots occupy the Project Site. The building and parking lots would be demolished and removed as part of the Project.

The Sign District encompasses a 4.35-acre (189,485 square-foot) area, which includes properties located between the Convention Center and the Metro Pico Station along Pico Boulevard, reaching from Figueroa Street to the mid-block alley between Flower Street and Hope Street. In addition, an arm of the district extends half a block north along Flower Street to include properties adjacent to the Metro Pico Station. The Sign District area is predominately developed with low-rise commercial buildings along the north side of Pico Boulevard and both sides of Flower Street, as well as mid-rise multi-family developments along the south side of Pico Boulevard. Consistent with the rapid growth of the South Park district, development proposals for hotel high-rises have been submitted for both the project site and an adjacent site to the south along Pico Boulevard (known as the City Lights on Fig property).



Adjacent Uses

Adjacent uses to the Project Site (red hatched lines) and the proposed Sign District (red boundary) are as follows:

- North: Directly north of the Project Site is the Circa project at 1200 S. Figueroa Street. Circa is under construction, with an anticipated completion in 2018 of two 36-story high-rise towers containing 648 residential units, above a seven-level podium with 48,600 square feet of retail space, extensive signage, and associated parking. The site is zoned LASED, subject to the regulations of the Los Angeles Sports and Entertainment District Specific Plan, with a Regional Commercial and High Density Residential land use designation. The LASED Specific Plan extends further north and northwest of the Project Site and includes the Staples Center Arena - a multipurpose sports and entertainment venue, LA LIVE - which contains entertainment, hotel, restaurant, and residential uses, and other mixed-use projects such as the Oceanwide Plaza project.

- West: The west side of Figueroa Street is developed with the Convention Center and Gilbert Lindsay Plaza - a 5-acre landscaped public plaza near the main entrance to the Convention Center. These sites are zoned (Q)CEC-4D-O within a Public Facilities designation and are subject to the regulations of the Convention and Event Center Specific Plan.

- South: South of Pico Boulevard is a continuation of the Sign District, which encompasses several multi-family residential developments, housed in a five-story building with four stories of residential units above at-grade structured parking, zoned C2-2D-O with a Community Commercial designation. The Sign District also encompasses the southeast corner of Pico Boulevard and Flower Street, which has been recently developed with a seven-story residential building with ground-floor commercial uses, located in the [Q]R5-2D-O zone and High Medium Density Residential designation. Beyond the Sign District

boundary to the south is a mixture of additional mid-rise residential apartment buildings and low-rise commercial structures with frontages on Figueroa Street, Flower Street, and Pico Boulevard.

- East: Immediately east of the site is the above-ground Metro Pico Station within the Flower Street right-of-way, which serves the Blue Line and the Expo Line light rail system, followed by low-rise commercial buildings in the [Q]R5-4D-O zone and High Density Residential designation, which are included in the Sign District. Additional low-rise commercial buildings are located east of the Sign District boundary, with frontages on Hope Street.

Streets and Circulation

Figueroa Street is a north-south street located immediately adjacent to the western edge of the Project Site. In the Mobility Plan 2035, it is classified as a Modified Boulevard II and a "Comprehensive Transit Enhanced Street" and is identified for Tier 1 Bike Lanes (protected bicycle lanes). It is a two-way street providing two to three travel lanes in each direction near the Project Site. No on-street parking is allowed on either side of the street. The Downtown Street Standards require a 58-foot half-right-of-way and an additional 9-foot average sidewalk easement, with improvements consisting of 43 feet of roadway, 15 feet of sidewalk, and the additional 9-foot average sidewalk easement.

> **Note:** The My Figueroa capital improvement project is expected to be completed by Summer 2018 with the following improvements near the project site: Class I Protected bike lanes along both sides of Figueroa Street, a bus-only lane along the east side of Figueroa Street, 20-foot wide continental crosswalks through the Figueroa Street and Pico Boulevard intersection, and signage identifying the South Park Corridor at three corners of the intersection.

Flower Street is a north-south street located immediately adjacent to the eastern edge of the Project Site and contains the Metro Blue Line and Expo Line train tracks. In the Mobility Plan 2035, it is classified as a Modified Avenue I and identified for Tier 3 Bike Lanes (striped separation on arterial roadways). It is a one-way street providing three travel lanes in the south direction near the Project Site. No on-street parking is allowed on either side of the street. The Downtown Street Standards require a 55-foot half-right-of-way, with improvements consisting of 35 feet of roadway and 20 feet of sidewalk.

Pico Boulevard is an east-west street located immediately adjacent to the southern edge of the Project Site. In the Mobility Plan 2035, it is classified as a Modified Boulevard II and identified for Tier 3 bike lanes (striped separation on arterial roadways). It is a two-way street providing two travel lanes in each direction near the Project Site. No on-street parking is allowed on either side of the street. For the section of the street between Figueroa Street and the alleyway, the Downtown Street Standards require a 58-foot half-right-of-way, with improvements consisting of 43 feet of roadway and 15 feet of sidewalk. For the section of the street between the alleyway and Flower Street, the Downtown Street Standards require a narrower 50-foot half-right-of-way and 3-foot average sidewalk easement, with improvements consisting of 35 feet of roadway, 15 feet of sidewalk, and an additional 3 feet of sidewalk easement.

> **Note:** Currently, the Pico Boulevard roadway is improved in excess of the roadway width requirements of the Downtown Street Standards. The Project proposes to maintain the existing roadway widths and to provide dedications and easements to accommodate the sidewalk widths as identified by the Downtown Street Standards.

Freeway Access

Regional access to the Project Site is provided by the I-110/SR-110 and I-10 freeways. The I-110 runs northeast-south and is located approximately 0.3 miles west of the Project Site. The nearest on- and off-ramps to the freeway are accessed from 11th Street/Chick Hearn Court and 9th Street. The I-10 generally runs in the east-west direction and is located approximately 0.3-mile south of the Project Site. Access to and from I-10 is available via interchanges at S. Flower Street, S. Grand Avenue, and S. Los Angeles Street.

Public Transit

Over 30 bus routes are located in the vicinity of the Project Site, with routes along all three street frontages of the project. Public transit bus stops are located along the project site's frontage at Figueroa Street near Pico Boulevard and on Pico Boulevard near Flower Street. In addition, the Metro Blue Line and Expo Line station is located within the Flower Street public right-of-way, adjacent to the Project Site. A Metro Bike Share station is located immediately east of the Metro station along the north side of Pico Boulevard.

Pedestrian Priority Segments

All streets along the project site (Figueroa Street, Flower Street, and Pico Boulevard), and similar to the majority of streets in the Downtown Center, are identified by the Mobility Plan as "Pedestrian Segments", which are defined as targeted areas on arterial streets prioritized for pedestrian safety enhancements.

Land Use Policies

General Plan Framework

The City of Los Angeles General Plan Framework identifies the site and vicinity as a Downtown Center, considered an international center for finance and trade, the largest government center in the region, and the location for major cultural and entertainment facilities, hotels, professional offices, corporate headquarters, financial institutions, high-rise residential towers, regional transportation, and Convention Center facilities. The Downtown Center is generally characterized by floor area ratios of up to 13:1 and high-rise buildings.

Community Plan

The Central City Community Plan Map designates the western portion of the property for Regional Commercial land uses and allows for corresponding zones of CR, C1.5, C2, C4, C5, R3, R4, R5, RAS3, and RAS4, and R5. The Regional Commercial land use is also subject to Footnote No. 3 of the Community Plan Map, which corresponds to Height Districts 3-D and 4-D, with a D limitation of 6:1 FAR, except for transfer of floor area up to 10:1 or 13:1, respectively.

The Community Plan Map identifies the eastern portion of the property for High Density Residential land uses and allows for a corresponding zone of R5. The High Density Residential portion of the site is subject to Footnote No. 10 of the Community Plan, which states that the Plan contemplated that certain commercial uses may be allowed under the High Density Residential land use, that these uses should be controlled by appropriate Q conditions, and that commercial uses should be located at the street level. This policy is currently implemented through [Q] conditions applicable to the site, which specifically allow for hotel, accessory parking structure, and some C4 uses.

The project site is currently zoned C2-4D-O and [Q]R5-4D-O and is consistent with the existing land use designations for the site. The Project includes a request for a General Plan Amendment to the Regional Commercial designation and a Zone Change to the C2-4D-O-SN zone over the entire site.

DTLA 2040

DTLA 2040 is the update of the Central City Community Plan and the Central City North Community Plan, which comprise Downtown Los Angeles. The City has hosted a public scoping meeting for the Community Plan Update, published preliminary land use documents, and is currently in process of preparing an Environmental Impact Report for the Plan. The following core principles represent the long-term priorities for downtown:

- Accommodate anticipated growth through 2040
- Support and sustain downtown's ongoing revitalization
- Reinforce downtown's jobs orientation
- Grow and support the residential base
- Promote a transit, bicycle, and pedestrian friendly environment
- Strengthen neighborhood character
- Create linkages between districts
- Create world-class streets and public realm

The Department has also released a Plan Concept Map for public review, which identifies the site within the Transit Core designation. The maximum FAR in the Transit Core ranges from 10:1 to 13:1. Transit Core areas are considered dense centers of activity built around regional transit hubs that provide easy access for pedestrians, transit users, and cyclists to a variety of experiences and activities. The Community Plan Update establishes that these places provide a high-energy urban experience, with towers activated by ground-floor retail that engages and invites pedestrians. Buildings have high-quality design and provide visual interest. Enhanced streetscapes, paseos, and alleys create a seamless network of walkable paths that balance the high-intensity built environment. A diverse mix of office, residential, retail, cultural, and entertainment uses makes these places centers of activity around the clock. The general uses emphasized for the Transit Core are regional mixed-use, multi-family, residential, entertainment, and office.

The Project is consistent with the permitted uses, FAR ranges, and applicable policies in the Community Plan Update that apply to the project site and other properties within the boundary of the Transit Core land use designation. Given the proximity to numerous transit options, the project is in line with the City's efforts of providing an engaging mix of hotel and commercial uses adjacent to regional tourism and entertainment destinations.

Downtown Design Guide

The Project is also within the boundaries of the Downtown Design Guide (the "Design Guidelines") in the South Park District, as a part of the Central City Community Plan. The Design Guidelines contain standards and guidelines for sustainable design, sidewalks and setbacks, ground floor treatment, parking and access, massing and street walls, on-site open space, architectural detail, streetscape improvements and signage. The Project is consistent with the Design Guidelines as it provides: active commercial uses, generous sidewalk widths, and landscape elements that encourage pedestrian activity and provide key linkages within the South Park District; screened parking; private and public open space amenities on the podium decks and hotel rooftops; compatible architectural design; and a comprehensive signage program.

Redevelopment Plan

In addition, the site is located within the South Park subarea of the City Center Redevelopment Project Area. The Redevelopment Plan for the project area was adopted on May 15, 2002, with an end date of May 15, 2032. The City Center Redevelopment Plan contains numerous objectives, including: developing and revitalizing downtown as a major center of the metropolitan region; preparing the Central City to accept regional growth and development; promoting the development of a full range of uses and employment opportunities; and emphasizing green spaces and public amenities. The land use designations and regulations for any property in the Redevelopment Plan Area defer to and are superseded by the applicable City General Plan, Community Plan and Zoning Ordinance land use designations and regulations. Therefore, the project would be consistent with the Plan objectives and any proposed plan amendments or zoning regulations applicable to the site would be reflected and incorporated into the Redevelopment Plan.

Los Angeles Sports and Entertainment District Streetscape Plan

The Los Angeles Sports and Entertainment District Streetscape Plan provides guidelines and standards for improvements in the public right-of-way within the Los Angeles Sports and Entertainment District and along Figueroa Street from 7th Street to Venice Boulevard. The principal objective of this Streetscape Plan is to develop attractive, functional, and safe streets and pedestrian friendly sidewalks that connect to and complement the Downtown context. The Streetscape Plan contains provisions regarding street widths, sidewalk widths, sidewalk paving, street trees, street furniture, pedestrian lighting, and public signage, which are applicable to the adjacent portions of Figueroa Street and Flower Street along the Project Site. Pico Boulevard is not subject to the standards of the Streetscape Plan.

On-Site Related Cases (Fig+Pico Conference Center Hotels Site):

VTT-74239: On February 9, 2018, the Advisory Agency approved a Vesting Tentative Tract Map for the merger and resubdivision of the site into 18 lots (2 master lots and 16 airspace lots) for a mixed-use hotel development. No appeals were filed, and the approval became final on February 20, 2018.

Council File 06-0725 – On July 1, 2016, the City Council instructed the Department of City Planning to initiate a General Plan Amendment and Zone Change on the project site to permit a floor area ratio of 10:1 by-right, and a Sign District that identifies the Convention Center, the proposed hotel development, and the South Park Community, on the City and private parcels that comprise and surround the proposed development site at the intersection of Figueroa Street and Pico Boulevard. The Department of City Planning initiated the actions on November 4, 2016.

ZA-2009-2992-CUB-CUX-CU: On January 27, 2011, the Zoning Administrator approved a Master Conditional Use Permit for the sale and dispensing of a full line of alcoholic beverages for on-site consumption in three restaurants with one of the restaurants having a rooftop operation as part of its venue.

Ordinance No. 164,307-SA3010: Effective January 30, 1989, the Ordinance established a “D” limitation that the floor area on the lot shall not exceed six times the buildable area of a lot, except for the following: a) project approved under Section 418 (Transfer of Floor Area) of the Redevelopment Plan for the Central Business District Redevelopment Project; b) projects approved under Section 415 (Rehabilitation and/or Remodeling of Existing Buildings) or Section 416 (Replacement of Existing Buildings) of the Redevelopment Plan; c) projects for which a

density variation 50,000 square feet or less is granted under Section 437 of the Redevelopment Plan; d) projects for which a density variation of more than 50,000 square feet was granted under Section 437 of said Redevelopment Plan prior to the effective date of this ordinance; and e) projects approved pursuant to any procedure to regulate transfer of floor area as may be adopted by the City Council. The Ordinance also established a "Q" condition that limits the [Q]R5-4D-O zoned portion of the property to the following uses: a) residential uses in the R5 Zone, b) hotels, motels, and apartment hotels, c) parking buildings, provided such parking is accessory to the main use of the lot or accessory to the main use of another lot not more than 1,500 feet, d) any other uses permitted in the C4 Zone within buildings which were in existence on the upon the effective date of the ordinance, e) any use permitted in the C4 Zone provided the floor are ratio does not exceed 2:1, f) any other uses permitted in the C4 Zone, including commercial uses with a floor are ratio from 2:1 to 6:1, provided that the development is approved in accordance with certain procedures.

On-Site Related Cases (Sign District Properties):

1300 S. Figueroa Street:

VTT-74929, CPC-2017-747-DA, and CPC-2017-746-GPAJ-VZCJ-HD-TDR-MCUP-ZAD-SPR - On February 23, 2017, an application was filed for a Vesting Tentative Tract map, Development Agreement, and multiple entitlements for a mixed-use hotel development with 1,024 guest rooms, located immediately south of the Project site. The Project is currently undergoing environmental review and no action has yet been taken on the project.

TT-62692-CC - On December 26, 2006, the Deputy Advisory Agency approved a Tentative Tract Map composed of one lot for a maximum 100-unit condominium conversion.

1300 S. Flower Street:

ZA-2007-1818-CUB: On January 16, 2008, the Zoning Administrator denied a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for off-site consumption, in conjunction with the operation of an existing 1,906 square-foot market and delicatessen, having hours of operation from 6 a.m. to 2 p.m. daily (Joe's Market).

Off-Site Related Cases within 500 feet:

1200 S. Flower Street Residential Towers:

VTT-72560 - On September 11, 2014, the Deputy Advisory Agency approved a Vesting Tentative Tract Map to allow a subdivision composed of one ground lot for a maximum of 730 residential condominium units and 12 commercial condominiums, located northeast of the Project site.

CPC-2013-4125-TDR-MCUP-ZV-SPR and –A1 - On April 23, 2015, the Mayor concurred with the City Council action to deny an appeal and approve a transfer of floor area, master conditional use for alcohol, zone variances to allow for reductions in residential open space and changes in parking standards, and a site plan review for a mixed-use project involving a pair of 31-story and 40-story residential towers, with a total of 730 residential units and 7,873 square feet of ground floor commercial/retail space. On June 28, 2017, the Mayor concurred with the City Council action to approve modifications to the TFAR approval conditions.

ZA-2007-1362-CUB: On August 24, 2008, the Zoning Administrator approved a conditional use permit to allow the sale and dispensing of a full-line of alcoholic beverages for on-site and off-

site consumption within a proposed 8,580 square-foot restaurant, with bar and lounge, piano bar and catering services on property located in the [Q]R5-Zone.

Circa Residential Towers (1200 S. Figueroa Street):

TT-66892-CN, -M1, and –M2 - On December 13. 2007, the Deputy Advisory Agency approved a Tentative Tract Map to allow a merger and resubdivision of seven lots into three ground lots, for a maximum of 648 residential condominiums and 26 commercial condominiums consisting of 23,000 square feet of retail/entertainment/restaurant uses, located immediately north of the Project site. On November 19, 2014, modifications were approved to allow for a merger and re-subdivision of seven lots into one master lot and four airspace lots for a new maximum of 648 residential condominiums and 26 commercial condominiums consisting of 48,000 square feet of retail/entertainment/restaurant uses and 4 signage condominiums uses. A second modification request was terminated on September 1, 2016.

DIR-2014-1795-SPPA-SPP and -M1 – On November 12, 2014, the Director of Planning approved the following: 1) a Specific Plan Project Permit Compliance Review to allow the construction of an 870,000 square foot mixed-use development with two 36-story, approximately 400 foot tall towers (with 648 residential units, 28,000 square feet of retail space and 20,000 square feet of restaurant space), 2) a Project Permit Adjustment to allow reductions of the residential tower setbacks from the edge of the podium, and 3) a Sign Compliance Review to allow up to 15,656 square feet of signage. On May 12, 2017, the Director of Planning approved the following: 1) a modification to the Project Permit Compliance Review to modify building heights and façade designs, and 2) a modification to a Sign Compliance Review to allow for 31,310 square feet of signage.

DIR-2016-1478-SPPA - On May 12, 2017, the Director of Planning approved Project Permit Adjustments to allow deviations in sign separation distances and an increase in signage area.

Los Angeles Sports and Entertainment District (LASED)

CPC-2000-5433-DA-GPA-SP-SUB-ZC - On September 4, 2001, Ordinance No. 174,226 became effective authorizing the execution of a development agreement between the City, The L.A. Arena Land Company, Inc. and Flower Holdings, LLC. The agreement was subsequently amended. On October 21, 2001, Ordinance 174,226 became effective for a zone change to the LASED zone, as well as associated General Plan Amendments, and Ordinance 174,224 became effective establishing the Los Angeles Sports and Entertainment District Specific Plan, which included signage regulations for the area. The Plan was subsequently amended twice in 2007 and then in 2010. On December 11, 2003, the City Planning Commission adopted the LASED Streetscape Plan.

Convention Center and Staples Center

CPC-2012-0849-GPA-VZC-SP-SN: On November 13, 2012, Ordinance 182,271 became effective establishing a Development Agreement between the City and LA Event Center, LLC and LA Parking Structures, LLC for development within the Convention and Event Center Specific Plan. On November 25, 2012, several ordinance became effective establishing the following: ORdiance 182,282 established the Convention and Event Center Specific Plan, Ordinance 182,281 established the Convention and Event Center Sign District, Ordinance 182,280 established a Zone Change to CEC from the existing PF-4D-O and C2-4D-O zone, and corresponding approvals for a General Plan Amendment to change the Regional Commercial land use designation of portions of Staples Center to Public Facilities and to add a footnote establishing the CEC Specific Plan, and reclassification of 12th street as a Local Street.

Project Details:

Initiatives for Redevelopment of City Property

The City acquired three parcels on the eastern comer of Pico Boulevard and Figueroa Street (601 Pico Boulevard) in 1969 to facilitate the widening of Figueroa Street. Most of the remaining properties on this block were later acquired by the former Community Redevelopment Agency for inclusion in the Los Angeles Sports and Entertainment District, with the exception of two parcels that remained in private ownership that are located on either side of the City-owned parcel, to the north and to the east. In 2011, Council initiated a process to identify a developer to construct a major hotel development at the site. The site is located immediately across from the Convention Center and presents an opportunity to increase the number of hotel rooms to serve conventions that attract national and international visitors. In June 2012, Council authorized that these parcels be declared surplus property with the intent of making it available for economic development opportunities involving a hotel development. In November 2012, the City released a Request for Proposals (RFP) seeking a developer to build a hotel on the City parcel. In January 2013, the City received two bids in response to the RFP, but those bids did not meet the City's development goals. Subsequently, the City received a proposal from the owner of the two parcels adjacent to the City parcel, Downtown Live, LLC. They offered to work jointly with the City to develop a hotel with over 1,000 rooms using the City parcel and the two adjacent private parcels. Such a proposal was consistent with City policy and the RFP to develop a hotel product that could support Convention Center activities and create new jobs. This proposal led to the development of an agreement between the owner of the two adjacent parcels and Lightstone Group to develop a 1,000 plus room hotel complex with associated amenities, ground floor retail, and parking, with Lightstone Group assuming responsibility for development of the project.

Hotel Incentive Agreement

On December 1, 2017, the City Council voted to authorize a Memorandum of Understanding and directed the Chief Legislative Analyst's Office to finalize a revenue participation agreement for the hotel development (Council File No. 16-0073). The City would sell the property to Lightstone for an appraised value of $9.6 million. If approved, sale of this property to Lightstone would complete the surplus property process. A review conducted by the City's independent consultant determined that the Project would have an anticipated finance gap of $67.4 million. The review also determined that the project would generate $158 million net present value (NPV) in net new revenues to the City. Consistent with City policy, Lightstone would be eligible to receive up to $67.4 million NPV in financial assistance (43 percent of net new revenues generated by the Project). The City would receive an estimated $90.6 million NPV in new General Fund revenues. The Developer also agreed to provide community benefits as part of its project development plan under the Hotel Incentive Agreement. Those benefits include card check neutrality, living wage compliance, local hiring compliance, and a room block agreement relating to the Convention Center and the 2028 Olympic and Paralympic Games. Additional community benefits may be included in the final Hotel Incentive Agreement, such as job training and job creation programs. The agreement is currently being finalized by the Chief Legislative Analyst's office.

Original Development Proposal

A development proposal for the Fig+Pico Conference Center Hotels project was originally submitted to the Department of City Planning in November 2016. The initial project proposed a mixed-use development with up to 1,162 guest rooms and 13,145 square feet of ground-floor retail/restaurant uses within two hotel towers ("Hotel A/B Tower" and "Hotel C Tower"), totaling

up to 506,682 square feet of floor area. The Hotel A/B Tower was slated to include 820 hotel guest rooms, 11,000 square feet of ground-floor retail/restaurant uses, and podium parking for all three hotels within a 42-story, 529-foot tower on the northeast corner of S. Figueroa Street and W. Pico Boulevard. The Hotel C Tower was designed with 342 guest rooms and 2,145 square feet of ground-floor retail/restaurant uses in a 25-story, 326-foot tower located on the northwest corner of W. Pico Boulevard and S. Flower Street.

Current Development Proposal

After the project was presented at the February 7, 2018 public hearing, the applicant revised the building design and interior utilization of the towers in response to public comments. The current proposal includes reductions in the total number of guest rooms, building floor area, and the maximum building height of the overall development. In addition, some of the hotel guest rooms and building height have shifted from the Hotel A/B Tower to the Hotel C Tower, and certain hotel amenities have been incorporated into the podium elements of both towers.

The current revised proposal for the Fig+Pico Conference Center Hotels project involves a two-tower development encompassing three hotel brands, with up to a total of 1,153 guest rooms and 13,145 square feet of ground-floor retail/restaurant uses. The two towers ("Hotel A/B Tower" and "Hotel C Tower") are proposed as follows:

Hotel A/B Tower Details

The Hotel A/B Tower would include up to 775 hotel guest rooms, 11,000 square feet of ground-floor retail/restaurant uses, and podium parking with 330 total spaces for all three hotels within a 38-story, 465-foot tower on the northeast corner of S. Figueroa Street and W. Pico Boulevard. The Hotel A/B Tower would develop 31-stories of hotel uses atop a seven-story podium. The 90-foot podium would be a continuation of the street wall formed by the neighboring podium of the Circa mixed-use development to the north along Figueroa Street. The primary lobby for Hotel B and a small satellite lobby for Hotel A would be situated on the ground floor of the tower, with direct access from Pico Boulevard and from an interior motor court located off the Pico Boulevard mid-block alley. In addition, approximately 11,000 square feet of ground-floor commercial space would be accessible from both Pico Boulevard and Figueroa Street. The remainder of the podium's floors would contain 330 parking spaces and mechanical equipment, screened from the street with architectural elements and signage. The podium's 7th floor would also include 9,490 square-feet of hotel meeting rooms, overlooking Pico Boulevard and the interior porte-cochere. The hotel's 8th floor would include a landscaped pool deck and third-party-operated indoor and outdoor food and beverage facilities. The outdoor deck would be programmed with activities and music that would complement the food and beverage operations. Hotel amenities would continue on the 9th floor, where indoor and outdoor fitness centers would be exclusively available to hotel guests. Floors 11 through 34 would contain up to 775 guest rooms. The 7,400 square-foot sky lobby for Hotel A would be based on the 35th floor, opening out into a publically-accessible landscaped viewing deck. Floors 36 through 38 would be stepped back from the lower floors and house a variety of functions. The 37th floor would contain an additional 7,500 square-foot indoor food and beverage area and a limited outdoor terrace. Floors 36 and 38 would house mechanical equipment serving the building. The tower would also include architectural lighting, and on-site and off-site signage.

Hotel C Tower Details

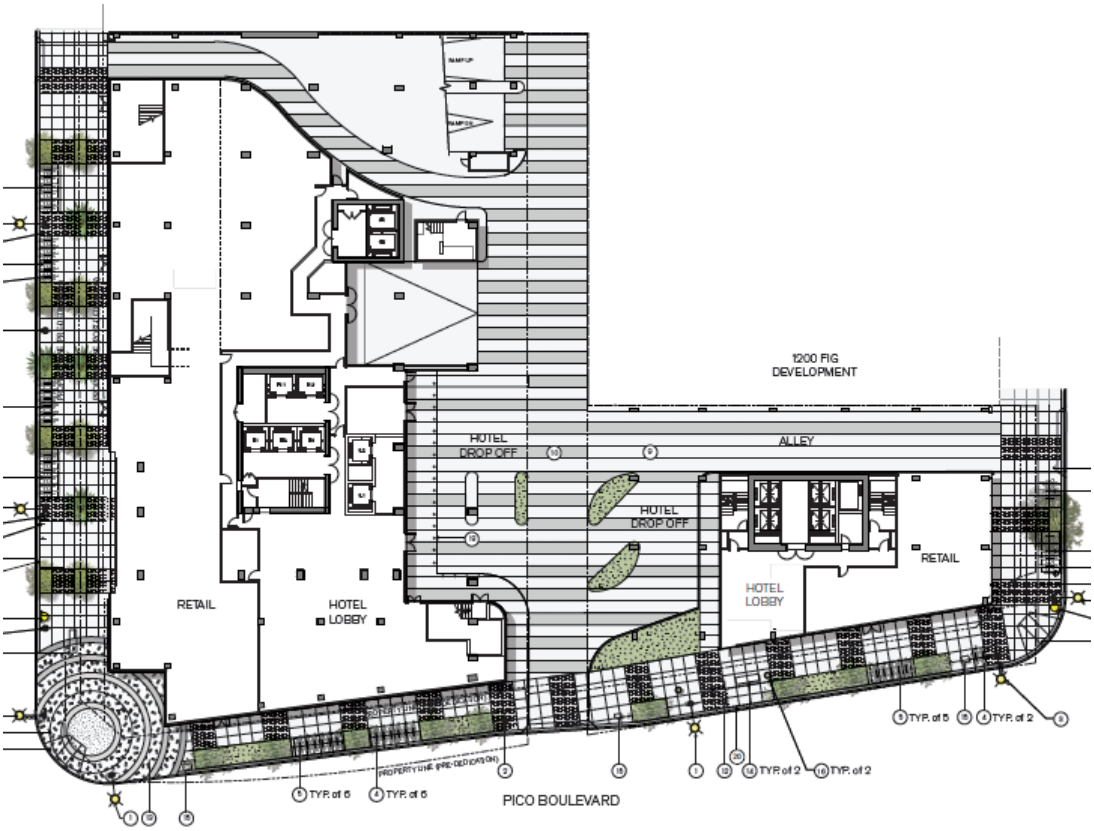
The Hotel C Tower would include up to 378 guest rooms and 2,145 square feet of ground-floor retail/restaurant uses in a 27-story, 350-foot tower located on the northwest corner of W. Pico Boulevard and S. Flower Street. The ground floor of the tower would contain approximately

2,145 square feet of commercial space along Pico Boulevard and Flower Street, as well as a hotel lobby accessible from Pico Boulevard. The second level of the 67-foot podium would accommodate 9,000 square-feet of guest amenities overlooking the street, and mechanical equipment on the floor above screened with exterior signage. No parking would be provided within the Hotel C podium. Hotel tower floors 4 through 24 would house up to 342 guest rooms. A rooftop pool deck with guest amenities would be sited on the 25th floor. Above this level, the building would be stepped back from the lower floors and would constitute a two-level housing and enclosure for mechanical equipment serving the building. The tower would also include architectural lighting, and on-site and off-site signage.

Access and Circulation

As illustrated in the following Site Plan, the proposal would cohesively redevelop the site with a unified hotel development, with two hotel towers flanking a central vehicular arrival court. The project's street frontages are lined with pedestrian-scale features, landscape and streetscape elements, and transparent retail and hotel spaces. Collectively, this design materially enhances the streetscape and activates the pedestrian realm, allowing for direct pedestrian access to each of the project components from the adjacent public street. Short-term bicycle parking would be located outdoors along each street frontage, and long-term parking would be housed in the shared basement level of the development, accessible from the lobby elevators. Vehicular access has been designed to limit curb-cuts surrounding the site, and would be provided via three access points, including: (1) the alley off of Pico Boulevard, (2) on Figueroa Street, and (3) on Flower Street. The hotel loading and passenger drop-off areas would be provided along the alley from Pico Boulevard. Access to the parking would be provided along an inbound-only lane off Figueroa Street to minimize conflicts with the MyFigueroa dedicated bicycle and bus lanes. In addition, two-way driveways from Flower Street and Pico Boulevard would also provide access to all hotels.

Illustrated Project Site Plan



Entitlements:

In order to develop the project, the City and applicant have requested the following land use entitlements:

- A City-initiated **General Plan Amendment** from High Density Residential to Regional Commercial over the eastern portion of the site, including a modification to Footnote 3 of the Central City Community Plan to allow for a by-right FAR of 10:1 for the entire site.

- A City-initiated **Zone Change** and **Height District Change** to the (T)(Q)C2-4D-O-SN over the entire site, to facilitate unified commercial zoning for the property and to allow a by-right FAR of 10:1 in lieu of the current 6:1 FAR limitation.

- A City-initiated **Sign District**, which would allow for wall signs, projecting signs, ground-mounted signs, architectural lighting, digital displays, supergraphics, on- and off-site advertising, and other standard sign types. On the Fig+Pico Hotels site, the Sign District would allow for 15,100 square-feet of digital displays on Figueroa Street and Pico Boulevard, and for 12,170 square-feet of supergraphic signage along Pico Boulevard and Flower Street.

- A **Development Agreement** between the City and Lightstone, LLC to extend the entitlements for a term of 10 years and to memorialize certain public benefits, including new Metro way-finding and bus shelters, improvements to the local streetscape and to pedestrian crossings, public benefit payments for beautification projects within the Council District, and funds for the City to study the Zanja Madre cultural resource.

- A **Conditional Use** to allow for the averaging of floor area across a unified mixed-use development between the two separate legal lots, with FARs of 8.7 and 11.8, with an average 9.5 FAR for the entire site. The average 9.5 FAR would be lower than the maximum 10:1 FAR permitted by the proposed zone change.

- A **Conditional Use** to allow for a hotel use in proximity to residential zones.

- A **Master Conditional Use** to allow for on-site alcohol sales within any ground-floor restaurants and the various hotel components, including amenity spaces and individual hotel rooms.

- A **Conditional Use** to allow for live entertainment and dancing within the amenity spaces of the hotel.

- A **Site Plan Review** to review the site design for orderly development, compatibility with adjacent uses and infrastructure, and potential impacts to public safety and the environment.

- Consideration of the **Environmental Impact Report** document; adoption of the Statement of Overriding Considerations for unmitigatable impacts with regards to construction noise, construction traffic, and operational traffic impacts at three intersections; and adoption of a Mitigation Monitoring Program to off-set any potential environmental impacts the project may have on the environment.

In addition, a **Vesting Tentative Tract Map** (VTT-74239) for the merger and resubdivision of the site into eighteen separate lots (two master lots and sixteen airspace lots) was approved on February 9, 2018 by the Advisory Agency. The approval became final on February 20, 2018, with no appeals filed by that date.

Issues

Entitlement Analysis:

General Plan Amendment, Zone Change, and Height District Change

The western portion of the project site is designated for Regional Commercial purposes and is subject to Footnote No. 3 of the Community Plan Map. The Footnote ties the land use designation to Height Districts 3-D and 4-D, with a D limitation of 6:1 FAR, except for transfer of floor area up to 10:1 or 13:1, respectively. The premise of the Footnote is further memorialized in the D-limitation of the C2-4D-O zoning for the site, which requires that any new development which exceeds the 6:1 FAR proceed through a transfer of floor area process (either through the City Center Redevelopment Plan or another process adopted by Council).

The eastern portion is of the site is designated for High Density Residential uses and is subject to Footnote No. 10 of the Community Plan, which allows for flexibility to allow some commercial uses under the designation, to be controlled by appropriate Q conditions. This policy is currently implemented through the [Q] conditions of the [Q]R5-4D-O zone of the site, which specifically allow for hotel, accessory parking structure, and some uses of the C4 commercial zone. The eastern portion of the site is similarly subject to the same D-limitations on floor area.

The current zoning allows for hotel and ground-floor commercial uses over the entire site and constrains the site to a by-right FAR of 6:1, and an FAR of up to 13:1 through a transfer of floor area process. The ongoing Community Plan Update (DTLA 2040) similarly envisions the area to be slated for high-density development, with expected FARs between 10:1 and 13:1.

To redevelop the underutilized Project site under a unified designation, a plan amendment, zone change, and height district change to the Regional Commercial designation, C2 zone, and Height District No. 4 with modified D limitations is requested. The requested land use and zoning would also lift the Footnote 3 restrictions for the site, which act in concert with the D limitations, in order to allow for a by-right FAR of 10:1.

In addition, it is recommended that T, Q, and D conditions be included as part of the zone. The T conditions would guarantee public right-of-way dedications and streetscape improvements in accordance with both Downtown Street Standards and the Los Angeles Sports and Entertainment District Streetscape Plan, which call for wide sidewalks ranging from 15-feet to 23-feet in width along the three street frontages, single and double rows of street trees, and new street lighting. Associated Q conditions would limit development on the site to the proposed hotel and commercial uses, set standards for sustainability in terms of electric vehicle parking and dark sky lighting compliance, and implement mitigation measures for the project's environmental impacts. Finally, D limitations would limit FAR over the entire site to a 10:1 ratio and set height limits for the new buildings. The project's proposed 9.5:1 FAR is in line with the high-density FARs allocated to the transit core area and regional entertainment center of downtown Los Angeles. In addition, the project represents a unique public-private partnership to redevelop an underutilized site under partial City-ownership, and directly contribute to the City's pertinent goals for bolstering tourism, economic development, and neighborhood linkages by providing a significant number of hotel rooms directly adjacent to the City's Convention Center and regional transit.

Development Agreement:

The Development Agreement is proposed in conjunction with the proposed project, which seeks to have the entitlements covered for a term of 10 years in exchange for the provision of

public benefits in the following table. These benefits would be separate from, and in addition to, those identified in the Hotel Incentive Agreement, which will include card check neutrality, living wage compliance, local hiring compliance, and a room block agreement relating to the Convention Center and the 2028 Olympic and Paralympic Games.

Fig/Pico Project: Lightstone & City of Los Angeles Development Agreement			
Term: 10 years			
Public Benefit	**Beneficiary**	**Value**	**Delivery**
Signal Crossing Improvements to include Pedestrian Lead Intervals, High Visibility Crosswalks, and Bulbouts at Pico/Flower	DOT	Ped. Lead Interval: $15k; High Visibility Crosswalks: $28k; Bulbouts: $30k **Total: $73,000**	at CofO
Scramble Crosswalks at: 1) Fig/Pico, 2) Fig/11th, 3) Fig/12th, and 4) Fig/Olympic	DOT	Diagonal: $20k each (4); Segment: $28k each (4) **Total: $192,000**	at CofO
Mid Block Crosswalks on Figueroa b/w: 1) Olympic/11th; 2) 11th/12th; 3) 12th/Pico	DOT	$50k each (3) **Total: $150,000**	at CofO
Wayfindng Signage on Pico/Flower to/from Metro station	Metro	$9k each (3) **Total: $27,000**	at CofO
Real Time Transfer Signage for transit patrons	Metro	$30,000 p/LCD color display (2) **Total: $60,000**	at CofO
Bus shelters with additional seating seating and shade for transit patrons	Metro	$60,000 p/shelter (2) **Total: $120,000**	at CofO
LACC/Metro Signage – 5% (five) percent of time of the digital signage during hours of operation at no cost to LACC and Metro	LACC/Metro	2.5% for LACC; 2.5% for Metro	At CofO for signage, and annually through term of DA
CD – 14 Public Benefits Trust Fund; Developer shall make an annual payment to the CD 14 – Public Benefits Trust Fund to address blight removal, façade improvements, street cleaning, graffiti removal, etc.	CD 14	$100,000 per year for 10 years **Total: $1,000,000**	Annual payments on anniversary of effective date of DA for the term of the DA.
DCP Office of Historic Resources – To help the department identify resources within the Central City and Central City North Community Plan areas.	DCP	**Total: $50,000**	Within 6 months of effective date of the DA
	TOTAL:	$1,672,000	

Floor Area Averaging

The averaging of floor area ratios may be permitted for buildings which comprise a unified commercial or mixed-use development in the C zone, even if buildings on each individual parcel or lot would exceed the permitted floor area ratio. However, the floor area ratio of the unified development, when calculated as a whole, may not exceed the maximum permitted floor area ratio for the height district in which the unified development is located.

The project site is comprised of two separate legal lots, as approved by VTT-74239, and development on the lots would result in an 8.7:1 FAR for the Hotel A/B lot and an 11.8:1 FAR for

the Hotel C, with an average 9.5 FAR for the entire site. The average 9.5:1 FAR would be lower than the maximum 10:1 FAR permitted by the proposed zone change. In this instance, floor area averaging would allow the project to better tailor each hotel tower and its ground-floor footprint to its surrounding neighborhood context. The taller hotel tower would be situated along Figueroa Street and across from the Convention Center, with a larger presence that would be fitting to the existing character along the street and in context of the larger entertainment district. An appropriately-scaled but slightly shorter hotel tower would be located along the eastern side of the site, fronting on the more residentially-focused Flower Street. The hotel project is also inextricably linked in terms of sharing parking, basement utilities, and amenities - qualifying the project as a unified development. Although the Hotel C tower is smaller in height and floor area than the Hotel A tower, the limited size of the property results in a greater FAR for the lot than the maximum 10:1 permitted. Without the FAR averaging approval for a unified development, guest rooms would have to be reallocated from Hotel C to Hotel A/B, resulting in either a taller tower height along Figueroa Street and a more incongruent height difference between the two towers, or requiring the Hotel A/B tower to take up a greater portion of the land area of the site, limiting efforts to maximize sidewalk widths and open spaces areas along the ground-floor level of the development. Therefore, FAR averaging would allow full utility and flexibility of the uses and design proposed for the site and would better serve the context of the surrounding community.

Hotel Use

The project includes locating a hotel use within 500 feet of a residentially-zone property. A multi-family residential development is located immediately south of the site across Pico Boulevard, and is also located adjacent to the Convention Center and within a regional entertainment center in Downtown Los Angeles, which includes several high-rise hotel developments in the immediate vicinity. The proposed hotel location is optimal for development of a convention-center-serving hotel due to its immediate proximity to the Convention Center and the Metro Pico Station. The project would also not significantly impact the adjacent residential building in terms of shading or operational noise. No opposition to the project has been presented from any residents of the apartment buildings.

Alcohol Sales and Live Entertainment and Dancing

The project proposal includes on-site alcohol service in ground-floor restaurants, lounges, and entertainment venues throughout the hotel, in both amenity spaces and individual rooms, including services in outdoor areas on the roof, decks, balconies, and other outdoor areas on the upper levels of the hotels. In addition, live entertainment and dancing are proposed throughout the hotel's alcohol-serving establishments. The proposed hours of operation are from 8 a.m. to 2 a.m. daily.

The location of the project's alcohol-sale establishments follows an established pattern of alcohol sales in the downtown area and within hotel and restaurant uses, with all proposed establishments well-buffered from adjacent residential facilities. The provided sales and services would continue to add to the diversification of commercial activities being conducted in the area and would not adversely affect the surrounding neighborhood.

Site Plan Review

See "Project Design" section on pages A-22 through A-24.

Sign District Analysis:

Los Angeles Municipal Code Section 13.11 allows for the establishment of Signage Supplemental Use Districts to create unique signage regulations for commercially-zoned properties with a minimum lot area of either one block or three acres. On July 1, 2016, the City Council instructed the Department of City Planning to initiate a Sign District that creates unique identity between the Los Angeles Convention Center, the Fig+Pico Conference Center Hotels, the South Park community, and the City and private parcels in the area. The district was initiated by the Director of Planning on November 4, 2016. The City proposes a comprehensive set of signage regulations for a 4.35-acre district, primarily focused on the connection between the Convention Center and the Metro Pico Station. These regulations deviate from the standard requirements of the Municipal Code by allowing for non-typical signage designs and sizes and allowing for otherwise prohibited sign types.

In general, the proposed variety and amount of signage would be comparable to other South Park developments adjacent to the downtown entertainment district with tailored sign regulations: Los Angeles Sports and Entertainment District (Circa Mixed-Use Development), Figueroa and Olympic South Sign District (Luxe Hotel), and the Figueroa and Wilshire Sign District (Wilshire Grand).

The Sign District has been separated into four primary districts, Subareas A, B, C, and D, as shown below. More permissive signage would be allowed along the Figueroa Street and Pico Boulevard commercial corridors (Subareas A and B), and greater restrictions would be placed for the subareas zoned for residential purposes (Subareas C and D). Subarea A encompasses the entire Fig+Pico Conference Center Hotels project site.

In addition, all Sign District Subareas are divided into three Vertical Sign Zones (VSZ). The purpose of the Vertical Sign Zones is to address different sign viewing distances, including signs located at the street level (Zone 1: 0-35 feet above grade), signs located at the podium or mid-level of buildings (Zone 2: 35-100 feet above grade), and signs located on upper levels of high-rise buildings (Zone 3: 100 feet or more above grade). These Vertical Sign Zone heights are consistent with the definitions of the adjacent Los Angeles Sports and Entertainment District standards, including the adjacent Circa development.

Pedestrian Street Level Signage

The pedestrian street level (Zone 1) would focus on tenant-identifying signage, allowing for monument/pillar signs, wall signs, and projecting signs. Regulations for these signage types would allow for greater flexibility in the design of ground-mounted signage by modifying the definition and standards for monument signs, to allow for a signage type that is not constricted to a low and wide “monument sign” design, but that could also take on a sculptural or pillar form, scaled to a maximum height of ten feet. Wall signs would be installed at a maximum ratio of two square feet per foot of building frontage and would be allowed to include a proportionately-scaled cabinet logo, whereas cabinet signs would be otherwise prohibited within the Sign District. Projecting signs would be required to adhere to certain design standards, such as a requirement to align with major building elements and a restricted width.

Podium / Mid-Level Signage

Within the mid-section portion of buildings (Zone 2), only projecting signs would be allowed to extend into this zone within all four subareas. In addition, Supergraphics and Digital Displays would be permitted within Subarea A only, along the Fig+Pico Hotel site.

Four Supergraphic Signs would be permitted within Subarea A, with a total sign area of up to 12,200 square feet, as shown below. The project proposes that these signs would be located along Pico Boulevard and Flower Street, and the project locates one of the Supergraphics on the Hotel A/B Tower elevation facing the public alleyway and interior motor court.

Proposed Supergraphics at Flower Street and Pico Boulevard, adjacent to the Circa development parking structure

Three Digital Displays would be permitted and limited to locations along Figueroa Street and along Pico Boulevard west of the Pico Boulevard mid-block alley, with a total sign area of up to 15,100 square feet. No Digital Displays would be permitted along Flower Street, in order to protect the more residential character of the street and to provide consistency with the adjacent LASED Specific Plan and the Figueroa and Olympic South Sign District. However, an exception is included to allow for Digital Displays along Flower Street adjacent to the Metro Station, if the display is exclusively utilized to provide public transit-related information for Metro, DASH, or

other public transit agencies. Illumination standards for Digital Displays have been included, consistent with the most recently approved standards for similar Sign Districts and the draft Citywide Sign Ordinance updates currently under discussion at the Planning and Land Use Committee of City Council. Refresh rates for the Digital Displays along Figueroa Street would be limited to one refresh every eight seconds, and would be more restricted along Pico Boulevard with a refresh rate allowing for one refresh every minute. Digital Displays shall be non-operational between midnight and 7am. These refresh rates and hours of operation are analogous to the standards required of the Figueroa and Olympic South (Luxe Hotel) Sign District located two blocks to the north, but more restrictive than the adjacent LASED sign standards, which impose no restrictions on refresh rates or hours of operation on Zone 2 signage.

Proposed Digital Displays at Figueroa Street and Pico Boulevard

Both Supergraphic Signage and Digital Displays would be subject to a Sign Reduction Plan, requiring the removal of Off-Site Signage within the sign impact area (the Central City, Westlake, South East Los Angeles, and South Los Angeles Community Plan areas). Each square foot of sign area of a new Supergraphic would require to be offset by a reduction of a minimum of one square foot of Off-Site Sign area, and Digital Displays would need to be offset by a reduction of a minimum of two square feet of Off-Site Sign area. In addition, no Supergraphic Sign or Digital Display would be permitted without the development of a minimum of 500,000 square-feet of floor area for the Subarea, in order to ensure that appropriate development densities are guaranteed to warrant these unique signage types.

High-Rise Signage

Above 100 feet from grade, signage would be limited to only building identification wall signs. Each building elevation would be permitted one sign, with a maximum sign area of 800 square feet, consistent with the Downtown Design Guide building identification sign size maximum.

Integral Large-Scale Architectural Lighting

In addition, Integral Large-Scale Architectural Lighting could be installed within any Vertical Sign Zone and is exempt from sign area calculations. It would be required to meet similar design and illumination standards, as set by the Figueroa and Wilshire (Wilshire Grand) Sign District.

Sign District Comparisons

The following table provides a comparison of the signage regulations of nearby developments along Figueroa Street subject to Specific Plan or Sign District regulations:

Signage Comparison			
Standards	**Fig+Pico**	**Luxe Hotel**	**Circa**
SUPERGRAPHICS			
Individual Sign Area Maximum	4,600 sq-ft	prohibited	8,000 sq-ft
Total Sign Area Maximum	12,170 sq-ft	prohibited	6,111 sq-ft (built)
DIGITAL DISPLAYS			
Individual Sign Area Maximum	10,750 sq-ft	6,000 sq-ft	8000 sq-ft (5,934 sq-ft built)
Total Sign Area Maximum	15,100 sq-ft	20,000 sq-ft	18,433 sq-ft (built)
Locations	1 on Figueroa, 1 at Figueroa/Pico, 1 on Pico	4 on Figueroa, 2 on 11th	2 on Figueroa, 1 on Figueroa/12th, 1 on 12th
Restricted Hours	12am - 7am	12am - 7am	2am - dawn for Zone 1; no restriction for Zone 2
Refresh Rate	8 sec. on Figueroa, 1 min. on Pico	8 sec.	no restriction
SIGN REDUCTION PLAN			
Supergraphic Take-down Ratio	1 to 1	1 to 1 and .5:1	none
Digital Ratio Take-down Ratio	2 to 1	1 to 1 and .5:1	none

In general, the size, location, design, and operational restrictions of the Supergraphic Signs and Digital Displays would be consistent with the signage standards of the nearby developments and sign regulations. Specifically, the sign area amount of Supergraphic Signs permitted under the Sign District would be greater than nearby projects, and the Digital Display allowances would be generally less than those of surrounding developments. Locations for signage would be similarly focused along Figueroa Street and intersecting east-west streets, with greater limitations on signage along Flower Street. Restricted hours and refresh rates would be similar to those of the Luxe Hotel, and the project would require a greater amount of off-site signage removal in the community than other nearby projects.

Sign District Analysis

The Sign District is located directly across Figueroa Street from the Los Angeles Convention Center, near the Staples Center and LA Live, adjacent to rail transit, and in proximity to several hotels and entertainment venues where unique sign regulations are required to accommodate the convention, entertainment, community, and business character of the properties in and around the District. Due to the unique nature of the Sign District location, the proposed signage would be generally appropriate for the use of the site and in-line with other signage regulations within the South Park District and the City's signage policies. The proposed sign program creates a unified aesthetic and sense of identify by setting standards for uniform signage design, instilling flexibility in signage design and architectural lighting, providing well-planned placement of signage with consideration for surrounding uses, while also providing functional way-finding and building identification along streets, thereby connecting regional transit, entertainment, and Convention Center areas.

In addition, the modernized aesthetic and flexible programming of the digital signage could be leveraged to add vibrancy and dynamicity along the Figueroa Street corridor, and the associated Development Agreement requires dedicated advertising time from the Digital

Displays to be offered at no cost to the Convention Center and Metro along this street. The Sign Reduction Plan regulations of the Sign District for the removal of off-site signage would also aide in the reduction of signage blight in the surrounding communities, while fostering a distinct identity for the site and region through a coordinated sign program.

Project Design:

The project was presented to the Department of City Planning's Urban Design Studio and Professional Volunteer Program, which acts as a venue for Department of City Planning staff to gather project-specific urban design advice and insight from local architecture professionals. Feedback was provided regarding the following considerations:

- *Podium Design.* Podium buildings are discouraged; the Hotel A/B Tower should better incorporate the podium architecture with its upper levels and/or reduce the parking podium, and the Hotel C Tower should consist of a single tower.
- *Activating Street Frontages.* Lower levels of both podiums should contain active uses and wrap the parking areas; the hotel presence and parking access from Figueroa Street should be improved.
- *Figueroa/Pico Corner.* The corner piece of the building podium at Figueroa Street and Pico Boulevard should be opened up and exposed to create a public plaza. Signage should be removed at the corner, and suggestions included exposing circulation features through glass stairways or elevators or installing green features.
- *Signage Reduction.* Signage should be reduced, broken up into smaller sections, and/or alternate materials should be considered.
- *Metro.* The project should incorporate transit-oriented features or programs.
- *Landscaping.* Shading will likely make several of the internal green walls not feasible. Consider alternate screening tools, such as murals, materials, etc. Landscaping should be better identified and increased.

This feedback was relayed to the applicant, which resulted in the following design improvements, as reflected in the current version of the building plans:

- *Podium Design.* The Hotel A/B Tower included design changes to bring the tower design down through to the street, eliminating exposed columns which elevated and separated the tower from the podium, and reduced the number of parking spaces.
- *Activating Street Frontages.* The Hotel A/B Tower relocated some of its hotel meeting rooms to the upper floor of the podium facing the interior vehicular court. Constraints from the parking structure and ramp locations prevented other uses from being located along Figueroa Street. The Hotel C Tower replaced previously-identified mechanical areas with active hotel amenity spaces along the second floor of the podium along the street frontages and facing the Metro station, in order to activate the podium.
- *Figueroa/Pico Corner.* Hardscape treatments and retail entrances were added at the corner to create a greater sense of arrival. The digital signage screen was wrapped more closely into the curve of the building architecture.
- *Metro.* The project will fund several transit improvements and informational signage serving Metro patrons as part of the Development Agreement.
- *Landscaping.* Landscaping was improved throughout the site.

Urban Design

The Citywide Design Guidelines, adopted by the City Planning Commission on June 9, 2011, establish a baseline for urban design expectations and present overarching design themes and best practices for residential, commercial, and industrial projects. Commission policy states that approved projects should either substantially comply with the Guidelines or through alternative

methods to achieve the same objectives, and that the Guidelines may be used as a basis to condition an approved project. These design guidelines focus on several areas of opportunity for attaining high quality design in mixed-use projects, including: enhancing the quality of the pedestrian experience along commercial corridors; nurturing an overall active street presence; establishing appropriate height and massing within the context of the neighborhood; maintaining visual and spatial relationships with adjacent buildings; and optimizing high quality infill development that strengthens the visual and functional quality of the commercial environment.

The Fig+Pico Conference Center Hotels project achieves these goals through several features. The site design of the mixed-use development creates an active pedestrian experience along all street frontages to create a strong functional pedestrian linkage between the adjacent Convention Center, nearby regional commercial and entertainment venues, and a host of various transit facilities. To engage the public sidewalk areas, the buildings contain active uses and appropriate signage along the ground-floor levels. These ground-floor elevations incorporate pedestrian-scaled entrances and entry plazas, as well as articulated and transparent storefronts and hotel lobby entrances. Additional pedestrian amenities include wide sidewalks, new street trees and street lighting, a plaza with a decorative hardscape at the corner of Figueroa Street and Pico Boulevard, and Metro bus shelters and signage. Overall, the building elevations utilize a variety of architectural features, building materials, and changes in building depth and color in order to create a consistent rhythm and cohesive theme for the development. The scale, massing, and style of the buildings is also appropriate in the larger context of the neighborhood, which is developed with other high-rise tower developments.

Walkability

The Citywide Design Guidelines complement and expand upon the Walkability Checklist, (adopted by the City Planning Commission on August 23, 2007), which provides guidance and tools for encouraging pedestrian activity, promoting high quality urban form, and place-making within project sites. The Checklist reinforces many of the same principles identified in the Citywide Design Guidelines, and addresses such topics as building orientation, building frontage, landscaping, off-street parking and driveways, building signage, and lighting within the private realm; and sidewalks, street crossings, on-street parking, and utilities in the public realm.

The proposed project is consistent with the goals and implementation strategies identified in the Walkability Checklist. In general, the site design creates active environments by supporting a variety of pedestrian activities, and buildings are oriented and easily accessible from adjacent public streets and open spaces. Driveways are minimized within the site, while providing essential vehicle ingress and egress to internal parking areas. Improvements to the public right-of-ways include updated sidewalks, street trees, and street lighting. These on- and off-site project features and improvements will lend themselves to create a safe and engaging pedestrian environment, and will enrich the quality of the public realm, consistent with the objectives of the Walkability Checklist.

Downtown Design Guide

The Downtown Design Guide: Urban Design Standards and Guidelines (Design Guide) provides guidance for creating a livable downtown. The Design Guide places an emphasis on walkability and the making of great streets, districts, and neighborhoods. The Design Guide also focuses on the relationship of buildings to the street, including sidewalk treatment, character of the building as it adjoins the sidewalk, and connections to transit. The Design Guide notes that these key features provide high quality development at a human scale when paired with the details of a project in the first 30-40 vertical feet. Design Guide includes chapters on sustainable design, sidewalks and setbacks, ground floor treatment, parking and access, massing and

street wall, on-site open space, architectural detail streetscape improvements, signage, public art, and civic and cultural life.

The project is located within the South Park District of the Design Guide, and meets the objectives and standards of the Design Guide. Specifically, the Project meets the Design Guide's sidewalk, setback, and streetscape standards by providing a site layout and public improvements in accordance with the Downtown Street Standards and LASED Streetscape Plan, as well as the "Retail Street" standards of the Design Guide for Figueroa Street and Pico Boulevard. Ground floor treatments also include active retail uses, prominent entryways, and pedestrian-scaled architecture. Although parking podiums are discouraged, the project has consolidated parking into only one of the towers, screened the podium levels, sited the hotel motor court on the interior of the site off an existing alleyway, and limited vehicle entries and curb cuts. The project also meets the street wall and massing standards for high-rise buildings, provides an approximately 70-foot separation between the two building towers, and is designed to provide a sculptural addition to the skyline. Publically accessible open space for the project is concentrated on the podium decks and hotel rooftops, and includes swimming pools, landscaped areas, trees, and open-air observation decks. The project's contemporary architecture also complements and enhances the surrounding developments and utilizes variations in depth and materials to accentuate building features. Signage will be provided for in accordance with the modified standards of the proposed Sign District, which identifies appropriate pedestrian-scaled signage at the street level, additional signage compatible with the regional entertainment character of the district, as well as building identification signage at the top of the towers.

Environmental Analysis

The following is a summary of the environmental review process and final impacts resulting from the proposed project. The City published a Notice of Preparation (NOP), which was sent to State, regional, and local agencies, and members of the public for a 33-day review period starting on December 22, 2016 and ending January 23, 2017. The purpose of the NOP was to formally convey that the City was preparing a Draft EIR for the proposed Project, and to solicit input regarding the scope and content of the environmental information to be included in the Draft EIR. A Public Scoping Meeting was held on January 10, 2017, at the Convention Center (1201 S. Figueroa Street, Los Angeles, CA 90015). The meeting was held in an open house or workshop format and provided interested individuals, groups, and public agencies the opportunity to view materials, ask questions, and provide oral and written comments to the City regarding the scope and focus of the Draft EIR. The Draft EIR was circulated starting on September 14, 2017 and ended on October 30, 2017 for a 47-day review period**.** A Notice of Completion was sent on September 14, 2017 to the Governor's Office of Planning and Research State Clearinghouse, property owners within 500 feet, and interested parties, and the notice was also provided in newspapers of general and/or regional circulation. A total of 13 comment letters were received by the close of the public comment period, and three additional letters were received after the close of the comment period. The Final EIR was distributed on January 12, 2018.

On February 7, 2018, a joint hearing was held by the Hearing Officer and the Deputy Advisory Agency. The Deputy Advisory Agency certified the EIR on February 9, 2018 in connection with its approval of the vesting tentative tract map VTT-74239 for the project. The approval was not appealed. The Environmental Impact Report identified impacts that would have 1) no impacts or less than significant impacts, 2) potential significant impacts that could be mitigated to less than significant, and 3) significant and unavoidable impacts. The impacts are summarized below.

Impacts found to have No Impact or Less Than Significant include the following:

- Aesthetics
- Agricultural and Forest Resources
- Air Quality
- Biological Resources
- Cultural Resources (Historic Resources, Human Remains)
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials (Transport, Hazards Near School, Cortese List)
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise (Operational Vibration, Within Two Miles of Airport)
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic (CMP Facilities and Caltrans Facilities, Air Traffic, Hazards, Emergency Access, Alternative Transportation Modes)
- Tribal Cultural Resources
- Utilities and Service Systems
- Energy

Impacts found to be Less Than Significant with Mitigation include the following:

- Cultural Resources (Archeological Resource, Paleontological Resources)
- Hazards and Hazardous Materials (Release of Hazardous Materials)
- Noise (Operational Noise, Construction Vibration, Increase in Ambient Noise Levels)
- Transportation/Traffic (Intersection LOS Impact at Figueroa Street and 11th Street)

Impacts Found to be Significant and Unavoidable even with the implementation of all feasible mitigation include the following:

- Noise (Construction Noise)
- Transportation/Traffic (Construction Traffic, Intersection LOS at three intersections: L.A. Live Way & W. Pico Boulevard - afternoon peak hour; Figueroa Street & W. Pico Boulevard - morning and afternoon peak hours; and Flower Street & W. Pico Boulevard - afternoon peak hour)

Following the February 7, 2018 hearing, the project plans were revised and the Hotel A/B Tower was reduced in height. Accordingly, Mitigation Measure NOISE-6 has been revised to correspond to the modified rooftop floor where outdoor amplified sound will be played, as follows:

MM-NOISE-6: Prior to operating outdoor amplified music and entertainment speakers on the ~~41st~~ **37th** floor rooftop pool deck of the Hotel A/B Tower, an acoustical design plan shall be submitted to the City, shown to result in a ~~pool~~ **rooftop** deck composite noise level of no more than 90 dBA Leq at the perimeter rail. The ~~pool~~ **rooftop** deck composite noise level is defined as the sound level resulting from the amplification of recorded or live music combined with simultaneous spoken word (i.e., DJ) emanating from all speakers in use, and excluding noise from guests and the normal operation of the amenities lounge, food and beverage service. To achieve this performance level, the acoustical design plan may rely on, among other strategies and technologies the following:

- The use of directional speakers or arrays of smaller speakers so as to maximize on-site sound levels while minimizing the spread of sound beyond the ~~pool~~ **rooftop** deck

perimeter. For example, speakers placed around the rooftop area should be directed towards the interior of the space~~, such as towards the pool and seating areas~~. ~~Speakers located southwest of the pool shall be angled towards the pool or amenities lounge.~~ Sound from all speakers shall be directed below the top of the railing (if necessary, downward tilted at an appropriate angle). All ceiling-mounted speakers shall be oriented directly downward towards the floor.

- The area shall be designed with the strategic use of materials with high sound absorption properties within the ~~pool~~ **rooftop** deck area and shall avoid using highly sound-reflective surfaces, to the extent possible, at the bar, restroom, and elevator/stairwell walls.
- The use of amplified speakers for recorded or live music performances shall be limited to up to 2:00 A.M.
- All disc jockeys (DJs) and musicians shall utilize the on-site sound system. The DJs and musicians shall use speakers set at or below pre-approved settings and in predetermined speaker locations and directions.

Agency Reports Received:

Letters were received from the Department of Public Works (Bureau of Engineering, Bureau of Street Lighting, and Bureau of Sanitation), Department of Transportation, Fire Department, Department of Building and Safety (Zoning Division and Grading Division), and Department of Water and Power prior to the completion of the Hearing Officer's report. These recommendations were included in the conditions for the Vesting Tentative Tract Map VTT-74239. Conditions applicable to the zone change have been incorporated as (Q) or (T) conditions of approval.

Public Testimony:

A joint public hearing was held at City Hall for the proposed project entitlements and subdivision on February 7, 2018 and was attended by approximately 20 individuals. Testimony was provided by the project applicant and ten speakers at the public hearing, and ten written comments were submitted. The project received unanimous support, including backing from the several neighborhood residents, as well as the following agencies and groups: City of Los Angeles Department of Convention and Tourism Development, Downtown Los Angeles Neighborhood Council, Central City Association, South Park Business Improvement District, LA/OC Building and Construction Trades Council, CREED LA, Mack Urban LLC, and a number of unions (IBEW Local 11, Iron Workers Local 416 and 433, Local 709, Smart Local 105, and Unite Here Local 11).

In general, oral and written support for the project centered on the project's benefits in terms of economic growth, job creation, neighborhood compatibility, and the City's concerted effort for increasing hotel supply and the viability of the Convention Center. However, supporters of the project did identify some concerns, including potential construction impacts on sidewalks, conflicts in vehicular and pedestrian access, and the lack of integrated design for the signage.

Regarding potential construction impacts, the project developer would be required implement a Construction Management Plan in coordination with the Department of Transportation, as required by PDF TRAF-1 of the Mitigation Monitoring Program. The Plan requires temporary pedestrian, bicycle, and vehicular traffic controls during all construction activities adjacent to Figueroa Street, Flower Street, and Pico Boulevard, to ensure traffic safety on public rights of way; containing construction activity within the Project Site boundaries; and safety precautions for pedestrians and bicyclists through alternate routing and protection barriers/fencing.

Pedestrian access on the site has been designed so that the vehicular entry court off of the mid-block alley between the two towers has distinguished and separated pedestrian walkways from the vehicular driveways to minimize potential conflicts. The project's ground-floor design along each of the street frontages also incorporates streetscape features and amenities which cater to an improved pedestrian experience. Additional pedestrian enhancements, including improvements to several crosswalks and intersections in the area as identified in the Development Agreement, elevate safety and walkability along the local street system.

The project's signage has been modified so that the digital signage screen along Figueroa Street is designed to be wrapped more closely and integrated into the curve of the building architecture along the building corner on Figueroa Street and Pico Boulevard.

Conclusion

The project is a unique private-public partnership utilizing both privately-owned and City-owned parcels, in order to bring over 1,000 hotel guest rooms, active ground-floor commercial uses, several publically-accessible rooftop amenity spaces, vibrant signage, and a host of streetscape and transit-oriented improvements to the immediate area. The proposed project would enhance the built environment through the unified development of the site, and would include essential and beneficial uses through the synergetic balance of commercial and hotel components, within a transit-rich regional center of commerce, tourism, and entertainment. The project will also benefit the community, city, and region by activating an underutilized site within the regional entertainment center of downtown and contributing much-needed hotel guest rooms in support of the City's goals for tourism and economic development.

The proposed hotel development would be compatible with the site's proposed Regional Commercial designation and the policies of the General Plan. The requested C2 zone, Height District 4, modified D limitations, and Sign District are in conformance with the public necessity, convenience, general welfare, and good zoning practice. Staff recommends approval of the Regional Commercial designation and (T)(Q)C2-4D-O-SN zone with the attached (Q) Qualified conditions, (T) Tentative conditions, and D limitations, and the Sign District Ordinance with modifications as described below, which support the policies of the Land Use Element of the General Plan.

Sign District Modifications: Exhibit 1: Fig+Pico Conference Center Hotels Sign Plans of the proposed Sign District Ordinance should be updated as follows:

- Correcting the Vertical Sign Zones to match the heights identified in the Ordinance,
- Replacing the Digital Display on Flower Street with a Supergraphic Sign, and
- Reducing the sign area of the Building Identification Signs to a maximum of 800 sq-ft.

In addition, the proposed Development Agreement would serve to memorialize certain public benefits, including new Metro way-finding and bus shelters, improvements to the local streetscape and pedestrian crossings, public benefit payments for beautification projects within the Council District, and funds for the City to study the Zanja Madre cultural resource.

Requests for floor area averaging, alcohol sales, live entertainment and dancing, and a review of the site plan and layout, would all help facilitate a beneficial mix of uses and allow for a cohesive site design, creating active and safe pedestrian environments, and offering a variety of amenities and open space features. The project's location, uses, height, and other features would be compatible with the surrounding neighborhood, and would not adversely affect public health, welfare, and safety. Furthermore, overriding considerations of economic, social, aesthetic, and environmental benefits for the Project justify adoption of the Project and utilization of the previously certified EIR. Therefore, Department of City Planning staff recommends that the City Planning Commission approve the proposed project and entitlement requests.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32-G of the Municipal Code, the (T) Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

Bureau of Engineering.

1. Dedication Required:

   a. **Figueroa Street.** A 5-foot wide strip of land be dedicated and a 8-foot wide average sidewalk easement shall be provided along Figueroa Street adjoining the tract to provide a 15-foot wide sidewalk with an additional 8-foot average sidewalk easement in accordance with the Modified Boulevard II standard as modified by the Downtown Street Standards, including a 15-foot by 15-foot corner cut at the intersection with Pico Boulevard.

   b. **Pico Boulevard.** That limited to an upper limit of 48-feet, a 15-foot wide strip of land shall be dedicated and a 3-foot wide sidewalk easement shall be provided, measured from the adjacent finished sidewalk grade along Pico Boulevard intersection with Flower Street adjoining the tract easterly of the alley easterly of Figueroa Street, to provide a 15-foot wide sidewalk with an additional 3-foot average sidewalk easement, in accordance with the Modified Boulevard II standard as modified by the Downtown Street Standards and including a 20-foot radius property line return dedication limited to an upper limit of 48-feet at the intersection with Flower Street. Above limited dedication area shall be per “Exhibit A” as provided at the public hearing.

   c. **Flower Street.** That a 10-foot wide strip of land be dedicated along Flower Street adjoining the tract to provide a 20-foot wide sidewalk in accordance with the Modified Avenue I standard as modified by the Downtown Street Standards, including a 20-foot radius property line at the intersection with Pico Boulevard.

2. Improvements Required: That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

   a. **Pico Boulevard - east.** Improve Pico Boulevard adjoining the subdivision between Figueroa Street and the alley easterly of Figueroa Street by the construction of the following:

      i. A concrete curb, a concrete gutter, and a 15-foot concrete sidewalk.
      ii. Suitable surfacing to join the existing pavements and to complete an approximately 45-foot, variable and approximately 48-foot wide half roadway to the satisfaction of City Engineer and the Department of Transportation.
      iii. Any necessary removal and reconstruction of existing improvements.
      iv. The necessary transitions to join the existing improvements.

   b. **Pico Boulevard - west.** Improve Pico Boulevard adjoining the subdivision between the

alley easterly of Figueroa Street and Flower Street by the construction of full width concrete sidewalk with street wells, including any necessary removal and reconstruction of the existing improvements.

c. **Figueroa Street.** Improve Figueroa Street adjoining the subdivision by the construction of 15-foot wide concrete sidewalk with tree wells, consistent with the Los Angeles Sports and Entertainment District Streetscape Plan, including any necessary removal and reconstruction of the existing improvements.

d. **Flower Street.** Improve Flower Street adjoining the subdivision by the construction of 20-foot wide concrete sidewalk with tree wells, consistent with the Los Angeles Sports and Entertainment District Streetscape Plan, including any necessary removal and reconstruction of the existing improvements.

3. That the Department of Transportation in a letter to the City Engineer determine that the Pico Boulevard Street merger area is not necessary for future public street purposes.

4. That the Planning Department in a letter to the City Engineer determine that the proposed Pico Boulevard Street merger is in conformance with the General Plan and Community Plan.

5. That in the event that Department of Transportation and the Planning Department have no objection to the street merger then the portion of Pico Boulevard westerly of the alley east of Figueroa Street within the tract in excess of approximately 60-foot, variable and approximately 63-foot half right of way, substantially as shown on the vesting tentative map stamp dated October 12, 2016, and excluding a 15-foot by 15-foot corner cut at the intersection with Figueroa Street, be permitted to be merged with the remainder of the tract map pursuant to Section 66499.20.2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:

   a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.

   b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.

   Note: The Advisory Agency hereby finds that the dedications to be merged are unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.

6. That a 15-foot wide subsurface portion of the alley easterly of Figueroa Street within the tract property substantially as shown on the vesting tentative map stamp dated October 12, 2016, and below an upper limit of 4 feet below the finished alley surface as referred to in the communication dated December 11, 2017 from the applicant, be permitted to be merged with the remainder of the tract map pursuant to Section 66499.20.2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:

   a. That consents to the portion of the alley being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.

b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.

Note: The Advisory Agency hereby finds that the dedications to be merged are unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.

7. That appropriate structural engineering plan and calculations, be submitted to the Structural Engineering Division of the Bureau of Engineering for review establishing the subsurface structure construction requirements to eliminate any potential damage to the structure based on normal public use and maintenance of the alley, based on the proposed upper limit of the subsurface alley merger.

8. That a revised tentative map be submitted for information purposes only, prior to the submittal of the final map delineating and showing the dimensions of all approved merger areas consistent with any approved street plan, including the upper limit of the subsurface alley merger, and showing the limited dedication detail along Pico Boulevard in accordance with “Exhibit A” presented at the public hearing. This map will be used for final map checking purposes.

9. That a Covenant and Agreement be recorded satisfactory to the City Engineer binding the subdivider and all successors to the following:

a. That the owners shall be required to maintain all elements of the structure below the limited alley right-of-way of the alley easterly of Figueroa Street within the subdivision in a safe and usable condition to the satisfaction of the City Engineer. The City shall be given reasonable access to the structure and adjacent to the limited alley right-of-way areas for any necessary inspection, upon request during normal business hours. The City may request the owners to repair or replace damaged, defective or unsafe structural elements or to correct unacceptable conditions at the owner’s expense if owner elects not to do so. Owner shall grant reasonable access to City’s contractor to make said repairs.

b. The owners shall be required to limit use and occupancy of the structures below the limited alley right-of-way of the alley easterly of Figueroa Street for non-residential uses only. No combustible material shall be stored in the subsurface merger area.

c. The owners shall obtain a B-Permit from the City Engineer for any substantial structural modification below the alley right-of-way area of the alley easterly of Figueroa Street and for any structural element outside said area which provides lateral or vertical support to structures within the area.

d. The owners shall incorporate the subsurface structural construction requirements established under the City Engineer review of the proposed subsurface alley merger into the construction of the project.

10. That the subdivider execute and record an agreement satisfactory to the City Engineer to waive any right to make or prosecute any claims or demands against the City for any damage that may occur to the structures underneath the limited right-of-way of the alley easterly of Figueroa Street in connection with the use and maintenance operations within

said alley right-of-way. This waiver of damage shall also be shown on the final map.

11. That any surcharge fee in conjunction with the street and subsurface alley merger requests be paid.

12. 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.

13. That a set of drawings for airspace lots be submitted to the City Engineer showing the followings:

    a. Plan view at different elevation
    b. Isometric views.
    c. Elevation views.
    d. Section cuts at all locations where air space lot boundaries change.

14. 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 and in safe conditions for use at all times.

15. That the owners of the property record an agreement satisfactory to the City Engineer stating that they will provide an interim alley roadway or alternate access and drainage control provisions satisfactory to the City Engineer during the construction phase of this project to maintain access to and drainage runoff from the remaining portion of the alley adjacent to the tract area.

16. **Department of Transportation.** Prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:

    a. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line when driveway is serving less than 100 parking spaces. Reservoir space will increase to 40-feet and 60-feet when driveway is serving more than 100 and 300 parking spaces respectively.

    b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk, LAMC 12.21 A.

    c. Driveways and vehicular access to Master Lot 2 shall be provided from alley and/or Flower Street or as shall be determined to the satisfaction of the Department of Transportation.

    d. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street, Room 550. For an appointment, call (213) 482-7024.

    e. That a fee in the amount of $205 be paid for the Department of Transportation as required per Ordinance No. 180542 and LAMC Section 19.15 prior to recordation of the final map. Note: the applicant may be required to comply with any other applicable fees

per this new ordinance.

NOTE: Additional measures for traffic improvements are required in the Mitigation Monitoring Program (Exhibit B), and include requirements for a Construction Management Plan, Transportation Demand Management Program, and Transportation Systems Management Improvements, which would include fiber optic upgrades along South Figueroa Street from Pico Boulevard to Olympic Boulevard, and two CCTV camera upgrades at Pico Boulevard and Figueroa St, and LA Live Way and Pico Boulevard.

17. **Fire Department.** 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. Access for Fire Department apparatus and personnel to and into all structures shall be required. Access to both towers shall be off Pico Blvd. (Via a currently unnamed alley).

    b. One or more Knox Boxes will be required to be installed for LAFD access to project. Location and number to be determined by LAFD Field inspector (Refer to FRB Req #75).

    c. The entrance to a Residence lobby must be within 50 feet of the desired street address curb face.

    d. Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual units.

    e. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

    f. **L.A.M.C. 57.09.03.B Exception:**

        - When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.

        - It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term “horizontal travel” refers to the actual path of travel to be taken by a person responding to an emergency in the building.

        - This policy does not apply to single-family dwellings or to non-residential buildings.

    g. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150ft horizontal travel distance from the edge of the public street, private street or Fire Lane. This stairwell shall extend unto the roof.

h. Entrance to the main lobby shall be located off the address side of the building.

i. Any required Fire Annunciator panel or Fire Control Room shall be located within 50ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.

j. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

k. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.

l. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.

m. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.

n. Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.

o. Submit plot plans indicating access road and turning area for Fire Department approval.

p. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.

q. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.

r. Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.

s. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.

t. **HELIPADS ON HIGHRISE BUILDINGS**. Recently, the Los Angeles Fire Department (LAFD) modified Fire Prevention Bureau (FPB) Requirement 10. Helicopter landing pads are still required on all High-Rise buildings in the City. However, FPB's Requirement 10 has been revised to provide two new alternatives to a full FAA-approved helicopter landing pad.

u. Each standpipe in a new high-rise building shall be provided with two remotely located FDC's for each zone in compliance with NFPA 14-2013, Section 7.12.2.

v. The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.

w. Any roof elevation changes in excess of 3 feet may require the installation of ships

ladders.

x. **Section 510, Emergency Responder Radio Coverage.** 5101.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communications systems.

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) 482-6543. You should advise any consultant representing you of this requirement as well.

18. **Department of Water and Power**. 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.

19. **Bureau of Street Lighting.**

a. Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting. Improvement Condition:

Construct new pedestrian lights:

- one (1) on Figueroa Street
- six (6) on Pico Boulevard
- one (1) on Flower Street.

If street widening per BOE improvement conditions, relocate and upgrade street lights:

- five (5) on Figueroa Street
- three (3) on Pico Boulevard
- two (2) on Flower Street.

Lighting shall be in substantial conformance with the LASED Streetscape Plan.

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 conditions, 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.

b. 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.

20. **Bureau of Sanitation.** There are easements contained within the property. Any proposed development in close proximity to the easements must secure Department of Public Works approval. 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.

21. **Information Technology Agency.** That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12th Floor, Los Angeles, CA 90012, (213) 922-8363. Please email cabletv.ita@lacity.org for an automated response with instructions on how to obtain Cable TV clearance.

22. **Bureau of Street Services, Urban Forestry Division**. Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards and the Los Angeles Sports and Entertainment District Streetscape Plan, as applicable.

    Replacement by a minimum of 24-inch box trees in the parkway and on the site of to be removed, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Advisory Agency. **Note**: Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: (213) 485-5675. 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.

23. **Covenant**. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.

Notice: Prior to issuance of a clearance letter by the Bureau of Engineering, all engineering fees pertaining to Ordinance No. 176,077 adopted by the City Council, must be paid in full at the Development Services Division office.

Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.

(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.

A. Development Conditions:

1. **Site Development.** The use and development of the property shall be in substantial conformance with the Site Plans, Floor Plans, Building Elevations, Landscape Plan (Exhibit A, dated March 8, 2018) of the subject case file. No change to the plans will be made without prior review by the Department of City 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. The project shall be constructed in a manner consistent with the following:

   a) A maximum of 1,153 hotel guest rooms (775 guest rooms in "Hotel A/B Tower"; 378 guest rooms in "Hotel C Tower")
   b) A maximum of 13,145 square feet of ground-floor commercial uses within the two hotel towers ("Hotel A/B Tower" and "Hotel C Tower")

2. **Signage.** Signage shall be subject to the requirements of the Figueroa and Pico Sign District and Los Angeles Municipal Code, as applicable.

3. **Development Services Center.** Prior to sign-off on building permits by the Department of City Planning's Development Services Center for the project, the Department of City Planning's Major Projects Section shall confirm, via signature, that the project's building plans substantially conform to the conceptual plans stamped as Exhibit "A", as approved by the City Planning Commission.

   Note to Development Services Center: The plans presented to, and approved by, the City Planning Commission (CPC) included specific architectural details that were significant to the approval of the project. Plans submitted at plan check for condition clearance shall include a signature and date from Major Projects Section planning staff to ensure plans are consistent with those presented at CPC.

4. **Parking/Electric Vehicle Charging Stations.** Vehicular and bicycle parking shall be provided in accordance with the Municipal Code. The project shall encourage carpooling and the use of electric vehicles by providing that at least 20 percent of the total code-required parking spaces, but in no case less than one location, be 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 capacity. Of the 20 percent EV Ready, five (5) percent of the total Code-required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking area. Otherwise, only raceways and related components are required to be installed at the time of construction. When the application of the 20 percent results in a fractional space, round up to the next whole number. A label stating "EV CAPABLE" shall be posted in a

conspicuous place at the service panel or subpanel and next to the raceway termination point.

5. **Landscaping.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.

6. **Lighting.** All outdoor lighting shall be shielded and down-casted within the site in a manner that prevents the illumination of adjacent public rights-of-way, adjacent properties, and the night sky (unless otherwise required by the Federal Aviation Administration (FAA) or for other public safety purposes). Areas where retail and restaurant uses are located shall be maintained to provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible for the safety of the public and emergency response personnel.

7. **Ordinance 164,307**. The Q conditions of Ordinance 164,307 do not apply to the site. In addition, the floor area ratio limitations of Footnote 3 and any accompanying Floor Area Ratio map in the Central City Community Plan Land Use Map which references the Ordinance, do not apply to the site.

8. **Transfer of Floor Area Rights**. The property is exempt from Los Angeles Municipal Code Sections 14.5.1-14.5.12 (Transfer of Floor Area Rights).

9. **Tribal Cultural Resource Inadvertent Discovery**. In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities (including the following: excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, pounding posts, auguring, backfilling, blasting, stripping topsoil or a similar activity), all such activities shall temporarily cease on the project site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

    - Upon a discovery of a potential tribal cultural resource, the project Permittee shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning at (213) 978-1454.
    - If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Project permittee and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
    - The project Permittee shall implement the tribe's recommendations if a qualified archaeologist, retained by the City and paid for by the project Permittee, reasonably concludes that the tribe's recommendations are reasonable and feasible.
    - The project Permittee shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any effected tribes that have been reviewed and determined by the qualified archaeologist to be reasonable and feasible. The project Permittee shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.

- If the project Permittee does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist, the project Permittee may request mediation by a mediator agreed to by the Permittee and the City who has the requisite professional qualifications and experience to mediate such a dispute. The project Permittee shall pay any costs associated with the mediation.
- The project Permittee may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and determined to be reasonable and appropriate.
- Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.
- Notwithstanding the above, any information determined to be confidential in nature, by the City Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act, California Public Resources Code, and shall comply with the City's AB 52 Confidentiality Protocols.

B. Environmental Conditions.

1. **Mitigation Monitoring Program**. The project shall be in substantial conformance with the mitigation measures in the attached MMP and stamped "Exhibit B" and attached to the subject case file. The implementing and enforcing agencies may determine substantial conformance with mitigation measures in the MMP. If substantial conformance results in effectively deleting or modifying the mitigation measure, the Director of Planning shall provide a written justification supported by substantial evidence as to why the mitigation measure, in whole or in part, is no longer needed and its effective deletion or modification will not result in a new significant impact or a more severe impact to a previously identified significant impact.

   If the Project is not in substantial conformance to the adopted mitigation measures or MMP, a modification or deletion shall be treated as a new discretionary action under CEQA Guidelines, Section 15162(c) and will require preparation of an addendum or subsequent CEQA clearance. Under this process, the modification or deletion of a mitigation measure shall not require a Tract Map Modification unless the Director of Planning also finds that the change to the mitigation measures results in a substantial change to the Project or the non-environmental conditions of approval.

2. **Mitigation Monitor (Construction).** During the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant, the election of which is in the sole discretion of the Applicant), approved by the City of Los Angeles Department of City Planning which approval shall not be reasonably withheld, who shall be responsible for monitoring implementation of project design features and mitigation measures during construction activities consistent with the monitoring phase and frequency set forth in this MMP.

   The Construction Monitor shall also prepare documentation of the Applicant's compliance with the project design features and mitigation measures during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be

included as part of the Applicant's Compliance Report. The Construction Monitor shall be obligated to report to the Enforcement Agency any non-compliance with mitigation measures and project design features within two businesses days if the Applicant does not correct the non-compliance within a reasonable time of written notification to the Applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

C. Administrative Conditions:

1. **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 Planning Department for placement in the subject file.

2. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.

3. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.

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

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

6. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.

7. **Project Plan Modifications.** Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision-making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.

8. **Indemnification and Reimbursement of Litigation Costs.** The 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 $50,000. 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.

D LIMITATIONS

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 D limitation.

A. Development Limitations:

1. **Floor Area Ratio.** Floor area over the entire site, as identified in the Ordinance Map, shall not exceed ten times the buildable area of the site, not to exceed a total of 505,335 square-feet of floor area.

2. **Building Height.** Building height shall be limited to 465 feet for the portion of the site west of the mid-block alleyway along Pico Boulevard between Figueroa Street and Flower Street. Building height shall be limited to 350 feet for the portion of the site east of the mid-block alleyway along Pico Boulevard between Figueroa Street and Flower Street.

3. **Ordinance 164,307**. The D limitations of Ordinance 164,307 do not apply to the site. In addition, the floor area ratio limitations of Footnote 3 and any accompanying Floor Area Ratio map in the Central City Community Plan Land Use Map which references the Ordinance, do not apply to the site.

CONDITIONS OF APPROVAL

A. Entitlement Conditions – Development Agreement.

1. **Public Benefits.** Prior to the issuance of a building permit or the recordation of the final map, the Department of Building and Safety shall confirm that the public benefits, as identified in the Development Agreement from Case No. CPC-2016-2595-DA-CU-MCUP-CUX-SPR, have been satisfied.

B. Entitlement Conditions – Conditional Use for Hotels.

1. **Grant**. Hotel uses shall be permitted within 500 feet of the R zone.

C. Entitlement Conditions – Conditional Use for Floor Area Averaging

1. **Floor Area Ratios.** Maximum Floor Area Ratios and maximum development square-footage for lots within the project site shall be in substantial conformance with the following:

Master Lot 1:	8.7 FAR	332,385 square-feet
Master Lot 2:	11.8 FAR	172,950 square-feet

2. **Unified Development.** The applicant shall guarantee to continue the operation and maintenance of the development as a unified development, as defined in LAMC 12.24-W.19, and shall guarantee the continued maintenance of the unifying design elements such as driveways, pedestrian pathways, publically accessible open space areas, and parking areas, as depicted in Exhibit A - Project Plans, dated March 8, 2018.

3. **Covenant.** Prior to the issuance of any building permit, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP 6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the subject case file.

D. Entitlement Conditions – Master Conditional Use for Alcohol Sales.

1. **Grant.** Approved herein is a Master Conditional Use Permit to allow for the service of a full line of alcoholic beverages for on-site consumption in the hotel and meeting rooms, bars, lounges, restaurants, and entertainment venues. The restaurant, lounge, and bar uses may include service in outdoor areas on the roof, decks, balconies, or other outdoor areas on the upper levels.

2. **Master Plan Approval (MPA) Requirement.** Each individual venue shall be subject to a Master Plan Approval (MPA) determination pursuant to Section 12.24-M of the Los Angeles Municipal Code in order to implement and utilize the Master Conditional Use authorization granted. The purpose of the Master Plan Approval determination is to review each proposed venue in greater detail and to tailor site-specific conditions of

approval for each of the premises including but not limited to hours of operation, seating capacity, size, security, live entertainment, the length of a term grant and/or any requirement for a subsequent MPA application to evaluate compliance and effectiveness of the conditions of approval. A Plan Approval without a hearing may be granted by the Chief Zoning Administrator if the operator agree to the Conditional Use Permit Conditions.

3. **Employee Training.** Within six months of the effective date of the any subsequent plan approvals, all employees involved with the sale of alcoholic beverages shall enroll in the Los Angeles Police Department "Standardized training for Alcohol Retailers" (STAR). Upon completion of such training, the applicant shall request the Police Department to issue a letter identifying which employees completed the training. The applicant shall transmit a copy of the letter from the Police Department to the Zoning Administrator as evidence of compliance. In the event there is no change in the licensee, within one year of such change, this training program shall be required for all new staff.

4. **Additional 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 Department of City Planning to impose additional corrective conditions, if, it is determined by the Department of City Planning that such conditions are proven necessary for the protection of person in the neighborhood or occupants of adjacent property.

5. **Security.** The operator shall install and maintain surveillance cameras in all areas of the restaurant premises, including any outdoor dining area and a 30-day video library that covers all common areas of such business, including all high-risk areas and entrances or exits. The tapes shall be made available to the Police Department upon request.

6. **Lease Agreements.** All establishments applying for an Alcoholic Beverage Control license shall be given a copy of these conditions prior to executing a lease and these conditions shall be incorporated into the lease. Furthermore, all vendors of alcoholic beverages shall be made aware that violations of these conditions may result in revocation of the privileges of serving alcoholic beverages on the premises.

7. **Building Plans.** A copy of this grant and all Conditions and/or any subsequent appeal of this grant and resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.

8. **Ownership/Operator Change**. Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination has been provided to the prospective owner/operator, including the conditions required herewith, shall be submitted to the BESt (Beverage and Entertainment Streamlined Program) in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the BESt (Beverage and Entertainment Streamlined Program) within 30 days of the beginning day of his/her new operation of the establishment along with the dimensioned floor plan, seating arrangement and number of seats of the new operation.

9. **MViP – Monitoring, Verification and Inspection Program**. At any time, before, during, or after operating hours, a City inspector may conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and used to rate the operator according to the level of compliance. If a violation exists, the owner/operator will be notified of the deficiency or violation and will be required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed therein, may result in denial of future requests to renew or extend this grant.

10. **Covenant and Agreement.** Within 30 days of the effective date of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center or the BESt (Beverage and Entertainment Streamlined Program) for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center or BESt (Beverage and Entertainment Streamlined Program) for inclusion in the case file.

E. Entitlement Conditions – Live Entertainment and Dancing.

2. **Grant**. Live entertainment and public dancing shall be permitted in the restaurants, bars, outdoor decks, pool areas, and entertainment venues.

3. **MM-NOISE-5:** Prior to operating outdoor amplified music and entertainment speakers on the 8th floor landscaped pool deck of the Hotel A/B Tower, an acoustical design plan shall be submitted to the City, shown to result in a pool deck composite noise level at the south end perimeter rail of no more than 98 dBA Leq and at the north end of the perimeter rail of no more than 65 dBA Leq. The pool deck composite noise level is defined as the sound level resulting from the amplification of recorded or live music combined with simultaneous spoken word (i.e., D.J.) emanating from all speakers in use, and excluding noise from guests and the normal operation of the amenities lounge, food and beverage service. To achieve this performance level, the acoustical design plan may rely on, among other strategies and technologies the following:

   - Directional speakers or arrays of smaller speakers shall be used so as to maximize on-site sound levels while minimizing the spread of sound beyond the pool deck perimeter. For example, within the pool area southwest of the amenities lounge, speakers placed around the pool should be directed towards the pool. Speakers located southwest of the pool shall be angled towards the pool or amenities lounge. Sound from all speakers shall be directed below the top of the railing (if necessary, downward tilted at an appropriate angle). All ceiling-mounted speakers shall be oriented directly downward towards the floor.
   - Within the outdoor seating areas northeast of the amenities lounge, speakers shall be generally directed towards the interior of the property. Sound from all speakers shall be directed below the top of the railing (if necessary, downward tilted at an appropriate angle). All ceiling-mounted speakers shall be oriented directly downward towards the floor.

- The areas shall be designed with the strategic use of materials with high sound absorption properties within the pool deck area and shall avoid using highly sound-reflective surfaces, to the extent possible, at the amenities lounge.
- The use of amplified speakers for recorded or live music performances shall be limited to up to 2:00 A.M.
- All disc jockeys (DJs) and musicians shall utilize the on-site sound system. The DJs and musicians shall use speakers set at or below pre□approved settings and in predetermined speaker locations and directions.

4. **MM-NOISE-6:** Prior to operating outdoor amplified music and entertainment speakers on the 37th floor rooftop deck of the Hotel A/B Tower, an acoustical design plan shall be submitted to the City, shown to result in a rooftop deck composite noise level of no more than 90 dBA Leq at the perimeter rail. The rooftop deck composite noise level is defined as the sound level resulting from the amplification of recorded or live music combined with simultaneous spoken word (i.e., DJ) emanating from all speakers in use, and excluding noise from guests and the normal operation of the amenities lounge, food and beverage service. To achieve this performance level, the acoustical design plan may rely on, among other strategies and technologies the following:

   - The use of directional speakers or arrays of smaller speakers so as to maximize on-site sound levels while minimizing the spread of sound beyond the pool deck perimeter. For example, speakers placed around the rooftop area should be directed towards the interior of the space. Sound from all speakers shall be directed below the top of the railing (if necessary, downward tilted at an appropriate angle). All ceiling-mounted speakers shall be oriented directly downward towards the floor.
   - The area shall be designed with the strategic use of materials with high sound absorption properties within the pool deck area and shall avoid using highly sound-reflective surfaces, to the extent possible, at the bar, restroom, and elevator/stairwell walls.
   - The use of amplified speakers for recorded or live music performances shall be limited to up to 2:00 A.M.
   - All disc jockeys (DJs) and musicians shall utilize the on-site sound system. The DJs and musicians shall use speakers set at or below pre-approved settings and in predetermined speaker locations and directions.

F. Entitlement Conditions – Site Plan Review

1. **Site Development.** The use and development of the property shall be in substantial conformance with the Site Plans, Floor Plans, Building Elevations, and Landscape Plan (Exhibit A - Project Plans, dated March 8, 2018) of the subject case file. No change to the plans will be made without prior review by the Department of City 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. **Downtown Design Guide.** The project is in substantial conformance with the Downtown Design Guide. Any modification to the project plans shall be in substantial conformance with the standards and guidelines of the Downtown Design Guide.

FINDINGS

A. GENERAL PLAN / CHARTER FINDINGS.

The proposed plan amendment, zone change, height district change, and sign district are in substantial conformance with the purposes, intent, and provisions of the General Plan. In addition, the proposed land use and sign district ordinances are consistent with and implement policies in the Central City Community Plan, a component of the Land Use Element of the General Plan:

1. **Framework Element.** The General Plan Framework sets forth a citywide comprehensive long-range growth strategy and defines citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework's Long-Range Diagram identifies the Project Site as located within the Downtown Center, an international center for finance and trade, the largest government center in the region, and the location for major cultural and entertainment facilities, hotels, professional offices, corporate headquarters, financial institutions, high-rise residential towers, regional transportation, and Convention Center facilities. The Downtown Center is generally characterized by floor area ratios up to 13:1 and high-rise buildings.

   The Fig+Pico Conference Center Hotels project involves a two-tower development encompassing three hotel brands, with up to a total of 1,153 guest rooms and 13,145 square feet of ground-floor retail/restaurant uses. The Hotel A/B Tower would include up to 775 hotel guest rooms, 11,000 square feet of ground-floor retail/restaurant uses, and podium parking with 330 total spaces for all three hotels within a 38-story, 465-foot tower on the northeast corner of S. Figueroa Street and W. Pico Boulevard. Hotel amenities would include ground-level (Hotel B) and sky lobbies (Hotel A) with ancillary food and beverage, and rooftop pool decks and outdoor amenity areas on the 8th, 9th, 35th, and 37th floors. The tower would also include approximately 9,490 square feet of conference and meeting room spaces on the 9th and 10th floors. Indoor and outdoor amenity areas would be partially shared between the three hotels. The tower would have architectural lighting, on-site and off-site signage, and integrated landscaping. The Hotel C Tower would include up to 378 guest rooms and 2,145 square feet of ground-floor retail/restaurant uses in a 27-story, 350-foot tower located on the northwest corner of W. Pico Boulevard and S. Flower Street. The tower would also include guest amenities such as a ground-level lobby with ancillary food and beverage and a landscaped rooftop pool deck on the 24th floor. The tower would also include architectural lighting, and on-site and off-site signage.

   In addition to the development of the hotel project, a City-initiated Sign District is proposed for the project site and on surrounding parcels along the corridor connecting the Convention Center to the Metro Station. The Sign District is intended to create a unified signage theme and promote the unique entertainment and transit-oriented character of the corridor. The proposed standards of the Sign District provide flexibility in design for ground-mounted and wall-mounted signage, set illumination standards, allow for integrated large-scale architectural lighting, relax restrictions on off-site signage promoting Convention Center and Metro facilities, and permit the installation of supergraphic signage and digital displays in tandem with reducing signage blight within the larger neighborhood context.

The Project and Sign District would be consistent with the uses, floor area, density, and development type envisioned by the General Plan Framework.

The project site is currently underutilized with surface parking and a two-story commercial building, with an FAR of 0.5. The proposed project would be an in-fill development resulting in an FAR of 9.5:1 and comprised of a balanced mix of retail, restaurant, and hotel uses, with associated identifying and wayfinding signage to be permitted in the vicinity. The project would intensify the use on the site, providing a mix of tourism and employment to the area, supporting the objectives of the Framework Element.

The project is consistent with and advances the following objectives and policies of the General Plan Framework:

Objective 3.4: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

Policy 3.4.1: Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.

Objective 3.10: Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.

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.

Objective 3.16: Accommodate land uses, locate and design buildings, and implement streetscape amenities that enhance pedestrian activity.

The project will support Objectives 3.4 and 3.15 and Policies 3.4.1 and 3.15.3 by providing a high-density mixed-use hotel and commercial development within the City’s urban core, with a focus on pedestrian amenities and in closer proximity to transit opportunities. The project will achieve Objective 3.10 through the addition of commercial space that will strengthen the economic base and opportunities for new businesses, by providing significant employment opportunities for the community. The Project’s hotel and commercial uses will also support tourism and the regional entertainment and convention center functions of the district. In addition, the Project accommodates Objective 3.16 through its pedestrian-oriented design and streetscape improvements, which include wide sidewalks, street trees, and pedestrian lighting.

2. **General Plan Land Use Designation.** The subject property is located within the Central City Community Plan, updated and adopted by the City Council on January 8, 2003. The Community Plan Map designates the western portion of the property for Regional Commercial land uses and allows for corresponding zones of CR, C1.5, C2, C4, C5, R3, R4, R5, RAS3, and RAS4, and R5. The Regional Commercial land use is also subject to Footnote No. 3 of the Community Plan Map, which corresponds to Height Districts 3-D and 4-D, with a D limitation of 6:1 FAR, except for transfer of floor area up to 10:1 or 13:1, respectively.

   The Community Plan Map also identifies the eastern portion of the property for High Density Residential land uses and allows for a corresponding zone of R5. The High Density Residential portion of the site is subject to Footnote No. 10 of the Community Plan, which states that the Plan contemplated that certain commercial uses may be allowed under the High Density Residential land use, that these uses should be controlled by appropriate Q conditions, and that commercial uses should be located at the street level. This policy is currently implemented through [Q] conditions applicable to the site, which specifically allow for hotel, accessory parking structure, and some C4 uses.

   The Project includes a request for a General Plan Amendment to the Regional Commercial designation along the eastern portion of the site, a Zone Change to the C2-4D-O-SN zone over the entire site, inherent modifications to Footnote 3 of the Community Plan and the D-limitations of the zone to accommodate the zoning and a 10:1 by-right FAR, as well as the establishment of a Sign District (-SN) for properties generally located along Figueroa Street, Pico Boulevard, and Flower Street. These requests, acting in concert, would result in land use and zoning consistency, and are in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan.

3. **General Plan Text.** The Central City Community Plan, a part of the Land Use Element of the City's General Plan, states the following objectives and policies that are relevant to the project:

   Objective 2-3: To promote land uses in Central City that will address the needs of all the visitors to Downtown for business, conventions, trade shows, and tourism.

   Policy 2-3.1: Support the development of a hotel and entertainment district surrounding the Convention Center/Staples Arena with linkages to other areas of Central City and the Figueroa corridor.

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

   The project and Sign District substantially conform with the purpose, intent and provisions of the Community Plan. The project complies with Objectives 2-3 and Policy 2-3.1 as it will convert an underutilized site into a transit-oriented mixed-use commercial development that will provide much needed hotel rooms that will serve the adjacent Convention Center, Staples Center, and other surrounding entertainment uses. The addition of these guestrooms will address the needs of visitors to Downtown for business, conventions, trade shows, and tourism. The project and Sign District will incorporate an activated ground-floor building design, vibrant signage, sidewalk treatments, and landscaping throughout the project site and perimeter that will encourage pedestrian street activity to help achieve Policy 2-3.1. In addition, the project's 15-foot to 23-foot wide sidewalks along Figueroa

Street, Flower Street, and Pico Boulevard prioritize pedestrian activity and create a critical linkage along the Figueroa corridor and adjacent to Metro's Pico Station. The Sign District's unified signage theme and the project's hotel and commercial uses, which include ground floor retail and restaurant uses and will feature rooftop bars and amenity decks, will create a vibrant 24-hour downtown environment that will serve the residents and employees of the South Park area, as well as tourism to achieve Objective 2-4.

Downtown Design Guide

The Project and Sign District are also within the boundaries of the Downtown Design Guide (the "Design Guide") in the South Park District, part of the Central City Community Plan. The Design Guidelines contain standards and guidelines for sustainable design, sidewalks and setbacks, ground floor treatment, parking and access, massing and street walls, on-site open space, architectural detail, streetscape improvements and signage. The Project is consistent with the Design Guidelines as it provides: active commercial uses, generous sidewalk widths, and landscape elements that encourage pedestrian activity and provide key linkages within the South Park District; screened parking; private and public open space amenities on the podium decks and hotel rooftops; compatible architectural design; and a comprehensive signage program.

Redevelopment Plan

In addition, the project site and Sign District are located within the South Park subarea of the City Center Redevelopment Project Area. The Redevelopment Plan for the project area was adopted on May 15, 2002, with an end date of May 15, 2032. The City Center Redevelopment Plan contains numerous objectives, including: developing and revitalizing downtown as a major center of the metropolitan region; preparing the Central City to accept regional growth and development; promoting the development of a full range of uses and employment opportunities; and emphasizing green spaces and public amenities. The Plan does not further restrict land use or add any building limitations which would be applicable to the proposed development. In addition, the land use designations and regulations for any property in the Redevelopment Plan Area defer to and are superseded by the applicable City General Plan, Community Plan and Zoning Ordinance, meaning that any adopted General Plan Amendment, Zone Change, and Sign District affecting properties within the Plan would be reflected in the Redevelopment Plan.

The project and Sign District also support and are consistent with the following objectives of the City Center 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.

Objective 3. To create an environment that will prepare, and allow, the Central City to accept that share of regional growth and development which is appropriate, and which is economically and functionally attracted to it.

Objective 4. To promote the development and rehabilitation of economic enterprises including retail, commercial, service, sports and entertainment, manufacturing, industrial and hospitality uses that are intended to provide employment and improve the Project Area's tax base.

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

Objective 6. To create a modern, efficient and balanced urban environment for people, including a full range of around-the-clock activities and uses, such as recreation, sports, entertainment and housing.

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

The proposed hotel and retail commercial space and the district's unified signage theme will comply with Objectives 2, 3, 4, and 6. The hotel will provide a 24-hour community in downtown located across the street from the Convention Center and in proximity to regional entertainment destinations such as LA Live and Staples Center. The project will comply with Objective 5 as the site currently consists of a two-story commercial building and surface parking lot which will be demolished and redeveloped with a mixed-use hotel and commercial project. The project will achieve Objective 12 by generating new job opportunities within the hotel and the commercial retail and restaurant spaces.

Mobility 2035 Plan, Downtown Street Standards, and Los Angeles Sports and Entertainment District Streetscape Plan

The Los Angeles Sports and Entertainment District Streetscape Plan provides guidelines and standards for improvements in the public right-of-way within the Los Angeles Sports and Entertainment District and along Figueroa Street from 7th Street to Venice Boulevard. The principal objective of this Streetscape Plan is to develop attractive, functional, and safe streets and pedestrian friendly sidewalks that connect to and complement the Downtown context. The Streetscape Plan contains provisions regarding street widths, sidewalk widths, sidewalk paving, street trees, street furniture, pedestrian lighting, and public signage, which are applicable to the adjacent portions of Figueroa Street and Flower Street along the Project Site. Pico Boulevard is not subject to the standards of the Streetscape Plan.

Improvement conditions (T-conditions) of the proposed zone require that the Project provide dedications and improvements along Figueroa Street, Flower Street, and Pico Boulevard consistent with the Mobility 2035 Element, Downtown Street Standards, and the Streetscape Plan, which will include the following:

Figueroa Street - A five-foot strip of land will be dedicated along Figueroa Street to improve the street to Modified Boulevard II standards, by maintaining the existing roadway and the elements of the MyFigueroa capital improvement project (which will include a Class I protected bike lane and bus-only lane) and providing new 15-foot sidewalks and an additional 9-foot wide sidewalk easement. Sidewalk paving, street lights, and street trees will be in accordance with the design standards of the LASED Streetscape Plan.

Flower Street - A ten-foot strip of land will be dedicated along Flower Street to improve the street to Modified Avenue I standards, by maintaining the existing roadway, and installing a new 20-foot wide sidewalk. Sidewalk paving, street lights, and street trees will be in accordance with the design standards of the LASED Streetscape Plan.

Pico Boulevard - The existing right-of-way will be merged into the property along the western portion of street and a fifteen-foot strip of land will be dedicated from the

property to the right-of-way along the eastern portion of the street to provide improvements according to Modified Boulevard II standards. The existing roadway will be maintained, which exceeds the roadway width requirements of the Downtown Street Standards, and new sidewalks will be installed in accordance with the variable 15-foot to 18-foot wide sidewalk widths as identified by the Downtown Street Standards.

The proposed mixed-use development and Sign District is consistent with the General Plan Framework, Community Plan, land use designations, Downtown Design Guide, Redevelopment Plan, Mobility 2035 Element, and LASED Streetscape Plan. The project will redevelop an underutilized site currently comprised of low-rise commercial buildings and surface parking and replace it with a modern high-rise development consisting of hotel, restaurant, and retail uses. The project will provide much needed hotel rooms that will serve the adjacent Convention Center, Staples Center, and other surrounding entertainment uses. The proposal would also improve the economic vitality of the area by integrating a mix of uses in-line with Plan policies for redevelopment and growth the Downtown Center. The project design will further activate the adjacent street level areas, create an inviting pedestrian environment, and will create a unified aesthetic and signage program. In addition, public right-of-way improvements have been imposed as conditions of approval for the project, consistent with City street standards. Therefore, as conditioned, the proposed project and Sign District is consistent with the General Plan and the proposed land use designation and will serve to implement the goals and objective of the adopted Community Plan.

4. **Charter Compliance - City Charter Section 555 (General Plan Amendment).** The proposed General Plan Amendment complies with the procedures as specified in Section 555 of the Charter, including:

a) **Amendment in Whole or in Part.** The General Plan Amendment before the City Planning Commission represents an Amendment to the Central City Community Plan, representing a change to the social, physical and economic identity of project site, which is currently designated as Regional Commercial for the western portion of the site and High Density Residential for the eastern portion of the site. The General Plan Amendment to Regional Commercial for the eastern portion is consistent with the existing Regional Center land use designation for the remainder of the development site to the west, as well as other properties fronting Figueroa Street. In addition, while properties to the north of the site along the west side of Flower Street remain in the High Density Residential designation, these properties fall under the unique zoning regulations of the Los Angeles Sports and Entertainment District Specific Plan, which allows for a variety regional entertainment, commercial, and residential uses within the High Density Residential designation. These same uses are not permitted for the subject site. The change from High Density Residential to Regional Commercial designation would eliminate the last remaining portion of the commercial restrictions in the High Density Residential land use along the west side of the Flower Street corridor from 11th street to Pico Boulevard. This would result in a unified physical and economic identity to the area for regional entertainment, commercial, and residential uses in a transit rich district, separated from adjacent High Density Residential and Community Commercial areas to the east and south by rail line facilities along Flower Street and the Pico Boulevard corridor.

The project also has significant physical identity as a mixed-used hotel development next to multi-modal modes of transit. The project further encourages these modes of transit by incorporate an activated ground-floor building design, vibrant signage, sidewalk treatments,

and landscaping throughout the project site and perimeter that will encourage pedestrian street activity, as well as specific improvements to Metro facilities and wayfinding.

In addition, the modification of Footnote No. 3 to allow the project to be developed at a floor area ratio of 10:1 is consistent with the General Plan Framework, the Community Plan's Regional Commercial land use designation, and the ongoing Community Plan Update (DTLA 2040). The project site is currently underutilized with a two-story commercial building and surface parking, resulting in an FAR of 0.5:1 for the site. The proposed in-fill development would be comprised of a balanced mix of hotel and commercial uses, with an FAR of 9.5:1, supporting the City's goals for redevelopment and growth in the general downtown area, and contributing to tourism and employment in the South Park community.

In order to achieve the appropriate FAR envisioned for the site, the modification to Footnote 3 would allow for the appropriate FAR without the requirement for the project to go through the transfer of floor area process. While most projects in the downtown area are subject to the transfer of floor area process in order to achieve high-density development, there has been set precedent for other regional center projects in the City to achieve these same goals outside of the transfer of floor area process. The Community Redevelopment Agency's (CRA's) Bunker Hill Redevelopment Plan, and the City's subsequent Bunker Hill Specific Plan, have allocated floor areas of up to 13:1 by-right for certain parcels downtown, including the CRA/City-owned Angels Landing parcel located adjacent to the Metro Red and Purple Line Pershing Square Station. This site is similar to the project site in terms of size, location, proximity to transit, and its status as a public-private partnership. In addition, several development projects in regional centers such as Hollywood or Century City have been developed at high densities without proceeding through a transfer of floor area process. In addition, the project includes a Development Agreement to guarantee certain public benefits, similar to the intent of the transfer of floor area process in guaranteeing public benefit payments.

The Plan Amendment provides the City an opportunity to create consistency along the Figueroa Street and Flower Street corridors, and would continue a pattern of high-rise mixed-use development within the South Park district. These land use patterns are consistent with the City's existing goals and policies for high-density development downtown, as well as the direction provided for the transit core area in the ongoing Community Plan Update, and the City's current goals for incentivizing hotel development near the Convention Center.

Thus, the City concludes that approval of the Plan Amendment to Regional Commercial and modification of Footnote No. 3 is necessary for the vision of the Central City Community Plan to create a significant and important social, physical and economic identity for the area with the construction of the mixed-use hotel project. It will allow an underutilized site to be improved with much needed hotel and commercial uses in a transit-rich area, in support of the adjacent Convention Center and regional entertainment uses.

b) **Initiation of Amendments.** In compliance with this sub-section, the Director of Planning proposed the amendment to the Central City Community Plan (General Plan Land Use Element), pursuant to the memo dated November 4, 2016.

c) **Commission and Mayoral Recommendations.** The noticing and hearing requirements of the General Plan Amendment were satisfied, pursuant to LAMC Section 12.32-C,3. The hearing was scheduled, duly noticed, and held in City Hall on February 7, 2018. The City

Planning Commission shall make its recommendation to the Mayor upon a recommendation of approval, or to the City Council and the Mayor upon a recommendation of disapproval.

This action is further subject to the following sections of Charter Section 555:

d) **Council Action.** The Council shall conduct a public hearing before taking action on a proposed amendment to the General Plan. If the Council proposes any modification to the amendment approved by the City Planning Commission, that proposed modification shall be referred to the City Planning Commission and the Mayor for their recommendations. The City Planning Commission and the Mayor shall review any modification made by the Council and shall make their recommendation on the modification to the Council in accordance with subsection (c) above. If no modifications are proposed by the Council, or after receipt of the Mayor's and City Planning Commission's recommendations on any proposed modification, or the expiration of their time to act, the Council shall adopt or reject the proposed amendment by resolution within the time specified by ordinance.

e) **Votes Necessary for Adoption.** If both the City Planning Commission and the Mayor recommend approval of a proposed amendment, the Council may adopt the amendment by a majority vote. If either the City Planning Commission or the Mayor recommends the disapproval of a proposed amendment, the Council may adopt the amendment only by a two-thirds vote. If both the City Planning Commission and the Mayor recommend the disapproval of a proposed amendment, the Council may adopt the amendment only by a three-fourths vote. If the Council proposes a modification of an amendment, the recommendations of the Commission and the Mayor on the modification shall affect only that modification."

B. ENTITLEMENT FINDINGS

1. ZONE CHANGE AND HEIGHT DISTRICT CHANGE:

a) The recommended zone change and height district change is in conformance with the public necessity, convenience, general welfare and good zoning practice.

The project site is currently developed with a low-rise commercial building and surface parking, and is zoned C2-4D-O for the western portion of the site and [Q]R5-4D-O zone for the eastern portion. The zoning of the site is associated with Height District No. 4 and a D limitation restricting FAR on the site to a 6:1 ratio, and up to a 13:1 ratio through a transfer of floor area process. In addition, Q conditions on the residentially-zoned portion of the site relax the use constraints of the zone by also allowing for limited commercial uses, including hotel uses.

In order to redevelop the underutilized project site under a unified designation, a plan amendment, zone change, and height district change to the Regional Commercial designation, C2 zone, and a modification to the D limitations of Height District No. 4 is requested. The requested land use and zoning would also lift the Footnote 3 restrictions for the site, which act in concert with the D limitations, in order to allow for an FAR of 10:1.

The proposed zoning is consistent with the existing and proposed Regional Commercial land use designation on the site, which allows for corresponding zones of CR, C1.5, C2, C4, C5, R3, R4, R5, RAS3, RAS4, and R5. The C2 zone allows for general commercial uses, which includes hotels, restaurants, retail stores, health clubs, and cinemas, as well as multi-family residential and parking uses. The requested zone change would convert the R5

zoning on the eastern portion of the site to create a single unified C2 zone over the entire project, and allow for a unified hotel and commercial development to be constructed under a cohesive set of zoning standards.

The General Plan Framework identifies the project site as located within the Downtown Center, generally characterized by floor area ratios of up to 13:1 and high-rise buildings. The Community Plan's Regional Commercial land use designation for the site reiterates the 13:1 ratio for the site, although contingent on approval of a transfer of floor area. The ongoing Community Plan Update (DTLA 2040) similarly envisions the transit core area to be slated for high-density development, with expected FARs between 10:1 and 13:1. The project site is currently underutilized with a two-story commercial building and surface parking, resulting in an FAR of 0.5:1 for the site. The proposed in-fill development would be comprised of a balanced mix of hotel and commercial uses, with an FAR of 9.5:1, supporting the City's goals for redevelopment and growth in the general downtown area, and contributing to tourism and employment in the South Park community.

In order to achieve the appropriate FAR envisioned for the site, the zone change would remove the D limitation on the site for the transfer of floor area process requirement. While most projects in the downtown area are subject to the transfer of floor area process in order to achieve high-density development, there has been set precedent for other regional center projects in the City to achieve these same goals outside of the transfer of floor area process. The Community Redevelopment Agency's (CRA's) Bunker Hill Redevelopment Plan, and the City's subsequent Bunker Hill Specific Plan, have allocated floor areas of up to 13:1 by-right for certain parcels downtown, including the CRA/City-owned Angels Landing parcel located adjacent to the Metro Red and Purple Line Pershing Square Station. This site is similar to the project site in terms of size, location, proximity to transit, and its status as a public-private partnership. In addition, several development projects in regional centers such as Hollywood or Century City have been developed at high densities without proceeding through a transfer of floor area process. In addition, the project includes a Development Agreement to guarantee certain public benefits, similar to the intent of the transfer of floor area process in guaranteeing public benefit payments.

The context of the project has also been considered in the Zone Change and Height District Change requests. The immediate vicinity is characterized by a mix of regional entertainment, commercial, restaurant, bar, office, and high-rise residential uses, which include the Los Angeles Sports and Entertainment District, LA Live, and the Convention Center. The zone and height district change from C2-4D-O and (Q)R5-4D-O to (T)(Q)C2-4D-O-SN would be consistent with the adjacent land uses, and would continue a pattern of high-rise mixed-use development along the Figueroa Street corridor and in the general South Park district. These land use patterns are consistent with the City's existing goals and policies for high-density development downtown, as well as the direction provided for the transit core area in the ongoing Community Plan Update, and the City's current goals for incentivizing hotel development near the Convention Center.

The project is a unique private-public partnership utilizing both privately-owned and City-owned parcels, designed to bring over 1,000 hotel guest rooms, active ground-floor commercial uses, several publically-accessible rooftop amenity spaces, vibrant signage, and a host of streetscape and transit-oriented improvements to the immediate area. The proposed project would enhance the built environment through the unified development of the site, and would include essential and beneficial uses through the synergetic balance of commercial and hotel components within a transit-rich regional center of commerce, tourism, and entertainment. The project site is conveniently located within the downtown urban core,

with immediate access to major streets, regional freeways, and public transit. As an infill project, the development will have adequate capacity and connections to existing City services and infrastructure. There is a necessity for hotel uses to support the downtown tourism and the regional entertainment district, and the project will add over 1,000 hotel guest rooms immediately adjacent to the Convention Center. The project will also benefit the community, city, and region by activating an underutilized site within the regional entertainment center of downtown and contributing much-needed hotel guest rooms in support of the City's goals for tourism and economic development. Therefore, the zone change and height district change is provided as part of public necessity and convenience and in the general welfare of the neighborhood. Furthermore, such zone and height district change will be in good zoning practice by providing a harmonious density and land use activity for the vicinity.

The action, as recommended, has been made contingent upon compliance with the "(Q)" and "(T)" conditions and "D" limitations imposed herein. Specific conditions and mitigation measures have been incorporated to address public improvements, building design and layout, sustainability measures, environmental impacts, and an appropriate density within the transit-rich regional center, consistent with the General Plan Framework. Such limitations are necessary to protect the best interests of and to assure developments and improvements more 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 the subject recommended action.

2. SIGN DISTRICT:

a) The proposed Sign District is in conformance with the public necessity, convenience, general welfare and good zoning practice.

The unique characteristics of the district will be enhanced by the imposition of special sign regulations designed to enhance the theme or unique qualities of the district. The project proposes a comprehensive sign program for the 4.35-acre area, primarily focused on the connection between the Convention Center and the Metro Pico Station.

The Figueroa and Pico Sign District (Sign District) is located directly across Figueroa Street from the Los Angeles Convention Center (LACC), near the Staples Center and LA Live, adjacent to rail transit, and in proximity to several hotels and entertainment venues where unique sign regulations are required to accommodate the convention, entertainment, community, and business character of the properties in and around the District. Due to the unique nature of the Sign District location, the proposed signage would be generally appropriate for the use of the site and in-line with other signage regulations within the South Park District and the City's signage policies. . In particular, the Sign District would support the Figueroa corridor's identity as an entertainment district, compatible with venues that have regional draws, such as LA Live and the Convention Center. The Sign District ordinance (Exhibit C) proposes specially tailored dynamic signage regulations that will advance the goals for redevelopment of the area by creating an engaging visual environment for visitors and residents of the district. The proposed sign program creates a unified aesthetic and sense of identify by setting standards for uniform signage design, instilling flexibility in signage design and architectural lighting, providing well-planned placement of signage with consideration for surrounding uses, while also providing functional way-finding and building identification along streets, thereby connecting regional transit, entertainment, and Convention Center areas.

As such, the Sign District conforms to the public necessity, convenience, and general welfare of the city.

The signage regulations reflect good zoning practice in that they establish signage design criteria, standards, locations, illumination levels, and types of permitted and prohibited signs within the district. Appropriate and balanced sign regulations are necessary to maintain compatibility with surrounding development while fostering a vibrant urban environment. As such, large-scale and digital signage has been concentrated along the Figueroa Street and Pico Boulevard commercial corridors, which could be leveraged to add vibrancy and dynamicity along the corridors, and also includes dedicated advertising to promoting public transit and the City's Convention Center. Greater restrictions on the operation of digital signage facing Pico Boulevard have been included to reduce impacts to the adjacent residential uses to the south, and illumination standards of the Sign District would restrict light pollution. In addition, digital displays and supergraphic signage will be installed in tandem with a program for the removal of off-site signage within the local vicinity, consistent with community policies and interests in improving the community aesthetic and reducing blight. The Sign District would establish regulations that allow signs which are appropriate for the context of the regional tourism and entertainment center.

In addition, the proposed Sign District meets the technical requirements for establishment of the district, as defined in LAMC Section 13.11. The district only includes properties in the proposed commercial "C" zone, the site contains at least one block or three acres in area, and the district includes only contiguous parcels. On July 1, 2016, the City Council voted to instruct the Department of City Planning to initiate a Sign District for Figueroa and Pico development site and surrounding properties (Council File No. 16-0725), and the Sign District was initiated by the Director of Planning on November 4, 2016.

3. DEVELOPMENT AGREEEMENT

Pursuant to State Government Code Section 65868, a development agreement shall be entered into by mutual consent of the parties. An application for a Development Agreement was filed on July 21, 2016, establishing the applicant's consent to enter into a Development Agreement.

The City of Los Angeles ("City") has adopted rules and regulations establishing procedures and requirements for consideration of development agreements under Citywide Development Agreement Procedures (CF 85-2313-S3). In addition, on November 19, 1992, the City Planning Commission adopted new guidelines for the processing of development agreement applications (CPC No. 86-404 MSC).

In accordance with Section 12.32 of the LAMC and California Government Code Section 65867, notification within a 500-foot radius of the project site was mailed out on January 12, 2018 to all occupants and property owners, neighborhood council and others as identified in the mailing affidavit located in the administrative record. Further, notice of the public hearing was also published in the Daily Journal on January 12, 2018; verification of which is provided in the administrative record. In accordance with Section 12.32-C,4(c), posting for the site was completed on January 25, 2018.

Pursuant to Section 65867.5 of the Government Code, the Development Agreement is consistent with the objectives, policies, and programs specified in the City of Los Angeles General Plan, including the Central City Community Plan adopted by City Council on January 8, 2003. Orderly development of the project site is further governed by Department

of City Planning Case Nos. VTT-74239, CPC-2016-4219-GPA-ZC, CPC-2016-4220-SN, and CPC-2016-2595-DA-CU-MCUP-CUX-SPR, wherein the City initiated a General Plan Amendment to the Central City Community Plan from High Density Residential to Regional Commercial for a the parcel located at 601 West Pico Boulevard; a Zone Change and Height District Change from [Q]R5-4D-O and C2-4D-O to (T)(Q)C2-4D-O-SN; a Supplemental Use District to permit a Sign District for the site and additional locations (1300 S. Figueroa Street, 535 West Pico Boulevard, 520-638 West Pico Boulevard, 1220-1308 S. Flower Street, and 1309-1315 S. Flower Street); a Conditional Use to allow a hotel within 500 feet of an R residential Zone; a Conditional Use to allow floor area averaging within a unified development in the C2 Zone; a Master Conditional Use to allow alcohol sales of a full line of alcoholic beverages for on-site consumption; a Conditional Use Permit to allow live entertainment and dancing; and, a Site Plan Review for a project that would result in an increase of 50 or more guest rooms or 50,000 gross square feet of non-residential floor area. The General Plan Amendment, Zone and Height District Change, Sign District, and the Development Agreement will be considered for adoption by resolution by the City Council.

This Development Agreement is administrative and technical in nature and will have no impact on the project under the EIR prepared for the project, the Fig & Pico Conference Center Hotels EIR, SCH No. 2016121063, to be considered by the City Council upon their consideration of the General Plan Amendment, Zone and Height District Change, and the Sign District. Moreover, the provisions of the Development Agreement do not grant the project or the project applicant any exceptions, variances, or otherwise allows the applicant to deviate from the required development regulations of the Code. The intent of the Development Agreement is to recognize the life of the entitlements to a specified term in exchange for the provision of public benefits. The proposed Development Agreement will not be detrimental to the public health, safety and general welfare. Approval of the Development Agreement will promote the expeditious delivery of public benefit monies directly from the Applicant to the identified parties for the provision of job training for local residents and the creation and/or acquisition of recreation and parks within the council district boundaries.

The Development Agreement provides extraordinary public benefits in the form of physical improvements to pedestrian amenities in the vicinity of the project, including mid-block crosswalks, signal crossing improvements, wayfinding signage to and from Metro Station, real time transfer signage, and additional seating with shade for transit patrons.

The Development Agreement complies in form and substance with all applicable City and State regulations governing development agreements.

Based upon the above Findings, the proposed Development Agreement is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

4. <u>CONDITIONAL USE (FLOOR AREA AVERAGING)</u>:

a) The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.

The averaging of floor area ratios may be permitted for buildings which comprise a unified commercial or mixed-use development in the C Zone, even if buildings on each individual parcel or lot would exceed the permitted floor area ratio. However, the floor area ratio of the

unified development, when calculated as a whole, may not exceed the maximum permitted floor area ratio for the height district in which the unified development is located. The project site is comprised of two master lots, as approved by VTT-74239 with development on the Hotel A/B Tower lot anticipated to be constructed at an 8.7:1 FAR, and at an 11.8:1 FAR for the Hotel C Tower lot, with an average 9.5:1 FAR over the entire site. The average 9.5 FAR would be lower than the maximum 10:1 FAR permitted by the associated Zone Change request.

Floor area averaging will allow the project to provide an appropriate mix of uses distributed across the site. The proposed project would enhance the built environment through the unified development of the site, and would include essential and beneficial uses through the synergetic balance of commercial, retail, and hotel uses. The project will also benefit the community, city, and region by providing quality lodging, retail, and entertainment uses to area and would activate an underutilized site within the Regional Commercial Center of Downtown Los Angeles. The City Council has identified a need for at least 7,500 new hotel guest rooms to serve the Convention Center and its planned expansion, and the close proximity of the project site accommodates a walkable hotel option for visitors. The hotels near LA Live provide a portion of the needed hotel rooms, and the project will contribute 1,153 guest rooms to help meet the demand, thereby supporting the larger Convention Center capacity. As such, the hotel will perform a function and provide a service that is essential and beneficial to the community, city, and the region as a whole.

b) *The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.*

The subject property is zoned for high density commercial uses and will be redeveloped with a new mixed-use hotel complex centrally located near the Convention Center and other regional entertainment venues. The project will include the development of a new 506,682 square-foot, 1,153-room hotel complex including: a Hotel A/B Tower containing up to 775 guestrooms, approximately 13,000 square feet of ground-floor retail space and 9,500 square feet of meeting space, and 330 parking spaces in a 42-story tower, including grade-level retail and screened parking levels within an seven-story podium, at the corner of Figueroa Street and Pico Boulevard; and a Hotel C Tower containing up to 378 guestrooms and approximately 2,145 square feet of ground-floor commercial space in a 27-story hotel tower, including grade-level retail within a three-story podium, at the corner of Flower Street and Pico Boulevard. The proposed height of the buildings are consistent with recent development in the immediate area, including the two 36-story high-rise towers at the Circa project located directly to the north of the project site.

Floor Area Ratio averaging across the development will be desirable to the public convenience and welfare because it facilitates a beneficial mix of uses and allows for a cohesive site design, creating active and safe pedestrian environments and offering a variety of amenities and open space features. The proposed project will not adversely affect the economic welfare of the community, since a vibrant regional mixed-use hotel complex is not only a complimentary use at the project site but is anticipated to positively impact the financial health of the property and improve the economic vitality of the area via increases in taxable revenue and local employment. Adequate parking, lighting, and security will be provided to ensure that there will be no adverse effect on the welfare of the surrounding community. Therefore, the project’s location, uses, height, and other features would be compatible with the surrounding neighborhood, and would not adversely affect public health, welfare, and safety.

c) The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

Framework Element. The General Plan Framework sets forth a citywide comprehensive long-range growth strategy and defines citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework's Long-Range Diagram identifies the Project Site as located within the Downtown Center, an international center for finance and trade, the largest government center in the region, and the location for major cultural and entertainment facilities, hotels, professional offices, corporate headquarters, financial institutions, high-rise residential towers, regional transportation, and Convention Center facilities. The Downtown Center is generally characterized by floor area ratios up to 13:1 and high-rise buildings.

The Fig+Pico Conference Center Hotels project involves a two-tower development encompassing three hotel brands, with up to a total of 1,153 guest rooms and 13,145 square feet of ground-floor retail/restaurant uses. The Hotel A/B Tower would include up to 775 hotel guest rooms, 11,000 square feet of ground-floor retail/restaurant uses, and podium parking with 330 total spaces for all three hotels within a 38-story, 465-foot tower on the northeast corner of S. Figueroa Street and W. Pico Boulevard. Hotel amenities would include ground-level (Hotel B) and sky lobbies (Hotel A) with ancillary food and beverage, and rooftop pool decks and outdoor amenity areas on the 8th, 9th, 35th, and 37th floors. The tower would also include approximately 9,490 square feet of conference and meeting room spaces on the 9th and 10th floors. Indoor and outdoor amenity areas would be partially shared between the three hotels. The tower would have architectural lighting, on-site and off-site signage, and integrated landscaping. The Hotel C Tower would include up to 378 guest rooms and 2,145 square feet of ground-floor retail/restaurant uses in a 27-story, 350-foot tower located on the northwest corner of W. Pico Boulevard and S. Flower Street. The tower would also include guest amenities such as a ground-level lobby with ancillary food and beverage and a landscaped rooftop pool deck on the 24th floor. The tower would also include architectural lighting, and on-site and off-site signage.

The Project would be consistent with the uses, floor area, density, and development type envisioned by the General Plan Framework.

The project site is currently underutilized with surface parking and a two-story commercial building, with an FAR of 0.5. The proposed project would be an in-fill development resulting in an FAR of 9.5:1 and comprised of a balanced mix of retail, restaurant, and hotel uses, with associated identifying and wayfinding signage to be permitted in the vicinity. The project would intensify the use on the site, providing a mix of tourism and employment to the area, supporting the objectives of the Framework Element.

The project is consistent with and advances the following objectives and policies of the General Plan Framework:

Objective 3.4: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

Policy 3.4.1: Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated

commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.

Objective 3.10: Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.

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.

Objective 3.16: Accommodate land uses, locate and design buildings, and implement streetscape amenities that enhance pedestrian activity.

The project will support Objectives 3.4 and 3.15 and Policies 3.4.1 and 3.15.3 by providing a high-density mixed-use hotel and commercial development within the City's urban core, with a focus on pedestrian amenities and in closer proximity to transit opportunities. The project will achieve Objective 3.10 through the addition of commercial space that will strengthen the economic base and opportunities for new businesses, by providing significant employment opportunities for the community. The Project's hotel and commercial uses will also support tourism and the regional entertainment and convention center functions of the district. In addition, the Project accommodates Objective 3.16 through its pedestrian-oriented design and streetscape improvements, which include wide sidewalks, street trees, and pedestrian lighting.

General Plan Land Use Designation. The subject property is located within the Central City Community Plan, updated and adopted by the City Council on January 8, 2003. The Community Plan Map designates the western portion of the property for Regional Commercial land uses and allows for corresponding zones of CR, C1.5, C2, C4, C5, R3, R4, R5, RAS3, and RAS4, and R5. The Regional Commercial land use is also subject to Footnote No. 3 of the Community Plan Map, which corresponds to Height Districts 3-D and 4-D, with a D limitation of 6:1 FAR, except for transfer of floor area up to 10:1 or 13:1, respectively.

The Community Plan Map also identifies the eastern portion of the property for High Density Residential land uses and allows for a corresponding zone of R5. The High Density Residential portion of the site is subject to Footnote No. 10 of the Community Plan, which states that the Plan contemplated that certain commercial uses may be allowed under the High Density Residential land use, that these uses should be controlled by appropriate Q conditions, and that commercial uses should be located at the street level. This policy is currently implemented through [Q] conditions applicable to the site, which specifically allow for hotel, accessory parking structure, and some C4 uses.

The Project includes a request for a General Plan Amendment to the Regional Commercial designation along the eastern portion of the site, a Zone Change to the C2-4D-O-SN zone over the entire site, inherent modifications to Footnote 3 of the Community Plan and the D-limitations of the zone to accommodate the zoning and a 10:1 by-right FAR, as well as the establishment of a Sign District (-SN) for properties generally located along Figueroa Street, Pico Boulevard, and Flower Street. These requests, acting in concert, would result in land use and zoning consistency, and are in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan.

General Plan Text. The Central City Community Plan, a part of the Land Use Element of the City's General Plan, states the following objectives and policies that are relevant to the project:

Objective 2-3: To promote land uses in Central City that will address the needs of all the visitors to Downtown for business, conventions, trade shows, and tourism.

Policy 2-3.1: Support the development of a hotel and entertainment district surrounding the Convention Center/Staples Arena with linkages to other areas of Central City and the Figueroa corridor.

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

The project substantially conforms with the purpose, intent and provisions of the Community Plan. The project complies with Objectives 2-3 and Policy 2-3.1 as it will convert an underutilized site into a transit-oriented mixed-use commercial development that will provide much needed hotel rooms that will serve the adjacent Convention Center, Staples Center, and other surrounding entertainment uses. The addition of these guestrooms will address the needs of visitors to Downtown for business, conventions, trade shows, and tourism. The project and Sign District will incorporate an activated ground-floor building design, vibrant signage, sidewalk treatments, and landscaping throughout the project site and perimeter that will encourage pedestrian street activity to help achieve Policy 2-3.1. In addition, the project's 15-foot to 23-foot wide sidewalks along Figueroa Street, Flower Street, and Pico Boulevard prioritize pedestrian activity and create a critical linkage along the Figueroa corridor and adjacent to Metro's Pico Station. The Sign District's unified signage theme and the project's hotel and commercial uses, which include ground floor retail and restaurant uses and will feature rooftop bars and amenity decks, will create a vibrant 24-hour downtown environment that will serve the residents and employees of the South Park area, as well as tourism to achieve Objective 2-4.

Downtown Design Guide

The Project is also within the boundaries of the Downtown Design Guide (the "Design Guide") in the South Park District, part of the Central City Community Plan. The Design Guidelines contain standards and guidelines for sustainable design, sidewalks and setbacks, ground floor treatment, parking and access, massing and street walls, on-site open space, architectural detail, streetscape improvements and signage. The Project is consistent with the Design Guidelines as it provides: active commercial uses, generous sidewalk widths, and landscape elements that encourage pedestrian activity and provide key linkages within the South Park District; screened parking; private and public open space amenities on the podium decks and hotel rooftops; compatible architectural design; and a comprehensive signage program.

Redevelopment Plan

In addition, the project site is located within the South Park subarea of the City Center Redevelopment Project Area. The Redevelopment Plan for the project area was adopted on May 15, 2002, with an end date of May 15, 2032. The City Center Redevelopment Plan contains numerous objectives, including: developing and revitalizing downtown as a major center of the metropolitan region; preparing the Central City to accept regional growth and development; promoting the development of a full range of uses and employment opportunities; and emphasizing green spaces and public amenities. The Plan does not further restrict land use or add any building limitations which would be applicable to the proposed development. In addition, the land use designations and regulations for any property in the Redevelopment Plan Area defer to and are superseded by the applicable City General Plan, Community Plan and Zoning Ordinance, meaning that any adopted General Plan Amendment, Zone Change, and Sign District affecting properties within the Plan would be reflected in the Redevelopment Plan.

The project also supports and is consistent with the following objectives of the City Center 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.

Objective 3. To create an environment that will prepare, and allow, the Central City to accept that share of regional growth and development which is appropriate, and which is economically and functionally attracted to it.

Objective 4. To promote the development and rehabilitation of economic enterprises including retail, commercial, service, sports and entertainment, manufacturing, industrial and hospitality uses that are intended to provide employment and improve the Project Area's tax base.

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

Objective 6. To create a modern, efficient and balanced urban environment for people, including a full range of around-the-clock activities and uses, such as recreation, sports, entertainment and housing.

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

The proposed hotel and retail commercial space will comply with Objectives 2, 3, 4, and 6. The hotel will provide a 24-hour community in downtown located across the street from the Convention Center and in proximity to regional entertainment destinations such as LA Live and Staples Center. The project will comply with Objective 5 as the site currently consists of a two-story commercial building and surface parking lot which will be demolished and redeveloped with a mixed-use hotel and commercial project. The project will achieve Objective 12 by generating new job opportunities within the hotel and the commercial retail and restaurant spaces.

Mobility 2035 Plan, Downtown Street Standards, and Los Angeles Sports and Entertainment District Streetscape Plan

The Los Angeles Sports and Entertainment District Streetscape Plan provides guidelines and standards for improvements in the public right-of-way within the Los Angeles Sports and Entertainment District and along Figueroa Street from 7th Street to Venice Boulevard. The principal objective of this Streetscape Plan is to develop attractive, functional, and safe streets and pedestrian friendly sidewalks that connect to and complement the Downtown context. The Streetscape Plan contains provisions regarding street widths, sidewalk widths, sidewalk paving, street trees, street furniture, pedestrian lighting, and public signage, which are applicable to the adjacent portions of Figueroa Street and Flower Street along the Project Site. Pico Boulevard is not subject to the standards of the Streetscape Plan.

The project will provide dedications and improvements along Figueroa Street, Flower Street, and Pico Boulevard consistent with the Mobility 2035 Element, Downtown Street Standards, and the Streetscape Plan.

The proposed mixed-use development is consistent with the General Plan Framework, Community Plan, land use designations, Downtown Design Guide, Redevelopment Plan, Mobility 2035 Element, and LASED Streetscape Plan. The project will redevelop an underutilized site currently comprised of low-rise commercial buildings and surface parking and replace it with a modern high-rise development consisting of hotel, restaurant, and retail uses. The project will provide much needed hotel rooms that will serve the adjacent Convention Center, Staples Center, and other surrounding entertainment uses. The proposal would also improve the economic vitality of the area by integrating a mix of uses in-line with Plan policies for redevelopment and growth the Downtown Center. The project design will further activate the adjacent street level areas, create an inviting pedestrian environment, and will create a unified aesthetic and signage program. In addition, public right-of-way improvements have been imposed as conditions of approval for the project, consistent with City street standards. Therefore, as conditioned, the proposed project is consistent with the General Plan and the proposed land use designation and will serve to implement the goals and objective of the adopted Community Plan.

d) The development, although located on separate parcels or lots of record, is a unified development as defined in LAMC 12.24.W-19.

Although located on separate parcels, the project is a unified development as defined by the Los Angeles Municipal Code Section 12.24.W.19 because: it is a combination of functional linkages, such as pedestrian and vehicular connections; is characterized by common architectural and landscape features, which constitute distinctive design elements of the project; is composed of two or more contiguous parcels or lots of record separated only by a street or alley; and when viewed from adjoining streets appears to be a consolidated whole. The project contains carefully selected compatible uses across the entire project site that are designed to work together to create a cohesive mixed-use hotel development.

The design, including the setbacks, podium heights, and uses internally complement Hotels A, B, and C, as well as the surrounding neighborhood. The architectural design, landscaping, and vehicular and pedestrian circulation is designed to flow continuously throughout the project site and create a feeling of cohesion by repeating common features and themes. The project site is designed to work together as an integrated development. For example, parking for Hotel C will be located in the podium of the Hotel A/B Tower to give Hotel C additional flexibility in its massing and hotel programming. As such, the project,

although located on separate parcels or lots of record, is a unified development as defined in this subdivision.

5. MASTER CONDITIONAL USE (ON-SITE ALCOHOL SALES and LIVE ENTERTAINMENT AND DANCING)

a) The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.

The applicant is requesting a Conditional Use Permit to allow for the construction, use, and maintenance of a 1,153-room hotel within 500 feet of an R-zoned property having a full line of alcoholic beverages for on-site consumption within the hotel and associated commercial/retail spaces. The project is not within the LASED boundaries, but does directly abut the southern boundary of the LASED. The project site is located directly across from the Los Angeles Convention Center, which is currently pursuing a transformative renovation and expansion of its facility to accommodate a growing demand for exhibition space in the Los Angeles area. The project is adjacent to properties in the R5 Zone, in addition to being in an area with mixed-use residential buildings under construction. In addition, the project site is across the street from the Metro Pico Station and multiple bus lines, providing ample public transportation options to and from the site.

Hotel

The applicant is seeking a Conditional Use Permit to allow for the construction, use, and maintenance of a new 1,153-room hotel within 500 feet of an R-zoned property. The proposed hotel is located within the regional entertainment center in Downtown Los Angeles, directly across Figueroa Street from the Los Angeles Convention Center. The project site is within proximity to the Staples Center, Microsoft Theater, and LA Live. As the entertainment center of Downtown, the project site and surrounding area are a destination for local workers, residents, visitors, and businesses, providing a 24-hour, seven days-a-week regional center of dining, entertainment, and activity.

The development of a new hotel having retail and office space within proximity to residentially-zone parcels will enhance the built environment in the surrounding South Park neighborhood and will provide the needed hotel rooms to meet the demand of the Convention Center expansion while providing new retail opportunities to current and future residents, thereby benefiting the community and greater region. The redevelopment of this central corner lot into a mixed-use hotel project in proximity to the Convention Center creates a use that is more in-line with the needs and projected growth of South Park and Downtown as a whole. The City Council has identified a need for at least 7,500 new hotel guest rooms to serve the Convention Center and its planned expansion, and the close proximity of the project site more than accommodates a walkable hotel option for visitors. The hotels near LA Live provide a portion of the needed hotel rooms, and the project will contribute 1,153 guest rooms to help meet the demand, thereby supporting the larger Convention Center capacity. As such, the hotel will perform a function and provide a service that is essential and beneficial to the community, city, and the region as a whole.

Alcohol, Live Entertainment, and Public Dancing

The applicant is requesting a Master Conditional Use Permit to allow for the service of a full line of alcoholic beverages for on-site consumption within hotel lobby areas, pool decks and

rest areas, hotel restaurant and bar, hotel meeting rooms, and at all of the mini-bars in all of the guest rooms and suites. In addition, the applicant is requesting a Conditional Use Permit to all for live entertainment and dancing at the hotel.

The service of alcohol and the opportunity for dancing and live entertainment in the hotel, restaurants, bars, pool areas, and entertainment venues is essential for the vitality of the hotel, allowing them to offer amenities that are not only desired by patrons, but expected of quality restaurants and hotel spaces. The proximity to LA Live and the Convention Center demands certain amenities be offered to guests and patrons of restaurants and entertainment venues.

Alcohol service, dancing, and live entertainment are expected and required amenities to stay competitive with other nearby hotels such as the Ritz Carlton/JW Marriott and the Luxe Hotel that offer similar amenities. The project will include 13,000 square feet of ground floor retail and 9,500 square feet of meeting space in Hotels A and B and 2,145 square feet of ground floor retail in Hotel C. In addition to the on-site alcohol sales for the hotel and meeting rooms, the project may include up bars, lounges, restaurants, and entertainment venues serving alcohol for on-site consumption, and retail establishments that sell alcohol for off-site consumption. The restaurant, lounge, and bar uses may include service in outdoor areas on the roof, decks, balconies, or other outdoor areas on the upper levels. The proposed restaurant and bar uses will provide desired food, beverage, and entertainment options for visitors to the Convention Center, Staples Center, Microsoft Theater, and other nearby venues.

The authorization of a Master Conditional Use Permit to allow for a full line of alcoholic beverages for on-site consumption within the hotel, including; hotel lobby areas, pool decks and rest areas, hotel restaurant and bar, hotel meeting rooms, and within all guest room mini-bars, and a Conditional Use Permit to allow for the availability of live entertainment and public dancing within the hotel and deck areas will complement the proposed hotel as well as support the surrounding community by providing a service that is beneficial to employees, visitors, and local residents.

b) The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

The applicant is requesting a Conditional Use Permit to allow for the construction, use, and maintenance of a 1,153-room hotel within 500 feet of an R-zoned property having a full line of alcoholic beverages for on-site consumption within the hotel and associated commercial/retain spaces.

The project site is located within a regional entertainment center in Downtown Los Angeles, directly across Figueroa Street from the Los Angeles Convention Center. The project is within proximity to the Staples Center, Microsoft Theater, and LA Live. As the entertainment center of Downtown, the project site and surrounding area are a destination for local workers, residents, visitors, and businesses, providing a 24-hour, seven days-a-week regional center of dining, entertainment, and activity. The area surrounding the project currently offers hotel accommodations including the Ritz-Carlton Hotel and Residences, JW Marriott, Residence Inn, Courtyard Hotel, and the Luxe City Center Hotel, and features numerous restaurants, and other entertainment venues including Lucky Strike Bowling, Regal LA Live Stadium 14, The Novo by Microsoft, and the GRAMMY Museum.

Hotel

The Fig+Pico Conference Center Hotels project involves a two-tower development encompassing three hotel brands, with up to a total of 1,153 guest rooms and 13,145 square feet of ground-floor retail/restaurant uses. The Hotel A/B Tower would include up to 775 hotel guest rooms, 11,000 square feet of ground-floor retail/restaurant uses, and podium parking with 330 total spaces for all three hotels within a 38-story, 465-foot tower on the northeast corner of S. Figueroa Street and W. Pico Boulevard. Hotel amenities would include ground-level (Hotel B) and sky lobbies (Hotel A) with ancillary food and beverage, and rooftop pool decks and outdoor amenity areas on the 8th, 9th, 35th, and 37th floors. The tower would also include approximately 9,490 square feet of conference and meeting room spaces on the 9th and 10th floors. Indoor and outdoor amenity areas would be partially shared between the three hotels. The tower would have architectural lighting, on-site and off-site signage, and integrated landscaping. The Hotel C Tower would include up to 378 guest rooms and 2,145 square feet of ground-floor retail/restaurant uses in a 27-story, 350-foot tower located on the northwest corner of W. Pico Boulevard and S. Flower Street. The tower would also include guest amenities such as a ground-level lobby with ancillary food and beverage and a landscaped rooftop pool deck on the 24th floor. The tower would also include architectural lighting, and on-site and off-site signage.

The surrounding neighborhood includes numerous developments that are similar to the proposed hotel building. The project site is in an optimal location for development of a convention-center-serving hotel due to its immediate proximity to the Convention Center and the Metro Blue Line Pico Station.

The approval of the Conditional Use Permit to allow a hotel within 500 feet of an R Zone is compatible with and will not adversely affect or further degrade adjacent uses or properties because it enables the development of complementary uses at the project site that is located within proximity to the Convention Center, LA Live, Staples Center, Microsoft Theater, and other Downtown attractions. In addition, the development of a hotel at this site will redevelop an underutilized site and will enhance the pedestrian experience along the adjoining public rights-of-way, consistent with recently approved projects already under construction in the immediate area.

Therefore, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

Alcohol, Live Entertainment, and Public Dancing

The applicant is requesting a Master Conditional Use Permit to allow for the service of a full line of alcoholic beverages for on-site consumption in the hotel and meeting rooms, in bars, lounges, restaurants, and entertainment venues. The restaurant, lounge, and bar uses may include service in outdoor areas on the roof, decks, balconies, or other outdoor areas on the upper levels. In addition, the applicant is requesting a Conditional Use Permit to all for live entertainment and dancing at the hotel.

No evidence was presented at the hearing or in writing that the sale of alcohol will be materially detrimental to the immediate neighborhood. This grant also includes conditions of approval intended to address alcohol-related issues to safeguard public welfare and enhance public convenience, such as proper employee training and outdoor security lighting. Therefore, the authorization of a Master Conditional Use Permit to allow for a full

line of alcoholic beverages for on-site consumption within the hotel, including; hotel lobby areas, pool decks and rest areas, hotel restaurant and bar, hotel meeting rooms, and within all guest room mini-bars, and a Conditional Use Permit to allow for the availability of live entertainment and public dancing within the hotel and deck areas will be compatible with the surrounding urban environment and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

c) The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

There are eleven elements of the General Plan. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code. Except for those entitlements described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code. The Land Use Element of the City's General Plan divides the city into 35 Community Plans. The Central City Plan Map designates the property for Regional Commercial land uses with the corresponding zones of CR, C1.5, C2, C4, C5, RD, R4, R5, RAS3, and RAS4 and High Density Residential land uses with a corresponding zone of R5. As part of the project, requests for a General Plan Amendment to the Regional Commercial land use and a Zone Change to the (T)(Q)C2-4D-O-SN zone have been submitted in order to provide a uniform designation and zoning over the entire project site.

Hotel

The project is located in the South Park District of the Community Plan, which is one of nine districts within the Central City Community Plan Area. The South Park district is dominated by a mix of residential, medical, commercial and entertainment uses. Also within the South Park District, and adjacent to the project site, is the Los Angeles Sports and Entertainment District (LASED). The LASED was adopted by the City Council in 2001 and calls for the development of up to 3.75 million square feet of entertainment/mixed-use development, including a minimum of 500 dwelling units and 1,400 hotel rooms. The South Park District has become a thriving residential community where residents can live, work and play without leaving the South Park District. With anticipated job growth in the coming years, the Community Plan projects the development of large scale mixed-use projects within the South Park District.

The ultimate goal of the Community Plan is to "create an environment conducive to conducting business and actively promote Downtown Los Angeles as the economic center for the region and California." The project substantially conforms with the purpose, intent and provisions of the Community Plan as it will convert an underutilized site into a large transit-oriented mixed-use development that will provide much needed hotel rooms that will serve the adjacent Convention Center, Staples Center and other surrounding entertainment uses. The project also advances the goals and policies of the Community Plan by providing significant employment opportunities for the community. Specifically, the development of the project is consistent with and will advance the following commercial objectives, goals and polices of the Community Plan:

Objective 2-3: To promote land uses in Central City that will address the needs of all the visitors to Downtown for business, conventions, trade shows, and tourism.

Policy 2-3.1: Support the development of a hotel and entertainment district surrounding the Convention Center/Staples Arena with linkages to other areas of Central City and the Figueroa corridor.

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

The project is consistent with and advances the above objectives and policies because it will add as many as 1,153 hotel rooms to the Community Plan area. The addition of these guestrooms will address the needs of all the visitors to Downtown for business, conventions, trade shows, and tourism. The project's prime location across the street from the Los Angeles Convention Center, Staples Center and LA Live will offer visitors to the City with a variety of hospitality options. With the proposed redevelopment of the Convention Center, the project is well positioned to accommodate an increase in convention center visitors.

Additionally, the project will include ground floor retail and restaurant uses and will feature rooftop bars and amenity decks offering City views. The restaurants and bars that will be part of the project will complement surrounding uses and promote a 24-hour walkable and safe downtown experience. The project's 23-foot wide sidewalks along Figueroa Street prioritize the pedestrian and create a critical linkage along the Figueroa corridor. Further, the project's location adjacent to Metro's Pico Station not only provides linkages to the rest of the Community Plan area, but to the greater Los Angeles metropolitan area.

Objective 11-6: To accommodate pedestrian open space and usage in the Central City

Policy 11-6.1*:* Preserve and enhance Central City's primary pedestrian-oriented streets and sidewalks and create a framework for the provision of additional pedestrian friendly streets and sidewalks which comment the unique qualities and character of the communities in the Central City.

The development of the Staples Center and LA Live has created an active pedestrian environment near the project site. However, the current sidewalks along the project's street frontages are narrow, poorly lit and are not conducive to pedestrian activity. The development of the project will create a critical link between the Metro's Pico Blue Line Station and the entertainment and commercial uses along the Figueroa corridor. Consistent with Community Plan Policy 11-6.1, the project will create pedestrian friendly sidewalks that will add to the character of the South Park District. The project proposes 23-foot wide sidewalks along Figueroa Street that can accommodate heavy foot traffic to and from the nearby Metro station. The project will include streetscape improvements consistent with the Downtown Design Guidelines with the intention of improving pedestrian circulation in the area. Further, the commercial ground floor uses will create a vibrant and well-lit streetscape thereby creating a safe pedestrian experience for visitors and residents alike.

Alcohol, Live Entertainment, and Public Dancing

The Central City Community Plan text is silent with regards to alcohol sales and live entertainment/public dancing. In such cases, the decision-maker must interpret the intent of the Plan. The proposed request for the sale of a full line of alcoholic beverages and public dancing and live entertainment in conjunction with the hotel and restaurants is consistent with the commercial land use discussion of the Community Plan, including:

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 2-2.2 To encourage pedestrian-oriented and visitor serving uses during the evening hours especially along the Grand Avenue cultural corridor between the Hollywood Freeway (US 101) and Fifth Street, the Figueroa Street corridor between the Santa Monica Freeway (I-10) and Fifth Street and Broadway between Third Street and Ninth Street.

Objective 2-3: To promote land uses in Central City that will address the needs of all the visitors to Downtown for business, conventions, trade shows, and tourism.

Policy 2-3.1: Support the development of a hotel and entertainment district surrounding the Convention Center/Staples Arena with linkages to other areas of Central City and the Figueroa corridor.

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 Plan encourages new uses which strengthen the economic base and promote entertainment and pedestrian oriented areas. The project is located within proximity of LA Live, Staples Center, and the Convention Center, promoting visitors to Downtown for business, conventions, trade shows, sporting events, and tourism. The request is in keeping with the policies of the Central City Community Plan, which seeks to promote land uses that will address the needs of workers, residents, and visitors to Downtown. Policy 2-4.1 also encourages the promotion of night life activity including restaurants, pubs and night clubs in existing pockets of activity. The subject uses are adjacent to the Los Angeles Sports and Entertainment District Specific Plan, which was designated to encourage such uses in the area.

The approval of the mixed-use hotel at the project site having a full line of alcoholic beverages and live entertainment and public dancing will allow for the development of a use that substantially conforms with the purpose, intent, and provisions of all applicable plans as indicated above.

Additional Findings Related to Alcohol Sales

d) The proposed use will not adversely affect the welfare of the pertinent community.

The approval of the conditional use will not adversely affect the welfare of the community. The subject property is zoned for commercial uses and will be redeveloped with a new mixed-use hotel development in a Regional Center Commercial area. The proposed use will not adversely affect the economic welfare of the community, since a vibrant regional mixed-use hotel development is anticipated to positively impact the financial health of the property and improve the economic vitality of the area via increases in taxable revenue and local employment. The guest rooms, dining, retail, and entertainment establishments will help to establish the site as a lodging and entertainment destination, containing a well-balanced mix of uses and services. Ample parking, lighting, security and supervision will be provided to ensure that there will be no adverse effect on the welfare of the surrounding community. Therefore, the proposed on- and off-site alcohol sales, with live entertainment and public

dancing will not be materially detrimental to the character of the development in the community.

e) The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.

According to the State of California Department of Alcoholic Beverage Control (ABC) licensing criteria, four (4) on-sale and two (2) off-sale licenses are allocated to subject Census Tract No. 2079.00. There are currently 25 total licenses in this Census Tract (19 on-site and six (6) off-site). The three existing restaurants on the project site each have active Type 47 licenses.

The subject location is within a highly-developed regional commercial and entertainment district at the corner of Figueroa Street and Pico Boulevard which has a variety of hotels, event venues, theaters, convention halls, restaurants, and retail establishments which have resulted in the existing on-site alcohol licenses to exceed the maximum number allocated. In these active entertainment areas where there is a demand for licenses beyond the allocated number and where an over-concentration of licenses is suggested, the ABC has recognized that high-activity retail and commercial centers are supported by a significant employee population, in addition to the increasing resident population base in the area. The granting of an application for the sale or dispensing of alcoholic beverages can be undue when the addition of a license will negatively impact a neighborhood. It is not undue when approval of a license does not negatively impact an area, but rather such license benefits the public welfare and serves as a convenience. As support by the aforementioned facts, the project involves the granting of an application to sell and dispense alcoholic beverages in conjunction with a new mixed-use hotel will not adversely affect community welfare because hotels and restaurants are desirable uses in an area designated for such uses. The new mixed-use hotel will provide a convenience to residents, workers, and visitors to Downtown Los Angeles and as conditioned, will not negatively impact the area. The ABC has discretion to approve an application if there is evidence that normal operations will not be contrary to public welfare and will not interfere with the quiet enjoyment of property by residents.

According to statistics provided by the Los Angeles Police Department's Central Division Vice Unit, within Crime Reporting District No. 182, which has jurisdiction over the subject property, a total of 418 crimes and arrests were reported in 2016 (224 Part I Crimes and 194 Part II Arrests), compared to the total area average of 11,920 offenses for the same reporting period. Of the 418 total crimes and arrests reported for the census tract, five (5) arrests were made for liquor laws, eight (8) arrests were made for under the influence of alcohol, and 14 arrests were made for driving under the influence, reported by LAPD. Crime reporting statistics for 2017 are not yet available.

The above statistics indicate that the crime rate in the census tract where the subject site is located are lower than the total area average and the high crime reporting district. As a dense, high-population and tourist destination neighborhood, the crime numbers above that

of the average neighborhood are to be expected. However, in the instant case, the area numbers are lower. Regardless, negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions requiring surveillance, responsible management and deterrents against loitering as required by this grant and the subsequent master plan approvals. The conditions imposed by the grant, will ensure alcohol related crime will be minimized with operational requirements, as well as the security of its mode and character.

f) The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.

The project site is adjacent to parcels zoned for residential uses within a neighborhood designated for Regional Commercial land uses. In addition to multi-family uses, there is a medical center within 1,000 feet of the site. The mixed-use hotel development and alcohol serving and selling uses are oriented toward Figueroa Street and Pico Boulevard, away from the adjacent residential developments located across a shared alley on Flower Street. In addition, this grant has placed numerous conditions on the proposed project, such as a proper site maintenance, security lighting, employee training, and a time limitation on the grant, in order to eliminate or minimize any potentially detrimental effects on adjacent uses.

6. SITE PLAN REVIEW

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

The proposed project is in substantial conformance with the purposes, intent, and provisions of the General Plan, and is consistent with and will implement policies in the Central City Community Plan, a component of the Land Use Element of the General Plan:
Framework Element. The General Plan Framework sets forth a citywide comprehensive long-range growth strategy and defines citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework's Long-Range Diagram identifies the Project Site as located within the Downtown Center, an international center for finance and trade, the largest government center in the region, and the location for major cultural and entertainment facilities, hotels, professional offices, corporate headquarters, financial institutions, high-rise residential towers, regional transportation, and Convention Center facilities. The Downtown Center is generally characterized by floor area ratios up to 13:1 and high-rise buildings. The Project and Sign District would be consistent with the uses, floor area, density, and development type envisioned by the General Plan Framework.

The project site is currently underutilized with surface parking and a two-story commercial building, with an FAR of 0.5. The proposed project would be an in-fill development resulting in an FAR of 9.5:1 and comprised of a balanced mix of retail, restaurant, and hotel uses, with associated identifying and wayfinding signage to be permitted in the vicinity. The project would intensify the use on the site, providing a mix of tourism and employment to the area, supporting the objectives of the Framework Element.

The project is consistent with and advances the following objectives and policies of the General Plan Framework:

Objective 3.4: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

Policy 3.4.1: Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.

Objective 3.10: Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.

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.

Objective 3.16: Accommodate land uses, locate and design buildings, and implement streetscape amenities that enhance pedestrian activity.

The project will support Objectives 3.4 and 3.15 and Policies 3.4.1 and 3.15.3 by providing a high-density mixed-use hotel and commercial development within the City's urban core, with a focus on pedestrian amenities and in closer proximity to transit opportunities. The project will achieve Objective 3.10 through the addition of commercial space that will strengthen the economic base and opportunities for new businesses, by providing significant employment opportunities for the community. The Project's hotel and commercial uses will also support tourism and the regional entertainment and convention center functions of the district. In addition, the Project accommodates Objective 3.16 through its pedestrian-oriented design and streetscape improvements, which include wide sidewalks, street trees, and pedestrian lighting.

General Plan Land Use Designation. The subject property is located within the Central City Community Plan, updated and adopted by the City Council on January 8, 2003. The Community Plan Map designates the western portion of the property for Regional Commercial land uses and allows for corresponding zones of CR, C1.5, C2, C4, C5, R3, R4, R5, RAS3, and RAS4, and R5. The Regional Commercial land use is also subject to Footnote No. 3 of the Community Plan Map, which corresponds to Height Districts 3-D and 4-D, with a D limitation of 6:1 FAR, except for transfer of floor area up to 10:1 or 13:1, respectively.

The Community Plan Map also identifies the eastern portion of the property for High Density Residential land uses and allows for a corresponding zone of R5. The High Density

Residential portion of the site is subject to Footnote No. 10 of the Community Plan, which states that the Plan contemplated that certain commercial uses may be allowed under the High Density Residential land use, that these uses should be controlled by appropriate Q conditions, and that commercial uses should be located at the street level. This policy is currently implemented through [Q] conditions applicable to the site, which specifically allow for hotel, accessory parking structure, and some C4 uses.

The Project includes a request for a General Plan Amendment to the Regional Commercial designation along the eastern portion of the site, a Zone Change to the C2-4D-O-SN zone over the entire site, inherent modifications to Footnote 3 of the Community Plan and the D-limitations of the zone to accommodate the zoning and a 10:1 by-right FAR, as well as the establishment of a Sign District (-SN) for properties generally located along Figueroa Street, Pico Boulevard, and Flower Street. These requests, acting in concert, would result in land use and zoning consistency, and are in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan.

General Plan Text. The Central City Community Plan, a part of the Land Use Element of the City's General Plan, states the following objectives and policies that are relevant to the project:

Objective 2-3: To promote land uses in Central City that will address the needs of all the visitors to Downtown for business, conventions, trade shows, and tourism.

Policy 2-3.1: Support the development of a hotel and entertainment district surrounding the Convention Center/Staples Arena with linkages to other areas of Central City and the Figueroa corridor.

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

The project and Sign District substantially conform with the purpose, intent and provisions of the Community Plan. The project complies with Objectives 2-3 and Policy 2-3.1 as it will convert an underutilized site into a transit-oriented mixed-use commercial development that will provide much needed hotel rooms that will serve the adjacent Convention Center, Staples Center, and other surrounding entertainment uses. The addition of these guestrooms will address the needs of visitors to Downtown for business, conventions, trade shows, and tourism. The project and Sign District will incorporate an activated ground-floor building design, vibrant signage, sidewalk treatments, and landscaping throughout the project site and perimeter that will encourage pedestrian street activity to help achieve Policy 2-3.1. In addition, the project's 15-foot to 23-foot wide sidewalks along Figueroa Street, Flower Street, and Pico Boulevard prioritize pedestrian activity and create a critical linkage along the Figueroa corridor and adjacent to Metro's Pico Station. The Sign District's unified signage theme and the project's hotel and commercial uses, which include ground floor retail and restaurant uses and will feature rooftop bars and amenity decks, will create a vibrant 24-hour downtown environment that will serve the residents and employees of the South Park area, as well as tourism to achieve Objective 2-4.

Downtown Design Guide

The Project and Sign District are also within the boundaries of the Downtown Design Guide (the "Design Guide") in the South Park District, part of the Central City Community Plan. The Design Guidelines contain standards and guidelines for sustainable design, sidewalks and

setbacks, ground floor treatment, parking and access, massing and street walls, on-site open space, architectural detail, streetscape improvements and signage. The Project is consistent with the Design Guidelines as it provides: active commercial uses, generous sidewalk widths, and landscape elements that encourage pedestrian activity and provide key linkages within the South Park District; screened parking; private and public open space amenities on the podium decks and hotel rooftops; compatible architectural design; and a comprehensive signage program.

Redevelopment Plan

In addition, the project site and Sign District are located within the South Park subarea of the City Center Redevelopment Project Area. The Redevelopment Plan for the project area was adopted on May 15, 2002, with an end date of May 15, 2032. The City Center Redevelopment Plan contains numerous objectives, including: developing and revitalizing downtown as a major center of the metropolitan region; preparing the Central City to accept regional growth and development; promoting the development of a full range of uses and employment opportunities; and emphasizing green spaces and public amenities. The Plan does not further restrict land use or add any building limitations which would be applicable to the proposed development. In addition, the land use designations and regulations for any property in the Redevelopment Plan Area defer to and are superseded by the applicable City General Plan, Community Plan and Zoning Ordinance, meaning that any adopted General Plan Amendment, Zone Change, and Sign District affecting properties within the Plan would be reflected in the Redevelopment Plan.

The project and Sign District also support and are consistent with the following objectives of the City Center 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.

Objective 3. To create an environment that will prepare, and allow, the Central City to accept that share of regional growth and development which is appropriate, and which is economically and functionally attracted to it.

Objective 4. To promote the development and rehabilitation of economic enterprises including retail, commercial, service, sports and entertainment, manufacturing, industrial and hospitality uses that are intended to provide employment and improve the Project Area's tax base.

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

Objective 6. To create a modern, efficient and balanced urban environment for people, including a full range of around-the-clock activities and uses, such as recreation, sports, entertainment and housing.

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

The proposed hotel and retail commercial space and the district's unified signage theme will comply with Objectives 2, 3, 4, and 6. The hotel will provide a 24-hour community in

downtown located across the street from the Convention Center and in proximity to regional entertainment destinations such as LA Live and Staples Center. The project will comply with Objective 5 as the site currently consists of a two-story commercial building and surface parking lot which will be demolished and redeveloped with a mixed-use hotel and commercial project. The project will achieve Objective 12 by generating new job opportunities within the hotel and the commercial retail and restaurant spaces.

Mobility 2035 Plan, Downtown Street Standards, and Los Angeles Sports and Entertainment District Streetscape Plan

The Los Angeles Sports and Entertainment District Streetscape Plan provides guidelines and standards for improvements in the public right-of-way within the Los Angeles Sports and Entertainment District and along Figueroa Street from 7th Street to Venice Boulevard. The principal objective of this Streetscape Plan is to develop attractive, functional, and safe streets and pedestrian friendly sidewalks that connect to and complement the Downtown context. The Streetscape Plan contains provisions regarding street widths, sidewalk widths, sidewalk paving, street trees, street furniture, pedestrian lighting, and public signage, which are applicable to the adjacent portions of Figueroa Street and Flower Street along the Project Site. Pico Boulevard is not subject to the standards of the Streetscape Plan.

Improvement conditions (T-conditions) of the proposed zone require that the Project provide dedications and improvements along Figueroa Street, Flower Street, and Pico Boulevard consistent with the Mobility 2035 Element, Downtown Street Standards, and the Streetscape Plan, which will include the following:

Figueroa Street - A five-foot strip of land will be dedicated along Figueroa Street to improve the street to Modified Boulevard II standards, by maintaining the existing roadway and the elements of the MyFigueroa capital improvement project (which will include a Class I protected bike lane and bus-only lane) and providing new 15-foot sidewalks and an additional 9-foot wide sidewalk easement. Sidewalk paving, street lights, and street trees will be in accordance with the design standards of the LASED Streetscape Plan.

Flower Street - A ten-foot strip of land will be dedicated along Flower Street to improve the street to Modified Avenue I standards, by maintaining the existing roadway, and installing a new 20-foot wide sidewalk. Sidewalk paving, street lights, and street trees will be in accordance with the design standards of the LASED Streetscape Plan.

Pico Boulevard - The existing right-of-way will be merged into the property along the western portion of street and a fifteen-foot strip of land will be dedicated from the property to the right-of-way along the eastern portion of the street to provide improvements according to Modified Boulevard II standards. The existing roadway will be maintained, which exceeds the roadway width requirements of the Downtown Street Standards, and new sidewalks will be installed in accordance with the variable 15-foot to 18-foot wide sidewalk widths as identified by the Downtown Street Standards.

The proposed mixed-use development is consistent with the General Plan Framework, Community Plan, land use designations, Downtown Design Guide, Redevelopment Plan, Mobility 2035 Element, and LASED Streetscape Plan. The project will redevelop an underutilized site currently comprised of low-rise commercial buildings and surface parking and replace it with a modern high-rise development consisting of hotel, restaurant, and retail uses. The project will provide much needed hotel rooms that will serve the adjacent Convention Center, Staples Center, and other surrounding entertainment uses. The

proposal would also improve the economic vitality of the area by integrating a mix of uses in-line with Plan policies for redevelopment and growth the Downtown Center. The project design will further activate the adjacent street level areas, create an inviting pedestrian environment, and will create a unified aesthetic and signage program. In addition, public right-of-way improvements have been imposed as conditions of approval for the project, consistent with City street standards. Therefore, as conditioned, the proposed project is consistent with the General Plan and the proposed land use designation and will serve to implement the goals and objective of the adopted Community Plan.

b) The project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that is or will be compatible with existing and future development on adjacent properties and neighboring properties.

The project site is located within the Downtown Center of the City of Los Angeles, and within the Central City Community Plan area and the South Park District. The immediate vicinity is characterized by a mix of regional entertainment, commercial, restaurant, bar, office, and high-rise residential uses, which include the Los Angeles Sports and Entertainment District, LA Live, and the Convention Center. Directly north of the Project Site is the under-construction Circa project, with an anticipated completion in 2018 of two 36-story high-rise towers containing 648 residential units, above a seven-level podium with 48,600 square feet of retail space, extensive signage, and associated parking. The west side of Figueroa Street is developed with the Convention Center and Gilbert Lindsay Plaza - a 5-acre landscaped public plaza near the main entrance to the Convention Center. South of Pico Boulevard are several multi-family residential developments, housed in a four- or five-story building with four stories of residential units above at-grade structured parking. The southeast corner of Pico Boulevard and Flower Street, has been recently developed with a seven-story residential building with ground-floor commercial uses. Immediately east of the site is the above-ground Metro Pico Station within the Flower Street right-of-way, which serves the Blue Line and the Expo Line light rail system, followed by low-rise commercial buildings.

The project is a unique private-public partnership utilizing both privately-owned and City-owned parcels, proposing to bring up to 1,153 hotel guest rooms, 13,145 square feet of active ground-floor commercial uses, several publically-accessible rooftop amenity spaces, and a host of streetscape and transit-oriented improvements to the immediate area. The development would replace the existing two-story commercial building and surface parking lots currently occupying the site. The following project elements were designed in a manner which is compatible with both existing and future developments in the area:

A. Building Design. The commercial and residential buildings are designed in a modern and contemporary aesthetic and are consistent with the design policies set forth in the Citywide Design Guidelines, Downtown Design Guide, and Walkability Checklist. To engage the public sidewalk areas, the buildings contain active uses and appropriate signage along the ground-floor levels. These ground-floor elevations incorporate pedestrian-scaled entrances and entry plazas, as well as articulated and transparent storefronts and hotel lobby entrances. Overall, the building elevations utilize a variety of architectural features, building materials, and changes in building depth and color in order to create a consistent rhythm and cohesive theme for the development, and the project's contemporary architecture also complements and enhances the surrounding development.

B. Height/Bulk. The Hotel A/B Tower would develop a 38-story tower, reaching a height of 465-feet, on the northeast corner of Figueroa Street and Pico Boulevard. The building would consist of 31 stories of hotel uses atop a seven-story, 90-foot podium. The Hotel C Tower would develop a 27-story, 350-foot tower on the northwest corner of Pico Boulevard and Flower Street, and would include a 67-foot podium. The towers are positioned in an orthogonal arrangement above the podium to optimize longer distance and city views. The towers also intentionally vary in height to add variation to skyline composition within the overall downtown Los Angeles context. The proposed height of the building is consistent with recent development in the immediate area, including the two 36-story high-rise towers at the Circa Project located directly to the north of the Project Site. The height of the podium is also consistent with the height of the neighboring Circa Project, and the Project towers are set back from the adjoining property line to be compatible with the size and physical character of the adjacent property and surrounding neighborhood.

C. Setbacks. The project meets the requirements of the Downtown Design Guide's sidewalk, setback, and streetscape standards by providing a site layout and public improvements in accordance with the Downtown Street Standards and LASED Streetscape Plan, as well as the "Retail Street" standards of the Design Guide for Figueroa Street and Pico Boulevard. Ground floor treatments also include active retail uses, prominent entryways, and pedestrian-scaled architecture. The project also meets the street wall and massing standards for high-rise buildings, and adequate separation distances will be maintained between all buildings within and adjacent to the site.

D. Off-Street Parking. Hotel and commercial parking for the project will be accommodated on-site in accordance with the requirements of the Municipal Code, and will be consolidated within the 2nd through 7th levels of the Hotel A/B Tower podium. The parking facilities will be screened with architectural and signage elements, and are located so as to maintain active pedestrian environments along the ground-level building frontages. The hotel vehicular court on the interior of the site is sited off an existing alleyway, and vehicle entries and curb cuts have been minimized. Bicycle parking is also provided in accordance with the Municipal Code, and includes visible short-term bicycle along building frontages, as well as secure and accessible long-term bicycle parking facilities for employees within the basement levels of the building.

E. Loading. Any loading or noise-generating back-of-house uses are located away from the public street, and are generally tucked away from pedestrian areas of the site. This includes siting the building's loading dock in a screened location, deeper within the lot, and off of the internal motor court. Mechanical equipment and utilities are also appropriately screened within building podiums or tower elements without detracting from the usability and active street presence of the development.

F. Lighting. Implementation of the project will introduce new light sources within the project site, including streetlights, interior building lighting, exterior security lighting, exterior architectural lighting, sign lighting, and digital displays. However, the proposed lighting is typical of commercial projects and is not expected to create unusually high levels of light. Nighttime lighting will be provided to facilitate pedestrian access and safety. On-site lighting installed along building frontages, signage, pedestrian walkways, and amenity areas will be shielded and directed so as to illuminate these areas rather than adjacent properties.

G. Landscaping. Open space for the project is concentrated on the podium decks and hotel rooftops, and includes swimming pools, landscaped areas, trees, and open-air observation decks. Landscaping for the site includes native and drought-tolerant plantings that will complement the building style and design, to include: street trees within the public right-of-way, landscaping within the interior porte-cochere, planted green roofs, and accenting planters within the rooftop amenity spaces.

H. Trash Collection. The project has enclosed all trash containers from view and has incorporated trash collection features into building designs.

C. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

I. INTRODUCTION

The City of Los Angeles (the "City"), as Lead Agency, has evaluated the environmental impacts of implementation of the Fig+Pico Conference Center Hotels Project by preparing an environmental impact report (EIR) (Case Number ENV-2016-2594-EIR/State Clearinghouse No. 2016121063). The EIR was prepared in compliance with the California Environmental Quality Act of 1970, Public Resources Code Section 21000 et seq. (CEQA) and the California Code of Regulations Title 15, Chapter 6 (the "CEQA Guidelines"). The findings discussed in this document are made relative to the conclusions of the EIR.

CEQA Section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." CEQA Section 21002 goes on to state that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

The mandate and principles announced in CEQA Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See CEQA Section 21081[a]; CEQA Guidelines Section 15091[a].) For each significant environmental impact identified in an EIR for a proposed project, the approving agency must issue a written finding, based on substantial evidence in light of the whole record, reaching one or more of the three possible findings, as follows:

1) Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant impacts as identified in the EIR.

2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been, or can or should be, adopted by that other agency.

3) Specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

The findings reported in the following pages incorporate the facts and discussions of the environmental impacts that are found to be significant in the Final Environmental Impact Report for the project as fully set forth therein. Although Section 15091 of the CEQA Guidelines does not require findings to address environmental impacts that an EIR identifies as merely "potentially significant", these findings nevertheless fully account for all such effects identified in the Final EIR for the purpose of better understanding the full environmental scope of the Project. For each environmental issue analyzed in the EIR, the following information is provided:

The findings provided below include the following:

- Description of Significant Effects - A description of the environmental effects identified in the EIR.
- Project Design Features - A list of the project design features or actions that are included as part of the Project.
- Mitigation Measures - A list of the mitigation measures that are required as part of the Project to reduce identified significant impacts.
- Finding - One or more of the three possible findings set forth above for each of the significant impacts.
- Rationale for Finding - A summary of the rationale for the finding(s).
- Reference - A reference of the specific section of the EIR which includes the evidence and discussion of the identified impact.

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or feasible environmentally superior alternatives, a public agency, after adopting proper findings based on substantial evidence, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's benefits rendered acceptable its unavoidable adverse environmental effects. (CEQA Guidelines §15093, 15043[b]; see also CEQA § 21081[b].)

Pursuant to CEQA Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City has based its decision are located in and may be obtained from the Department of City Planning, as the custodian of such documents and other materials that constitute the record of proceedings, located at City Hall, 200 North Spring Street, Room 750, Los Angeles, CA 90012.

II. ENVIRONMENTAL DOCUMENTATION BACKGROUND

For purposes of CEQA and these Findings, the Record of Proceedings for the Project includes (but is not limited to) the following documents:

Notice of Preparation. In compliance with CEQA Guidelines §15375 and §15082, the City published the Notice of Preparation (the "NOP"), which was sent to responsible agencies and members of the public for a 33-day review period commencing December 22, 2016 and ending January 23, 2017, identifying the scope of the environmental issues. The purpose of the NOP was to formally convey that the City was preparing a Draft EIR for the proposed Project, and to solicit input regarding the scope and content of the environmental information to be included in the Draft EIR. The NOP and Initial Study are provided in Appendices A-1 and A-2 to the Draft EIR.

Public Scoping Meeting. In compliance with CEQA Guidelines §15206 and §15082(c)(1), as a project of regional significance, a Public Scoping Meeting was held on January 10, 2017 at the Convention Center, Meeting Room 510, located at 1201 S. Figueroa Street, Los Angeles, CA 90015. The meeting was held in an open house or workshop format and provided interested individuals, groups, and public agencies the opportunity to view materials, ask questions, and provide oral and written comments to the City regarding the scope and focus of the Draft. The scoping meeting materials and other documentation from the Scoping Meeting are provided in Appendix A-3 of the Draft EIR. No written comments were received at the public scoping meeting. Letters and comments received during the NOP comment period are included in Appendix A-4 of the Draft EIR.

Draft EIR. The Draft EIR for the Project, which is incorporated herein by reference in full, was prepared pursuant to CEQA and State, Agency, and City of Los Angeles (City) CEQA Guidelines (Public Resources Code Section 21000, et seq., 14 California Code of Regulations Section 15000, et seq., City of Los Angeles Environmental Quality Act Guidelines). The Draft EIR evaluated in detail the potential environmental effects of the Project. The Draft EIR also analyzed the effects of four alternatives to the Project, as described below. These included a No Project/No Build Alternative, Reduced Hotel Rooms (Two Towers), Reduced Hotel Rooms (Single Tower), and Mixed-Use Hotel, Commercial, Residential.

In accordance with the provision of Sections 15085(a) and 15087(a)(1) of the State CEQA Guidelines, the Draft EIR was distributed for public review (including the State Clearinghouse) for a 47-day review period, starting on September 14, 2017 and ending on October 30, 2017. A Notice of Availability (NOA) was distributed to all property owners within 500 feet of the Project Site and Sign District Boundary and interested parties, which informed them of where they could view the document and how to comment. The Draft EIR was available to the public at City Hall, Department of City Planning, and the following local libraries: Los Angeles Central Library, Little Tokyo Branch Library, Felipe de Neve Branch Library, and Pico Union Branch Library. A copy of the document was also posted online at https://planning.lacity.org/eir/FigPico/DEIR_Website.html. Notices were filed with the County Clerk on September 14, 2017.

Notice of Completion. A Notice of Completion was sent with the Draft EIR to the Governor's Office of Planning and Research State Clearinghouse for distribution to State Agencies on September 14, 2017, and notice was provided in newspapers of general and/or regional circulation.

Final EIR. A total of 13 comment letters were received by the close of the public comment period, and three additional comment letters were submitted after the close of the comment period. The specific and general responses to comments are in Chapter 2 (Responses to Comments) of the Final EIR. The Final EIR and responses to public agency comments were distributed on January 12, 2018.

Errata. An Errata was completed on February 7, 2018 to make minor corrections to the Final EIR. The Errata addressed the omission of two mitigation measures for cultural resources, which were identified in the Initial Study, but were inadvertently omitted in the Final EIR's Mitigation Monitoring Program (MMP). The Errata clarifies that the two mitigations should be included in the Mitigation Monitoring Program (MMP), and states that this information does not represent significant new information that would affect the analysis or conclusions presented in the Final EIR.

Certification. On February 9, 2018, the Advisory Agency approved the tract map for the project and certified the EIR. No appeals were filed and the action became final on February 20, 2018.

III. PROJECT DESCRIPTION

Project Location and Surrounding Uses

The Project Site proposed for redevelopment is located at 1240-1260 S. Figueroa Street and 601 W. Pico Boulevard, within the Downtown Center of the City of Los Angeles. A City-initiated Sign District is also proposed for the Project Site, as well as for surrounding parcels along Figueroa Street, Flower Street, and Pico Boulevard.

The Project Site and Sign District sites are located in a regional center which serves as a commercial and entertainment center for Los Angeles and the surrounding communities. The Project area is characterized by a mix of regional entertainment, commercial, restaurant, bar, office, and high-rise mixed-use residential uses. High-rise mixed-use residential and commercial buildings, extensive signage, and regional entertainment attractions define the general urban character in the Project vicinity. The Los Angeles Sports and Entertainment District (LASED) Specific Plan area is immediately to the north and west of the Project Site. Immediately to the west of the Project Site across S. Figueroa Street is the Convention Center and Gilbert Lindsay Plaza, a 5-acre landscaped public plaza near the main entrance to the Convention Center. Just north of the Convention Center and northwest of the Project Site is Staples Center Arena, which is a multipurpose sports and entertainment venue. Farther northwest of the Project Site is LA LIVE, which contains entertainment, hotel, restaurant, and residential uses. Directly north of the Project Site is the Circa project at 1200 S. Figueroa Street. Circa is under construction with anticipated completion in 2018 and would comprise two 36-story high-rise towers containing 648 residential units above a seven-level podium with 48,600 square feet of retail space.

Existing Project Site Conditions

The Project Site is an irregularly-shaped 1.22 net acre (52,948 square-foot) site, generally bound by Figueroa Street to the west, Pico Boulevard to the south, Flower Street to the east, and the under-construction Circa mixed-use development to the north. The site is bisected by a public alley located mid-block between Figueroa Street and Flower Street, with access from Pico Boulevard, and which terminates at the northern Project boundary. Currently, a two-story 27,800-square-foot commercial building and surface parking lots occupy the Project Site. The building and parking lots would be demolished and removed as part of the Project.

The combined properties within the Sign District boundary total approximately 4.35 acres. The existing conditions in this area include surface parking lots, commercial establishments on the Project Site, limited retail and residential uses, construction sites for high-density residential towers, and commercial buildings fronting the Metro rail station.

Existing Land Use and Zoning Designations

The Project Site is located in the Central City Community Plan Area and City Center Redevelopment Project Area. The General Plan land use designation for the Project Site is Regional Center Commercial for the lots west of the alley and High Density Residential for the lots east of the alley. The Project Site is zoned C2 (Commercial) within the western portion of the site and R5 (Multiple Dwelling Residential) within the eastern portion of the site. The parcels fronting Figueroa Street are zoned C2-4D-O, with “4” denoting Height District 4, the “D” denoting a 6:1 FAR, and the “O” indicating that the parcels are in an Oil Drilling District. The parcels

fronting S. Flower Street are zoned [Q]R5-4D-O, with the "R5" denoting a Multiple Dwelling Residential zone, the "4" denoting Height District 4, the "D" denoting a 6:1 FAR, the "Q" Qualified condition denoting restrictions on permitted uses and FAR, and the "O" denoting an Oil Drilling District.

Project Characteristics

Original Project

A development proposal for the Fig+Pico Conference Center Hotels project was originally submitted to the Department of City Planning in November 2016. The initial project proposed a mixed-use development with up to 1,162 guest rooms and 13,145 square feet of ground-floor retail/restaurant uses within two hotel towers ("Hotel A/B Tower" and "Hotel C Tower"), totaling up to 506,682 square feet of floor area. The Hotel A/B Tower was slated to include 820 hotel guest rooms, 11,000 square feet of ground-floor retail/restaurant uses, and podium parking for all three hotels within a 42-story, 529-foot tower on the northeast corner of S. Figueroa Street and W. Pico Boulevard. The Hotel C Tower was designed with 342 guest rooms and 2,145 square feet of ground-floor retail/restaurant uses in a 25-story, 326-foot tower located on the northwest corner of W. Pico Boulevard and S. Flower Street.

Revised Project

After the project was presented at the February 7, 2018 public hearing, the applicant revised the building design and interior utilization of the towers in response to public comments. The current proposal includes reductions in the total number of guest rooms, building floor area, and the maximum building height of the overall development. In addition, some of the hotel guest rooms and building height have shifted from the Hotel A/B Tower to the Hotel C Tower, and certain hotel amenities have been incorporated into the podium elements of both towers.

The current revised proposal for the Fig+Pico Conference Center Hotels project involves a two-tower development encompassing three hotel brands, with up to a total of 1,153 guest rooms and 13,145 square feet of ground-floor retail/restaurant uses. The two towers ("Hotel A/B Tower" and "Hotel C Tower") are proposed as follows:

Hotel A/B Tower Details

The Hotel A/B Tower would include up to 775 hotel guest rooms, 11,000 square feet of ground-floor retail/restaurant uses, and podium parking with 330 total spaces for all three hotels within a 38-story, 465-foot tower on the northeast corner of S. Figueroa Street and W. Pico Boulevard. The Hotel A/B Tower would develop 31-stories of hotel uses atop a seven-story podium. The 90-foot podium would be a continuation of the street wall formed by the neighboring podium of the Circa mixed-use development to the north along Figueroa Street. The primary lobby for Hotel B and a small satellite lobby for Hotel A would be situated on the ground floor of the tower, with direct access from Pico Boulevard and from an interior motor court located off the Pico Boulevard mid-block alley. In addition, approximately 11,000 square feet of ground-floor commercial space would be accessible from both Pico Boulevard and Figueroa Street. The remainder of the podium's floors would contain 330 parking spaces and mechanical equipment, screened from the street with architectural elements and signage. The podium's 7th floor would also include 9,490 square-feet of hotel meeting rooms, overlooking Pico Boulevard and the interior porte-cochere. The hotel's 8th floor would include a landscaped pool deck and third-party-operated indoor and outdoor food and beverage facilities. The outdoor deck would be programmed with activities and music that would complement the food and beverage

operations. Hotel amenities would continue on the 9th floor, where indoor and outdoor fitness centers would be exclusively available to hotel guests. Floors 11 through 34 would contain up to 775 guest rooms. The 7,400 square-foot sky lobby for Hotel A would be based on the 35th floor, opening out into a publically-accessible landscaped viewing deck. Floors 36 through 38 would be stepped back from the lower floors and house a variety of functions. The 37th floor would contain an additional 7,500 square-foot indoor food and beverage area and a limited outdoor terrace. Floors 36 and 38 would house mechanical equipment serving the building. The tower would also include architectural lighting, and on-site and off-site signage.

Hotel C Tower Details

The Hotel C Tower would include up to 378 guest rooms and 2,145 square feet of ground-floor retail/restaurant uses in a 27-story, 350-foot tower located on the northwest corner of W. Pico Boulevard and S. Flower Street. The ground floor of the tower would contain approximately 2,145 square feet of commercial space along Pico Boulevard and Flower Street, as well as a hotel lobby accessible from Pico Boulevard. The second level of the 67-foot podium would accommodate 9,000 square-feet of guest amenities overlooking the street, and mechanical equipment on the floor above screened with exterior signage. No parking would be provided within the Hotel C podium. Hotel tower floors 4 through 24 would house up to 342 guest rooms. A rooftop pool deck with guest amenities would be sited on the 25th floor. Above this level, the building would be stepped back from the lower floors and would constitute a two-level housing and enclosure for mechanical equipment serving the building. The tower would also include architectural lighting, and on-site and off-site signage.

Since the project modifications have resulted in a reduction to the original project's number of hotel units and a reduction to the project's overall height, the revised project's impacts would be equivalent to or less than those of the original project. Therefore, all analyses, impacts, conclusions, and findings resulting from the original project, as described below, apply to the current project.

Requested Entitlements

Approvals required for development of the project include, but are not limited to, the following:

- City-initiated General Plan Amendment pursuant to LAMC Sections 11.5.6 and 12.32.A and City Charter Section 555 from High Density Residential to Regional Center Commercial to create General Plan Land Use Designation consistency.
- City-initiated Zone Change and Height District Change pursuant to LAMC Section 12.32 from [Q]R5-4D-O and C2-4D-O to C2-4-SN to permit an FAR of 10:1 by-right and up to 13:1.
- City-initiated "SN" Sign District pursuant to LAMC Sections 13.11 and 12.32.S on the Project Site and certain surrounding parcels for a comprehensive set of sign regulations.
- Conditional Use Permit pursuant to LAMC Section 12.24.W.24 to permit a hotel located within 500 feet of an R Zone.
- Conditional Use Permit for FAR averaging across a unified development pursuant to LAMC Section 12.24.W.19.
- Master Conditional Use Permit pursuant to LAMC Section 12.24.W.1 to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption.
- Conditional Use Permit pursuant to LAMC Section 12.24.W.18 to permit live

entertainment and dancing.

- Site Plan Review pursuant to LAMC Section 16.05 for a development project that creates 50 or more guest rooms.
- Vesting Tentative Tract Map for the subdivision of the Project Site pursuant to LAMC Section 17.15 and establishment of dedications, easements, or vacations as necessary.
- Approvals for building, shoring, excavation, foundation, encroachment, and other related permits to allow construction of the Project.
- Temporary street closures and haul route approvals, as needed, during the construction process.
- Other approvals and permits as may be required to construct and operate the Project.

Other agreements and approvals required to implement the Project would include, but would not necessarily be limited to, the following:

- Development Agreement between the City of Los Angeles and the Applicant.
- Hotel Development Incentive Agreement between the City of Los Angeles and the Applicant.
- Purchase and Sale Agreement between the City of Los Angeles and the Applicant for the City parcels within the Project Site.

IV. NO IMPACT OR LESS THAN SIGNIFICANT IMPACTS WITHOUT MITIGATION

Impacts of the Project that were determined to have no impact or be less than significant in the EIR (including having a less than significant impact as a result of implementation of project design features and regulatory compliance measures) and that require no mitigation are identified below. The City has reviewed the record and agrees with the conclusion that the following environmental issues would not be significantly affected by the Project and therefore, no additional findings are needed.

These findings do not repeat the full discussions of environmental impacts contained in the EIR. The City ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the EIR. The City adopts the reasoning of the EIR, City staff reports, and presentations regarding the Project.

Aesthetics, Views, Light/Glare, and Shading

SB 743

The Project is considered an employment center project because it is located on parcels that permit commercial uses, has a floor area ratio above 0.75, and is located approximately 100 feet from a rail transit station that qualifies as an urban transit priority area (less than 0.50 mile from a major transit station). Thus, the Project qualifies under SB 743 and Public Resources Code Section 21099 applies to the Project. Therefore, the Project is exempt from aesthetic impacts and any aesthetic impacts conclusions cannot be considered a significant impact on the environment. Pursuant to SB 743, the Project would have no impact on aesthetic resources. However, the following provides a description of the Project's impacts for informational purposes.

Substantial Adverse Effect on a Scenic Vista

The Project Site is situated in an urbanized area of Downtown Los Angeles on relatively flat terrain. The Project Site and surrounding high-rises contribute to the views of the downtown skyline, which is considered a recognized and valued public view resource, visible several public vantage points.

Pursuant to SB 743, Project construction and operation would result in no impact to scenic vistas. Notwithstanding, the Project would include the installation of temporary construction fencing along the north, south, east and west perimeters of the Project Site with a minimum height of 8 feet, as provided in PDF AES-1. In addition, as set forth in PDF AES-4, all light sources associated with construction of the Project would be shielded and/or aimed so that no direct beam illumination would be provided outside of the Project Site boundary. *During* operation, the Project would screen utilities and loading areas, as provided in PDF AES-2. In addition, as set forth in PDF AES-3, glass and other building materials used in exterior facades would be low reflective and/or treated with a non-reflective coating to minimize glare.

Scenic Resources within a State Scenic Highway

The Project Site is not located within a State-designated scenic highway or associated view corridor. Consequently, the Project Site does not contain any trees, rock outcroppings, or historic buildings that are within a state scenic highway or associated corridor. Pursuant to SB 743, the Project would result in no impact to scenic resources within a state scenic highway.

Visual Character

Construction

The Project Site contains no features that substantially contribute to the valued visual character or image of the Project Site or neighborhood. The south wall of the existing commercial building currently contains a portrait/mural of Muhammad Ali, which would be removed. The mural is not registered with the City's Department of Cultural Affairs, and removal at the time of Project construction would meet the two-year time criteria under City's Mural Ordinance.

Pursuant to SB 743, demolition of existing on-site improvements as part of Project construction would have no impact with respect to the degradation of the existing visual. Nonetheless, construction fencing would be provided for safety and to screen views of grading and other site disturbance from adjacent streets and sidewalks (PDF AES-1).

Operation

The Project would be constructed in a contemporary architectural style, complementary with other development in the surrounding neighborhood. After approval by the City, the Sign District would be implemented on the Project Site and certain surrounding parcels. It would permit signage on and around the Project Site that is generally consistent with the extensive signage in the LASED and adjacent projects under development, and is intended to include signage elements that create visual continuity with the South Park district's visual identity.

These proposed changes, including proposed new development on the Project Site and the Sign District, would contribute to the aesthetic value of the area and would not degrade the Project Site or surrounding neighborhood by introducing elements that would substantially degrade the existing visual character or quality of the area.

Pursuant to SB 743, Project operation would result in no impact to visual character or quality. Notwithstanding, all mechanical equipment and loading areas will be interior or screened in accordance with PDF AES-2.

Light and Glare

Construction

It is expected that construction activities would occur primarily during daylight hours and that construction-related illumination in the nighttime would be used for safety and security purposes only, and would be compliance with LAMC requirements, and would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Pursuant to SB 743, Project construction would result in no impact to light or glare.

Operation

Signage Glare

The Lighting Technical Report (Appendix B to the Draft EIR) identifies potential signage on the Project Site that could be permitted by the Sign District if approved by the City. Proposed signage would be visible from a number of off-site vantages that surround the Project Site. The Lighting Technical Report contains detailed analysis that compares signage lighting luminance levels at buildout to the calculated baseline luminance levels. The analysis considers light trespass and glare from signage within the Sign District on the Project Site, as well as architectural and building lighting. The Lighting Technical Report demonstrates that the Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Pursuant to SB 743, Project operation would result in no impact to light or glare.

Building Lighting Glare

The Project's building lighting would be visible from the properties surrounding the Project Site. The Lighting Technical Report, defines a lighting design program for the Project that limits the glare at adjacent properties by shielding the light sources and restricting the Project's building lighting to the Project Site. The Lighting Technical Report demonstrates that the Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Pursuant to SB 743, Project operation would result in no impact to light or glare.

Glare from Reflected Sunlight

The Project would introduce high-rise towers that have the potential to reflect sunlight at certain hours of the day with respect to drivers on northbound S. Figueroa Street. PDF AES-3 requires that glass and other building materials used in exterior façades must be low reflectivity and/or treated with a non-reflective coating in order to minimize glare. Prior to issuance of a building permit, the LADBS would review the exterior building materials to confirm that they do not exceed the reflectivity of standard building materials. Pursuant to SB 743, the Project would result in no impact related to glare from reflected sunlight.

Light Trespass from Building Lighting

The Lighting Technical Report defines a program for the Project that limits the light trespass from building light sources to a maximum of 0.74 fc at night, in accordance with the CalGreen Code. The report provides detailed quantitative analysis of lighting levels at grade and a variety of vertical zones and concludes that impacts are not significant. Pursuant to SB 743, the Project would result in no impact related to light from building lighting.

Light Trespass from Signage

The operation of the Project has the potential for light trespass associated with illuminated signage. The Lighting Technical Report indicates the level of potential light trespass at receptor site around the Project Site. The Lighting Technical Report quantitatively analyzed signage lighting levels that could be a maximum of 500 cd/m^2 at night, including 45 minutes before sunset until 45 minutes after sunrise, and 6000 cd/m^2 during the day. Pursuant to SB 743, the Project would result in no impact related to light trespass from signage.

Shading

The Project would add new buildings to the Project Site including a 42-story building (Hotel A/B Tower) rising to a maximum height of 529 feet, and a 25-story building (Hotel C Tower) rising to a maximum height of 326 feet.

Project shadows during the winter would extend into Gilbert Lindsay Plaza and small sections of the land use directly to the north of the Project Site. The majority of the may be within the overlapping areas of shade caused by the Project. Nonetheless, pursuant to SB 743, the Project would result in no significant shading impact on these uses.

During the spring, at 9:00 A.M., the shadow from the Project would extend to the west of S. Figueroa Street into Gilbert Lindsay Plaza. As shown in Figure 4.1-23 in the Draft EIR, overlapping colored polygons representing the areas in which shading would exceed four consecutive hours between 9:00 A.M. and 5:00 P.M. would affect a triangular section of the Circa project, with open space amenities and courtyards, directly to the north of the Hotel C Tower. Nonetheless, pursuant to SB 743, the Project would result in no significant shading impact on these uses.

Project shadows during the summer the shadow from the Project would extend to the west of S. Figueroa Street into the south edge of Gilbert Lindsay Plaza at 9:00 A.M. As shown in Figure 4.1-24 of the Draft EIR, the majority of the Circa project would not be shaded by the Project and no section of the Circa project would be shaded for more than four consecutive hours.

Project shadows during autumn would extend to the west of S. Figueroa Street into Gilbert Lindsay Plaza. As shown in Figure 4.1-25 of the Draft EIR, overlapping colored polygons representing the areas in which shading would exceed four consecutive hours between 9:00 A.M. and 5:00 P.M. would affect a triangular section of the Circa project, with open space amenities and courtyards, directly to the north of the Hotel C Tower. Nonetheless, pursuant to SB 743, the Project would result in no significant shading impact on these uses.

Cumulative

Visual Character and Quality

The Project and the related projects extend the City's high-rise cluster (currently concentrated in the City's Financial District) south along S. Figueroa Street. This trend is changing the height nodes in the City's skyline yet remains consistent with the dense urban core aesthetic characteristics of downtown. Figure 4.1-19 in the Draft EIR, Existing and Simulated Aerial Views from the South, is an aerial view of the existing Project area and simulated future conditions that illustrates the Project in combination with related projects would form a continuous line of high-rise development between S. Figueroa Street and S. Flower Street, from Olympic Boulevard to just south of W. Pico Boulevard. The development of the Project and the related projects is consistent with the urban and evolving aesthetic character of downtown.

Related projects on S. Figueroa Street between W. Olympic Boulevard to just to the south of Pico Boulevard are located in proximity to the Convention Center, Staples Center, and LA LIVE. These projects would feature a broad band of LED lighting and other signage at the podium level consistent with signage exemplified by LA LIVE. The signage would intensify the existing visual character of S. Figueroa Street. In addition, since similar signage currently occurs in the area, the Project's and the related projects' signage would not introduce an unfamiliar or inconsistent feature within the already vibrant environment or substantially detract from the existing visual character of the Project area. Nevertheless, SB 743 provides that aesthetic impacts, including visual character and quality, are not considered significant impacts. Therefore, the Project and related projects' potential aesthetic impacts are not significant.

Views

The City's high-rise component forms the backdrop for views across the Project area. Since related projects are grouped to the south of the Financial District, the cumulative projects have the potential to block some views of the existing downtown skyline from the south. Nevertheless, SB 743 provides that aesthetic impacts, including views, are not considered significant impacts. Therefore, the Project and related projects' potential aesthetic impacts are not significant.

Shading

With the greater intensity and density of development, shading within the study area would increase and cast shadows on surrounding uses particularly during the late fall, early spring, and winter months. However, SB 743 provides that aesthetic impacts, including shading, are not considered significant impacts. Therefore, the Project and related projects' potential aesthetic impacts are not significant.

Project Design Features

PDF AES-1: Construction Fencing: During construction of the Project, a construction fence for safety and to screen views to the Project Site shall be installed. The fence shall be located along the north, south, east and west perimeters of the Project Site with a minimum height of 8 feet.

PDF AES-2: Screening of Utilities and Loading Areas: All utilities associated with the Project shall be screened from public view. All loading areas shall be located interior to the buildings or screened from public view.

PDF AES-3: Glare: Glass and other building materials used in exterior façades shall be low reflective and/or treated with a non-reflective coating in order to minimize glare. Prior to issuance of a building permit, the Department of Building and Safety shall review the exterior building materials to confirm that they do not exceed the reflectivity of standard building materials permitted by the applicable building codes, and shall not cause significant glare impacts on motorists or nearby residential uses. Glass with coatings required to meet the California Energy Code requirements shall be permitted, consistent with applicable energy and building code requirements, including Section 140.3 of the California Energy Code as may be amended.

PDF AES-4: Light sources associated with Project construction shall be shielded and/or aimed so that no direct beam illumination is provided outside of the Project Site boundary.

Conclusion

With the implementation of the Project Design Features identified above and compliance with existing regulations, the Project would not result in significant impacts related to scenic vistas, scenic resources within a state scenic highway, visual character, views, light and glare, and cumulative impacts. In addition, potential aesthetic impacts associated with the Project cannot be determined significant impacts by law. Therefore, no mitigation measures were included in the EIR.

Agricultural and Forest Resources

The Project Site is located in an urbanized area of the City. No agricultural uses or operations occur onsite or in the vicinity of the Project Site. In addition, the project site and surrounding area are not mapped as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency Department of Conservation. The project site is also not zoned for agricultural use and no agricultural zoning is present in the surrounding area. Furthermore, the Project Site and surrounding area are not enrolled under a Williamson Act Contract. Additionally, the project site does not include any forest or timberland, is not zoned for forest land, and is not used as forest land. As such, the project will not convert farmland to a non-agricultural use; will not conflict with any zoning for agricultural uses or a Williamson Act Contract; will not conflict with existing zoning for, or cause rezoning of, forest land or timberland as defined in the applicable sections of the Public Resources Code; will not result in the loss or conversion of forest land; and will not result in the conversion of farmland to non-agricultural use. Therefore, no impacts to agricultural and forest resources will occur. This impact will also be clearly insignificant and unlikely to occur.

Air Quality

Conflict with or Obstruct Implementation of an Applicable Air Quality Plan

SCAQMD CEQA Air Quality Handbook Policy Analysis

Project development would not have a short-term or long-term impact on the region's ability to meet state and federal air quality standards. Also, the Project would be consistent with the goals and policies of the AQMP would not exceed the assumptions used in the preparation of the AQMP. The Project would comply with all applicable regulatory standards as required by SCAQMD

The Project's increase in employment is consistent with SCAG projections for the City and the Project would be consistent with the AQMP. The Project would therefore also be consistent with the growth projections as contained in the City's General Plan, and ultimately consistent with the growth projections in the AQMP, since the growth would occur in a transit rich area, which would minimize potential growth in transportation-related emissions. Therefore, impacts would be less than significant.

General Plan Air Quality Element

The Project is consistent with the applicable policies of the City of Los Angeles General Plan Air Quality Element. The Project would provide opportunities for the use of alternative modes of transportation, including convenience access to public transit and opportunities for walking and biking, thereby facilitating a reduction in vehicle miles traveled. Furthermore, the Project includes neighborhood-serving retail uses, close proximity to job centers, and commercial destinations. The Project would be designed and operated to meet the applicable requirements of CALGreen and the City of Los Angeles Green Building Code. The Project would incorporate sustainability measures and performance standards and would include increase the amount of landscaped areas on the Project Site compared to existing conditions. Therefore, the Project would serve to implement applicable policies of the City of Los Angeles pertaining to air quality.

Air Quality Standards

Regional Construction Impacts

Construction emissions were compared to the following South Coast Air Quality Management District (SCAQMD) prescribed daily regional numeric indicators. If construction emissions exceed any of these numeric indicators in the SCAQMD CEQA Air Quality Handbook, the Project would potentially cause or contribute to an exceedance of an ambient air quality standard. Construction-related daily maximum regional construction emissions will not exceed any of SCAQMD daily significance thresholds. The calculations include appropriate dust control measures required to be implemented during each phase of construction, as required by SCAQMD Rule 403 (Control of Fugitive Dust). The Project would also incorporate PDF AQ-2 and TRAF-1 to ensure impacts would be less than significant. Therefore, with respect to regional emissions from Project construction activities, impacts would be less than significant.

Localized Construction Impacts

Localized emissions related to construction activities would remain below the applicable SCAQMD daily localized numeric thresholds for NO_X, CO, PM10, and PM2.5. Therefore, with respect to localized construction emissions resulting from the Project, air quality impacts would be less than significant. The Project would also incorporate PDF AQ-2 and TRAF-1 to ensure impacts would be less than significant.

Health Impacts Assessment

Construction would result in emissions from fossil fuel combustion (primarily diesel) from off-road equipment and from on-road haul trucks and vehicles traveling on local roadways and regional freeways within the Air Basin. The primary pollutant of concern during construction activities is NO_X since the Air Basin is nonattainment for ozone and NO_X is an ozone precursor. Project-related construction activities would not exceed SCAQMD regional significance thresholds. As Project construction emissions would be less than these thresholds, the potential for the Project to cause or contribute to regional health impacts from the emissions of criteria

pollutants construction would be less than significant. Accordingly, the Project would not generate emissions at a level sufficient to adversely affect human health locally or regionally, or create a level of adverse air emissions that would force residents in the area to modify their activities in a meaningful way. The Project would also incorporate PDF AQ-2 and TRAF-1 to ensure impacts would be less than significant.

Regional Operational Impacts

The increase in operational-related daily emissions for the criteria and precursor pollutants (VOC, NO_X, CO, SO_2, PM10, and PM2.5) would be below the SCAQMD thresholds of significance for the Project buildout year (2022) analysis when all uses, including both towers and all commercial uses, would be fully operational. Therefore, with respect to regional operational emissions resulting from the Project, air quality impacts would be less than significant. The Project would also incorporate PDF AQ-1 and AQ-3 to ensure impacts would be less than significant.

Localized Operational Impacts

The increase in maximum localized operational emissions for sensitive receptors would be below the localized thresholds for NO_X, CO, PM10, and PM2.5 for both the Project under existing conditions (2016) and at full Project buildout (2022) when all uses, including both towers and all commercial uses, would be fully operational. Therefore, with respect to localized operational emissions, air quality impacts would be less than significant. The Project would also incorporate PDF AQ-1 and AQ-3 to ensure impacts would be less than significant.

Sensitive Receptors

Carbon Monoxide Hotspots

Based on the peak traffic volume, the maximum CO concentration due to future plus Project vehicle emissions would be up to 2.8 ppm (1-hour average) and 1.9 ppm (8-hour average). When added to the existing maximum background CO concentrations, the concentrations would be 6.0 ppm (1-hour average) and 4.3 ppm (8-hour average). This level of cumulative traffic at the worst-case intersection associated with the Project is below the traffic levels, and related CO concentrations study in the Air Quality Management Plan (AQMP) as screening levels for further CO hot spot analysis. As a result, CO concentrations associated with the Project would be less than those estimated in the 2003 AQMP, and would not exceed the thresholds. Thus, this comparison demonstrates that the Project would not contribute considerably to the formation of CO hotspots and no further CO analysis is required. The Project would result in less than significant impacts with respect to CO hotspots.

Toxic Air Contaminants

For carcinogenic exposures, the cancer risk from diesel particulate matter (DPM) emissions from construction of the Project is estimated to result in a maximum carcinogenic risk of 4.5 per 1 million. This would be less than the risk threshold of 10.0 in 1 million, and therefore impacts would be considered less than significant. Construction is not expected to result in any non-cancer effects of acute (i.e., hourly) exposures to sensitive receptors. DPM does not have an acute non-cancer risk value. Other pollutants emitted during construction which may have an acute risk are expected to be very minor, and therefore acute impacts would be less than significant. As such, project-related toxic air contaminants (TAC) during construction would be

less than significant. The Project would also incorporate PDF AQ-2 and TRAF-1 to ensure impacts would be less than significant.

The Project is not anticipated to generate a substantial number of daily truck trips. Trucks would comply with the applicable provisions of the California Air Resources Board (CARB) Truck and Bus regulation to minimize and reduce particulate matter and NO_X emissions from existing diesel trucks. Based on the limited activity of TAC sources, the Project would not warrant the need for a Health Risk Assessment (HRA) associated with on-site activities, and potential TAC impacts are expected to be less than significant.

In addition, Project operations would only result in minimal emissions of air toxics from maintenance or other ongoing activities, such as from the use of architectural coatings and other products, and would be required to comply with SCAQMD rules applicable to restaurants, emergency generators, and other uses on the site. Based on the uses expected on the Project Site, potential long-term operational impacts associated with the release of TACs would be minimal and would not exceed the SCAQMD thresholds of significance. Therefore, impacts would be less than significant.

Objectionable Odors

No objectionable odors are anticipated as a result of either construction or operation of the Project. The Project would not introduce any major odor-producing uses that would have the potential to affect a substantial number of people. Odors associated with Project operation would be limited to those associated with on-site waste generation and disposal and occasional minor odors generated during food preparation activities. Activities and materials associated with construction would be typical of construction projects of similar type and size. On-site trash receptacles would be covered and properly maintained in a manner that promotes odor control. Impacts with regard to odors would be less than significant. This impact will also be clearly insignificant and unlikely to occur.

Cumulative

Construction and Operational Emissions

The SCAQMD uses the same significance thresholds for Project-specific and cumulative impacts. Projects that exceed the Project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. Based on the Project-specific level of emissions, the Project's cumulative impacts would be less than significant because its construction and operational emissions, including emissions of non-attainment pollutants of ozone precursors and particulate matter, would be less than significant. Although the Project Site is located in a region that is in non-attainment for ozone, PM10, and PM2.5 under federal and/or state standards, because emissions would fall below SCAQMD daily significance thresholds, the Project's construction-related and operational emissions would not be cumulatively considerable or contribute to cumulatively significant air quality impacts.

Consistency with Air Quality Management Plan

The SCAQMD recommends assessing a project's contribution to cumulative impacts based on whether it is consistent with the AQMP. The Project has incorporated strategies, as applicable, consistent with the AQMP. Project construction would comply with SCAQMD Rule 403 requirements and the Airborne Toxic Control Measures (ATCM) to limit heavy duty diesel motor vehicle idling. In addition, the Project would utilize a construction contractor(s) that complies

with required and applicable BACT and the In-Use Off-Road Diesel Vehicle Regulation. The Project would also implement a PDF requiring the use of off-road construction equipment that meets the stringent Tier 4 emissions standards (see PDF AQ-2). Per SCAQMD rules and mandates, as well as the CEQA requirement that significant impacts be mitigated to the extent feasible, these same requirements (i.e., Rule 403 compliance, the implementation of all feasible mitigation measures, and compliance with adopted AQMP emissions control measures) would also be imposed on other construction projects in the Air Basin as required. As such, the Project's construction emissions would not be cumulatively considerable or contribute to cumulatively significant Air Quality impacts as a result of inconsistency with the AQMP.

The Project's location, design, and land uses also render it consistent with the AQMP. The AQMP includes Transportation Control Measures that are intended to reduce regional mobile source emissions. The Project would locate hotel, retail, and restaurant uses within a quarter-mile of multiple public transportation options. The proposed Project would provide employment consistent with SCAG's growth projections. Because these same projections form the basis of the 2012 AQMP, it is concluded that the Project would be consistent with the projections in the AQMP. Since the Project's employment growth would occur in a TOD corridor, the Project would result in highly transportation-efficient growth, which would minimize potential growth in transportation-related emissions. As such, Project operations would not be cumulatively considerable or contribute to cumulatively significant Air Quality impacts as a result of inconsistency with the AQMP.

Project Design Features

PDF AQ-1: Green Building Measures: The Project shall be designed and operated to include energy and resource efficient features that exceed regulatory requirements, which shall include the following:

- The Project shall include easily accessible recycling areas dedicated to the collection and storage of non-hazardous materials such as paper, corrugated cardboard, glass, plastics, metals, and landscaping debris (trimmings).
- The Project shall install energy efficient appliances that meet the 2017 ENERGY STAR® rating standards or equivalent for both hotel and restaurant land uses.
- The Project shall include efficient heating, ventilation, and air conditioning (HVAC) systems (2017 ENERGY STAR® rating standards or equivalent).
- The parking structure shall be designed with occupancy-sensor controlled lighting that places lighting fixtures in a low power state in unoccupied zones.
- To encourage carpooling and the use of electric vehicles by Project employees, guests, and visitors, the Project shall designate a minimum of 5 percent of on-site parking for carpool and/or alternative-fueled vehicles, and the Project design shall provide for the installation of the conduit and panel capacity to accommodate future electric vehicle charging stations into 10 percent of the parking spaces.

PDF AQ-2: Construction Features: Construction equipment operating at the Project Site will be subject to a number of requirements. These requirements shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. Construction measures shall include the following:

- The Project shall utilize off-road diesel-powered construction equipment that meets or exceeds the CARB and USEPA Tier 4 interim off-road emissions standards for equipment

rated at 50 horsepower (hp) or greater during Project construction. All equipment shall be outfitted with Best Available Control Technology (BACT) devices including a CARB certified Level 3 Diesel Particulate Filter or equivalent. A copy of each unit's certified tier specification or model year specification and CARB or SCAQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment.

- Equipment such as tower cranes and welders shall be electric or alternative fueled (i.e., non-diesel). Pole power shall be made available for use with electric tools, equipment, lighting, etc.
- Alternative-fueled generators shall be used when commercial models that have the power supply requirements to meet the construction needs of the Project are readily available from local suppliers/vendors.
- All on-road heavy-duty diesel trucks with a gross vehicle weight rating of 19,500 pounds or greater used at the Project Site shall be engine model year 2012 or later or shall comply with the USEPA 2007 on-road emissions standards.

PDF-AQ-3: Control of VOCs: The Project shall utilize low-emitting materials pursuant to the requirements of the California Green Building Standards (CALGreen) Code. Indoor coatings shall be limited to 50 grams per liter of VOCs or less.

PDF TRAF-1: Construction Management Plan: A detailed Construction Management Plan shall be submitted to the City's Department of Transportation (LADOT) for review and approval prior to the start of any construction work. The Construction Management Plan shall show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs, and access to abutting properties. The Construction Management Plan shall formalize how construction shall be carried out and identify specific actions that shall be required to reduce effects on the surrounding community. The Construction Management Plan shall be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site, and shall include, but not be limited to, the following mandatory elements:

- Advance, bilingual notification of adjacent property owners and occupants of upcoming construction activities, including durations and daily hours of operation.
- Prohibition of construction worker or equipment parking on adjacent streets.
- Temporary pedestrian, bicycle, and vehicular traffic controls during all construction activities adjacent to Figueroa Street, Flower Street, and Pico Boulevard, to ensure traffic safety on public rights of way. These controls shall include, but not be limited to, flag people trained in pedestrian and bicycle safety at the Project Site's Figueroa Street, Flower Street and Pico Boulevard driveways.
- Temporary traffic control during all construction activities adjacent to public rights-of-way to improve traffic flow on public roadways (e.g., flag men).
- Scheduling of construction activities to reduce the effect on traffic flow on surrounding arterial streets.
- Sequencing construction activity to reduce the amount of construction-related traffic on arterial streets.
- Contain construction activity within the Project Site boundaries.
- Coordination with LADOT to address any overlapping of construction with the MyFigueroa project.

- Coordination with Metro to address any construction near the railroad right of way.
- Safety precautions for pedestrians and bicyclists through alternate routing and protection barriers/fencing that shall be implemented.
- Scheduling of construction-related deliveries and haul trips so as to occur outside the commuter peak hours.

Conclusion

With the implementation of the PDF's identified above and compliance with existing regulations, the Project would not result in significant impacts associated with air quality. Therefore, no mitigation measures are required.

Biological Resources

Candidate, Sensitive, Special Status Species

No species identified as 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 are located on the Project Site. In addition, because of the urbanized nature of the Project Site and Project vicinity, the Project Site does not support habitat for candidate, sensitive, or special status species. Therefore, the Project would have no substantial adverse effects on candidate, sensitive, or special status species. This impact will also be clearly insignificant and unlikely to occur.

Riparian Habitat or Federally Protected Wetlands

No riparian or other sensitive natural community exists on the Project Site or in the immediate surrounding area. Therefore, the Project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community. No impact to riparian habitat or other sensitive natural community will occur. This impact will also be clearly insignificant and unlikely to occur.

Federally Protected Wetlands

No Federally Protected wetlands exists on the Project Site or in the immediate surrounding area. Therefore, the Project will not have a substantial adverse effect. This impact will also be clearly insignificant and unlikely to occur.

Movement of Native Resident, Migratory Fish or Wildlife Species

No water bodies or federally protected wetlands as defined by Section 404 of the Clean Water Act exist on the project site or in the immediate vicinity of the Project Site. Therefore, the Project would not have an adverse effect on federally protected wetlands. This impact will also be clearly insignificant and unlikely to occur.

Local Policies or Ordinances Protecting Biological Resources

No locally protected biological resources, such as oak trees or California walnut woodlands, or other trees protected under the City of Los Angeles Protected Tree Ordinance exist on the Project Site. The Project would be required to replace any significant, non-protected trees through the City's review and permitting process. Therefore, the Project would not conflict with

local policies or ordinances protecting biological resources, and impacts are less than significant. This impact will also be clearly insignificant and unlikely to occur.

Adopted Habitat Conservation Plans

The Project Site is not located within a habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan. Therefore, the Project would not conflict with the provisions of any adopted conservation plan, and no impact would occur. This impact will also be clearly insignificant and unlikely to occur.

Cultural Resources

Historic Resources

The Project Site is located within an urbanized area of the City of Los Angeles and has been subject to grading and development in the past. The Project Site contains one altered commercial building, 1248 S. Figueroa Street, constructed in 1919 to house a Studebaker automotive dealership. Following investigations of the Project Site, the architectural historians concluded based on substantial evidence that the commercial building is not individually eligible as a historical resource at the federal, State, or local levels under the following historical theme: Commercial Development and the Automobile (1910-1980). Because the building does not qualify as a historical resource under CEQA, Project implementation, which would involve demolition of the building, would have no direct impact on historical resources on the Project Site,

Indirect impacts were analyzed to determine if the Project would result in a substantial material change to the integrity and significance of historical resources or their contributing setting within the Project vicinity. Within a quarter-mile radius of the Project Site, there are fourteen potential historical resources identified by Survey. These fourteen historical resources are approximately 0.11 to 0.19 miles away from the Project Site and therefore do not have direct views of the Project Site. Furthermore, there are no historical resources immediately adjacent or across the street from the Project Site. Therefore, the Project would have no indirect impacts on known or potential historical resources in the Project vicinity.

Therefore, pursuant to CEQA, the proposed redevelopment of the Project Site would not result in a significant adverse impact on historical resources. This impact will also be clearly insignificant and unlikely to occur.

Human Remains

As previously indicated, the Project Site has been previously graded and developed. Nonetheless, the Project Site would require excavation that would extend into native soils. Thus, the potential exists to encounter human remains during excavation activities. A number of regulatory provisions address the handling of human remains inadvertently uncovered during excavation activities. These include State Health and Safety Code Section 7050.5, Public Resources Code 5097.98, and CEQA Guidelines Section 15064.5(e). Thus, in the event that previously unknown human remains are encountered during construction excavations, compliance with these regulations would ensure that impacts would be reduced to a less than significant level. This impact will also be clearly insignificant and unlikely to occur.

Geology and Soils

Fault Rupture

The Project Site is not within a mapped Alquist-Priolo Earthquake Fault Zone, any fault zones mapped by the City's General Plan Safety Element, or any other mapped fault zones with surface rupture potential. The potential for surface fault rupture at the Project Site is very low. The Project Site is within the projection of the Puente Hills Blind Thrust (PHB), which is buried deep below the surface extending from Downtown Los Angeles to the City of Brea. The nearest subsurface rupture potential for the PHBT is between 5 and 13 kilometers below grade in the vicinity of the Project Site. However, the PHBT does not represent a risk of surface rupture on the Project Site. The Project would not expose people or structures to substantial adverse effects, including the risk of loss, injury, or death involving the rupture of a known earthquake fault or exacerbate existing environmental conditions. As such, impacts related to fault rupture would be less than significant.

Seismic Ground Shaking

A site-specific preliminary geotechnical investigation was conducted at the Project Site to evaluate the soils, potential levels of ground shaking that could occur, and determine that development on the Project Site was feasible. The Geotechnical Report concluded that seismic conditions on the Project Site can be overcome with engineering design solutions, standard engineering approaches, and conformance with current building codes. Conformance with existing regulatory compliance measures that require final design level geotechnical engineering approvals before issuance of grading and building permits would reduce any potential impacts to a less than significant level.

PDF GEO-1 requires a qualified geotechnical engineer to be present on the Project Site during excavation, grading, and general Project Site preparation activities to monitor implementation of the recommendations specified in the geotechnical reports. Therefore, with adherence to all applicable regulatory requirements, in conjunction with PDF GEO-1, the Project would not expose people or structures to substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking or exacerbate existing environmental conditions. Impacts would be would be less than significant.

Seismic-Related Ground Failure Including Liquefaction

The Project Site is relatively flat and the surrounding area is developed such that the potential for lateral spreading is low. While the Project Site is subject to potentially strong seismic ground shaking, and while some clayey soils occur at depth (between approximately 30 and 130 feet bgs), the California Geological Survey (CGS) documents historic-high groundwater levels in the area as being 100 feet bgs. Substantial amounts of groundwater were not encountered in the borings carried out for the preliminary geotechnical investigation at the Project Site that were advanced to a maximum depth of 130 feet bgs. Therefore, according to the Geotechnical Report findings, and other reliable sources, the potential for liquefaction and associated ground deformation (e.g., lateral spreading) at the Project Site is considered low. As such, impacts related to liquefaction would be less than significant.

Landslides

The Project Site is not located within a City-designated Hillside Grading Area, is not subject to the City's Hillside Ordinance, and is not located in a City-designated Landslide area.

Additionally, the Project Site is located in the South Park district of Downtown Los Angeles, which is relatively flat. Further, the Project Site is not in close proximity to any mountains or steep slopes. As such, there is no potential for landslides to occur on or near the Project Site. Therefore, the Project would not expose people or structures to potential substantial adverse effects involving landslides and no impact would result. This impact will also be clearly insignificant and unlikely to occur.

Soil Erosion or Loss of Topsoil

Construction activities would include ground-disturbing activities (e.g., excavation, grading, soil stockpiling, foundation construction, the installation of utilities) that would temporarily expose soils, allowing for possible erosion if not managed appropriately. However, all grading activities would require grading permits from LADBS, which would include requirements and standards designed to limit potential impacts associated with erosion. Finally, once construction activities are completed, the Project Site would be covered in impervious surfaces, landscaping, and completed with drainage control measures that would reduce the potential for erosion. Once constructed, the proposed development would include drainage control features in accordance with local and regional requirements to ensure that stormwater is managed in a way that minimizes the potential for erosion or sedimentation. Therefore, with adherence to applicable regulations, substantial soil erosion or the loss of topsoil during Project construction and operation would not occur. In addition, the Project would not cause or accelerate natural processes of wind and water erosion. Impacts would be less than significant.

Lateral Spreading, Subsidence, Liquefaction, Collapse

The Project would not be located on a geologic unit or soil that is unstable, or that would become unstable, and the Project would not result in any on- or off-site lateral spreading, subsidence, liquefaction or collapse caused in whole or in part by exacerbation of the existing environmental conditions. Impacts during Project construction or operation would be less than significant.

Expansive Soils

The soils encountered on the Project Site, sandy soils with relatively low clay content, have a low expansion potential. The Geotechnical Report classified the underlying soils as primarily sandy alluvial materials and where silts and clays were observed, they were classified as “lean,” indicating a relatively low potential for expansion. As part of the construction of the proposed subterranean level and foundations, the upper materials, primarily artificial fills, would be removed by excavation. Any new fill that would be brought onto the Project Site would be required to meet fill requirements that include standards for expansive properties. Therefore, the Project would not be located on expansive soils or create substantial risks to life or property caused in whole or in part by exacerbation of the existing soil conditions.

Septic Tanks

The Project Site is located in an urbanized area where wastewater infrastructure is currently in place. The Project would connect to existing infrastructure and would not use septic tanks or alternative wastewater disposal systems. Therefore, no impact would occur. This impact will also be clearly insignificant and unlikely to occur.

Cumulative

Generally, the geographic context for cumulative analysis of potential geology and soils impacts encompasses the greater Los Angeles Basin because the Los Angeles Basin is subject to similar seismic activity and related hazards. Seismic hazards can vary widely within the Los Angeles Basin as underlying conditions and proximity to an earthquake can present different levels of susceptibility to damage and injury to occupants. Development at the Project Site and elsewhere in the region could expose additional people and structures to potentially adverse effects associated with earthquakes including seismic ground shaking. Site-specific geotechnical studies required by local agencies in accordance with current building code standards would determine how future development projects must be designed to minimize the risk of loss, injury, or death involving earthquakes. Building code standards are based on the latest developments in seismic design and are routinely updated to include the best available science. Therefore, current and future development would be constructed in accordance with the most advanced seismic design standards.

More specifically, there are two projects in close proximity to the Project Site that are analyzed for potential cumulative effects. One, the Circa project at 1200 S. Figueroa Street, is immediately north of the Project Site and shares a property line. The Geotechnical Report concluded that the construction of the Project (including all grading and excavation activities) would have no adverse effect on the geologic stability of properties outside of the Project Site. The second nearby project, a 56-story hotel high-rise, is proposed, but not yet approved or under construction, south of the Project Site and across W. Pico Boulevard on the site of the existing City Lights at Fig multi-family residential development. The excavations for the Project would be separated from any eventual excavation at the City Lights at Fig by W. Pico Boulevard. Thus, there would be no potential for combined incremental geology and soils impacts between these two projects.

Adherence to Geotechnical Report recommendations, in conjunction with applicable building code compliance during grading, excavation, and construction of the Project (including recommendations pertaining to construction shoring of excavation sites and the design of permanent retaining walls and below-grade walls to account for the foundations of adjacent buildings) would ensure stability of the Project Site and any nearby related project. The Geotechnical Report also recommends surveying adjacent buildings and streets for horizontal and vertical locations as well as surveying, photographing, and documenting cracks and offsets in those buildings and streets. Project construction and operation would not have individual or combined adverse effects on the geologic stability of any nearby related projects.

Therefore, the Project would not have a cumulatively considerable geology and soils impact when viewed in connection with the potential effects of the related projects. Impacts are less than significant.

Project Design Features

PDF GEO-1: A qualified geotechnical engineer shall be present on the Project Site during excavation, grading, and general Project Site preparation activities to monitor implementation of the recommendations specified in the geotechnical reports.

Conclusion

Impacts related to geology and soils were determined to be less than significant because adherence to regulatory requirements (including review and approval of the Final Geotechnical

Report) and applicable building codes and PDF-GEO-1 would adequately reduce potential geotechnical impacts. Therefore, no mitigation measures are required.

Greenhouse Gas Emissions

Greenhouse Gas Emissions Generation and Plan Consistency

The Project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. The Project's consistency with applicable regulatory plans and policies to reduce GHG emissions demonstrates that the Project would substantially comply with or exceed the GHG reduction actions and strategies outlined in CARB's Climate Change Scoping Plan, SCAG's 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), and the LA Green Plan, Sustainable City pLAn and Green Building Code.

The Project would be consistent with the applicable strategies outlined in CARB's Climate Change Scoping Plan, in particular with strategies to improve energy and water efficiency, reduction of solid waste, and mobile source efficiency by locating the Project at in infill location with close proximity to high-quality transit and complimentary off-site commercial, retail, and restaurant land uses. SCAG's 2016 RTP/SCS is designed to demonstrate reductions in vehicle miles traveled (VMT) within the region in accordance with per capita VMT reductions established by CARB. The Project would incorporate characteristics that would achieve reductions in VMT based on substantial evidence according to VMT reduction guidelines from California Air Pollution Control Officers Association's (CAPCOA) guidance document, Quantifying Greenhouse Gas Mitigation Measures, which provides emission reduction calculation formulas for transportation characteristics and measures, and city data for the Central City Community Plan Area that demonstrates that the Project would be sited in a location that is well served by multi-modal transportation choices. As such, the Project would be consistent with regional plans to reduce VMT and associated GHG emissions. The Project would also be consistent with the City's LA Green Plan, Sustainable City pLAn, and Green Building Ordinance by complying with and incorporating energy efficient designs, water conservation measures, and waste reduction measures. The Project's consistency with these applicable regulatory plans and policies to reduce GHG emissions, along with implementation of PDF AQ-1 and AQ-2 and mitigation measures discussed in other sections of the Draft EIR, particularly MM-TRAF-1 (Traffic Demand Management Program) would minimize the Project's GHG emissions and render GHG impacts less than significant.

Cumulative

In the case of global climate change, a cumulative impact analysis differs from other environmental issues areas. The proximity of the Project to other related projects or other GHG emission generating activities is not directly relevant to the determination of a cumulative impact because climate change is a global condition. According to CAPCOA, "GHG impacts are exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective." Moreover, although the State requires MPOs and other planning agencies to consider how region-wide planning decisions can impact global climate change, there is currently no established non-speculative method to assess the cumulative impact of proposed independent private-party development projects.

The State CEQA Guidelines specify that compliance with a GHG emissions reduction program renders a cumulative impact insignificant. Per State CEQA Guidelines Section 15064(h)(3), a project's incremental contribution to a cumulative impact can be found not cumulatively considerable if the project will comply with an approved plan or mitigation program that provides

specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area of the project.

As discussed above, the Project would be consistent with applicable GHG emissions reduction plans and policies discussed within CARB's Climate Change Scoping Plan, SCAG's 2016 RTP/SCS, and the City's LA Green Plan, Sustainable City pLAn, and Green Building Code. As a result, the Project would be consistent with the State's goals and result in a GHG emissions profile that is consistent with State GHG reduction plans. In accordance with CEQA requirements, related projects would be required to demonstrate consistency with applicable GHG emissions reduction plans and policies and provide appropriate mitigation in accordance with CEQA requirements to mitigate significant impacts. The Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. In the absence of adopted numerical significance thresholds, and given this consistency, it is concluded that the Project's impacts are not cumulatively considerable.

Project Design Features

PDF AQ-1: Green Building Measures: The Project shall be designed and operated to include energy and resource efficient features that exceed regulatory requirements, which shall include the following:

- The Project shall include easily accessible recycling areas dedicated to the collection and storage of non-hazardous materials such as paper, corrugated cardboard, glass, plastics, metals, and landscaping debris (trimmings).
- The Project shall install energy efficient appliances that meet the 2017 ENERGY STAR® rating standards or equivalent for both hotel and restaurant land uses.
- The Project shall include efficient heating, ventilation, and air conditioning (HVAC) systems (2017 ENERGY STAR® rating standards or equivalent).
- The parking structure shall be designed with occupancy-sensor controlled lighting that places lighting fixtures in a low power state in unoccupied zones.
- To encourage carpooling and the use of electric vehicles by Project employees, guests, and visitors, the Project shall designate a minimum of 5 percent of on-site parking for carpool and/or alternative-fueled vehicles, and the Project design shall provide for the installation of the conduit and panel capacity to accommodate future electric vehicle charging stations into 10 percent of the parking spaces.

PDF AQ-2: Construction Features: Construction equipment operating at the Project Site will be subject to a number of requirements. These requirements shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. Construction measures shall include the following:

- The Project shall utilize off-road diesel-powered construction equipment that meets or exceeds the CARB and USEPA Tier 4 interim off-road emissions standards for equipment rated at 50 horsepower (hp) or greater during Project construction. All equipment shall be outfitted with Best Available Control Technology (BACT) devices including a CARB certified Level 3 Diesel Particulate Filter or equivalent. A copy of each unit's certified tier specification or model year specification and CARB or SCAQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment.
- Equipment such as tower cranes and welders shall be electric or alternative fueled (i.e., non-diesel). Pole power shall be made available for use with electric tools, equipment,

lighting, etc.

- Alternative-fueled generators shall be used when commercial models that have the power supply requirements to meet the construction needs of the Project are readily available from local suppliers/vendors.
- All on-road heavy-duty diesel trucks with a gross vehicle weight rating of 19,500 pounds or greater used at the Project Site shall be engine model year 2012 or later or shall comply with the USEPA 2007 on-road emissions standards.

PDF TRAF-1: Construction Management Plan: A detailed Construction Management Plan shall be submitted to the City's Department of Transportation (LADOT) for review and approval prior to the start of any construction work. The Construction Management Plan shall show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs, and access to abutting properties. The Construction Management Plan shall formalize how construction shall be carried out and identify specific actions that shall be required to reduce effects on the surrounding community. The Construction Management Plan shall be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site, and shall include, but not be limited to, the following mandatory elements:

- Advance, bilingual notification of adjacent property owners and occupants of upcoming construction activities, including durations and daily hours of operation.
- Prohibition of construction worker or equipment parking on adjacent streets.
- Temporary pedestrian, bicycle, and vehicular traffic controls during all construction activities adjacent to Figueroa Street, Flower Street, and Pico Boulevard, to ensure traffic safety on public rights of way. These controls shall include, but not be limited to, flag people trained in pedestrian and bicycle safety at the Project Site's Figueroa Street, Flower Street and Pico Boulevard driveways.
- Temporary traffic control during all construction activities adjacent to public rights-of-way to improve traffic flow on public roadways (e.g., flag men).
- Scheduling of construction activities to reduce the effect on traffic flow on surrounding arterial streets.
- Sequencing construction activity to reduce the amount of construction-related traffic on arterial streets.
- Contain construction activity within the Project Site boundaries.
- Coordination with LADOT to address any overlapping of construction with the MyFigueroa project.
- Coordination with Metro to address any construction near the railroad right of way.
- Safety precautions for pedestrians and bicyclists through alternate routing and protection barriers/fencing that shall be implemented.
- Scheduling of construction-related deliveries and haul trips so as to occur outside the commuter peak hours.

Conclusion

With the implementation of PDFs AQ-1, AQ -2, and TRAF-1, Project and cumulative impacts related to greenhouse gas emissions are less than significant and no mitigation measures are required.

Hazards and Hazardous Materials

Routine Transport, Use or Disposal of Hazardous Materials

Construction

Construction activities required for the Project would involve trenching, excavation, grading, and other ground-disturbing activities. The construction activities would temporarily require the use of equipment and would use potentially hazardous materials such as fuels, lubricants, glues, solvents, paints, thinners, or other chemicals. Such materials would be used only in quantities typically associated with the construction of a commercial development and would be transported, handled, stored, and disposed of in accordance with applicable laws and regulations and manufacturers' instructions. Construction in conformance with standard regulatory compliance measures is adequate to reduce the potential risk hazards associated with construction activities. Accordingly, the Project would not increase the probable frequency or severity of consequences to people or property from the potential exposure to hazardous substances. Therefore, construction of the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Impacts would be less than significant.

Operation

Operations of the Project would consist of typical and common activities associated with operation of mixed-use hotel with commercial uses and associated amenities such as recreational pool and viewing decks, fitness facilities, open spaces, and retail and restaurants. No hazardous materials would be utilized during day-to-day operation of the Project other than typical housekeeping, restaurant, vehicle, pool, and landscape maintenance materials such as cleaning supplies, paints, oil, grease, pesticides, herbicides, water disinfectants, fertilizers. The use of these materials would be in small quantities and in accordance with the manufacturers' instructions for transport, use, storage, and disposal. Compliance with these standard practices avoids substantial exposure hazards. There would be low frequency and minimal severity of consequences on people or property from exposure to the limited and commonplace materials used to operate the Project. Accordingly, there is limited potential of the Project to create health hazards from these non-hazardous sources. Therefore, operation of the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Impacts would be less than significant.

Reasonably Foreseeable Upset and Accident Conditions Involving the Release of Hazardous Materials in the Environment

Construction – ACM and LBP

Portions of the Project Site sampled did not contain asbestos-containing materials (ACMs) or the presences of lead-based paint (LBP) at levels beyond applicable testing thresholds. The lack of ACMs and LPBs on the Project Site, in conjunction with standard regulatory compliance during construction would reduce the probable frequency and severity of consequences to

people or property from the accidental release of these materials. Therefore, potential impacts from reasonably foreseeable upset or accident conditions involving the release of such hazardous materials would be less than significant and no mitigation measures would be required.

Operation

Operations of the Project would consist of the typical and common activities associated with operation of a mixed-use hotel with commercial uses and associated amenities such as recreational pool and viewing decks, fitness facilities, open spaces, and retail and restaurants. No hazardous materials would be utilized during day-to-day operation of the Project other than typical housekeeping, restaurant, vehicle, pool, and landscape maintenance materials such as cleaning supplies, paints, oil, grease, pesticides, herbicides, water disinfectants, fertilizers. The use of these materials would be in small quantities and in accordance with the manufacturers' instructions for transport, use, storage, and disposal of such products. Compliance with these standard practices avoids substantial exposure hazards. There would be low frequency and minimal severity of consequences on people or property from exposure to the limited and commonplace materials used to operate the Project. Accordingly, there is limited potential of the Project to create health hazards from these non-hazardous sources. Therefore, operation of the Project would not 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.

During the subsurface methane investigation performed for the Project Site between January 10 and January 18, 2017 by Amec Foster Wheeler, resulting in a requirement for a "Level I" site design methane mitigation system. All new buildings and paved areas located in a Methane Zone are required to comply with the Los Angeles Building Code, Division 71, and the "Minimum Methane Mitigation Requirements" established by the LADBS, which define installation procedures, design parameters, and test protocols for a methane mitigation system. Compliance with LADBS "Minimum Methane Mitigation Requirements" would reduce the risk from methane intrusion to employees and visitors, and Project design would comply with the Level I site design requirements. Therefore, operation of the Project would not result in a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of methane.

Hazardous Emissions or Materials within One-Quarter Mile of a School

There are no existing or proposed schools located within one-quarter mile of the Project Site. Construction and operation of the Project would not result in significant hazardous emissions or materials. As such, it is concluded that the Project would result in no impacts related to hazardous materials at any existing or proposed schools within a one-quarter mile radius of the Project Site. This impact will also be clearly insignificant and unlikely to occur.

List of Hazardous Materials Sites under Government Code Section 65962.5

The Project Site is not considered a hazardous materials site. The Phase I ESA and Phase II ESA concluded that there are certain sites on the Cortese list (complied pursuant to Government Code Section 65962.5) that are within the vicinity of the Project Site, but the Project Site is not currently on that list. Furthermore, the Phase I ESA and II ESA evaluated whether prior operations have contaminated the subsurface of the Project Site, to determine whether soil to be excavated during the planned redevelopment may require special handling, and to determine whether redevelopment of the Project Site could create a significant hazard to

the public or environment. Based on the results of these investigations, the historical site have not resulted in a significant threat to human health. Therefore, the Project would not be located on a site which is included on a list of hazardous materials sites and would not, as a result, create a significant hazard to the public or the environment. Impacts are less than significant.

Public and Private Airport Safety Hazards

The Project Site is not within an airport land use plan and it is not within two miles of a public use airport or private air strip. As a result, the Project would not result in a safety hazard to people residing or working within an airport land use plan or within two miles of an airport, and no impact would result. This impact will also be clearly insignificant and unlikely to occur.

Impair Implementation or Interfere with an Adopted Emergency Response Plan or Emergency Evacuation Plan

The Project Site is located in an established urban area that is well served by the surrounding roadway network. Figueroa Street adjacent to the Project Site, as well as the nearby Harbor (US-110) and Santa Monica (I-10) Freeways are designated Selected Disaster Routes by the City. While it is expected that the majority of construction activities for the Project would be confined on-site, short-term construction activities may temporarily affect access on portions of adjacent streets during certain periods of the day. In these instances, the Project would implement traffic control measures (e.g., construction flagmen, signage, etc.) to maintain flow and access. Furthermore, in accordance with City requirements, the Project would develop a Construction Management Plan (PDF TRAF-1), which includes designation of a haul route, to ensure that adequate emergency access is maintained during construction. Therefore, construction is not expected to result in inadequate emergency access. In addition, operation of the Project would generate traffic in the Project vicinity and would result in some modifications to access from the streets that surround the Project Site. Nonetheless, the Project is required to provide adequate emergency access and to comply with Los Angeles Fire Department (LAFD) access requirements. Subject to review and approval of site access and circulation plans by the LAFD, the Project would not impair implementation or physically interfere with adopted emergency response or emergency evacuation plans. Since the Project would not cause an impediment along the City's designated emergency evacuation route, nor would the proposed hotel and commercial uses impair the implementation of the City's emergency response plan, the Project would have a less than significant impact with respect to these issues. This impact will also be clearly insignificant and unlikely to occur.

Wildland Fires

The Project Site is located in the highly urbanized downtown area of Los Angeles. No wildlands are present on the Project Site or surrounding area. Therefore, the Project would not expose people or structures to a significant risk involving wildland fires. This impact will also be clearly insignificant and unlikely to occur.

Cumulative Impacts

The Project would not individually result in significant impacts regarding hazards or hazardous materials. The Project would adhere to applicable regulatory requirements, incorporate project design features, and provides mitigation measures for site-specific soil conditions related to the inadvertent discovery of hazards and hazardous materials during excavation activities. Potentially hazardous materials used during the construction and operation of the Project would be used in quantities typical of the scale and commercial nature of the Project and would be

handled, stored, and disposed of in accordance with applicable laws and regulations and manufacturers' specifications. The Phase II ESA did not report subsurface contamination in the areas assessed and voluntary mitigations MM-HAZ-1 and MM-HAZ-2 ensure that any unknown contamination encountered during construction would be adequately handled. No LBP was detected on the Project Site and demolition activities would comply with OSHA's Lead Exposure in Construction Rule. The Project would also comply with LADBS methane requirements. Accordingly, the Project would not individually contribute to an adverse impact related to hazards or hazardous materials.

Generally, the geographic context for cumulative impact analysis of hazards includes the related projects in the vicinity of the Project, that when viewed together with the Project, could incrementally increase a hazards impact to a significant level. As described above, the Phase I ESA identified potentially hazardous conditions located between 0.25- to 1-mile around the Project Site. It concluded that based on distance, topography, gradients, current regulatory status, and the absence of reported releases, none of the sites surrounding the Project Site represent a likely past, present, or material threat of release that could adversely affect the Project Site.

Construction and operation of the related projects can reasonably be expected to involve the limited use of potentially hazardous materials typical of those used in residential and commercial developments, and each related project would be subject to applicable laws and regulations and manufacturers' specifications to ensure the safe transport, storage, handling, and disposal of such materials. This further reduces potential cumulative hazard impacts.

A few related projects adjoin the Project Site or are separated by a single street. These projects are either under construction or planned for development and include: (1) the Circa project to the north; (2) the City Lights on Fig project to the south; and (3) the Los Angeles Convention Center Expansion and Modernization Project to the west. These related projects would not create a significant hazard to the public or environment because the potentially hazardous materials typically used in such residential and commercial mixed-use developments are limited to relatively small volumes and are commonplace materials. In addition, each of these developments must comply with its site-specific development standards and state hazardous materials handling and transporting regulations. These projects together with the Project do not create a cumulatively considerable significant impact.

Therefore, the Project would not have a cumulatively considerable hazards or hazards materials impact when viewed together with the potential effects of the related projects. Cumulative impacts are less than significant.

Hydrology and Water Quality

Violate Water Quality Standards or Waste Discharge Requirements or Otherwise Degrade Water Quality

Stormwater Runoff

Construction activities could contribute to pollutant loading in stormwater runoff and thereby impact water quality standards. However, construction contractors disturbing greater than 1 acre of soil would be required to obtain coverage under the NPDES General Construction Activity Permit (order No. 2012-0006-DWQ). In accordance with the requirements of the permit, the Project Applicants would prepare and implement a site-specific Stormwater Pollution Prevention Plan (SWPPP) adhering to the California Stormwater Quality Association BMP Handbook. With

the implementation of site-specific BMPs included as part of the SWPPP, the Project would reduce or eliminate the discharge of potential pollutants from the stormwater runoff. In addition, the Project would be required to comply with City grading permit regulations. Therefore, temporary construction-related impacts on surface water quality would be less than significant.

Additionally, there are currently no existing on-site BMPs, stormwater run-off during post-Project conditions would result in improved surface water quality conditions during operation of the Project. Thus, operation of the Project would not result in discharges that would alter the quality to a degree which unreasonably affects beneficial uses of the waters or creates a hazard to the public health. Therefore, the construction and operational impacts of the Project on surface water quality would be less than significant.

Groundwater Quality

Compliance with all applicable federal, state, and local requirements concerning the handling, storage and disposal of hazardous waste, would reduce the potential for the construction and operation of the Project to release contaminants into groundwater that could affect existing contaminants, expand the area or increase the level of groundwater contamination, or cause a violation of regulatory water quality standards at an existing groundwater production well. The Project would also comply with mandatory SWPPP measures and implement appropriate BMPs during construction and operation to reduce discharge potential to any groundwater sources.

Deplete Groundwater Supplies or Interfere with Groundwater Recharge

The Project does not propose groundwater withdrawal and, with respect to groundwater recharge, would replace one set of impervious surfaces (i.e., commercial uses and associated parking areas) with another (i.e., mixed-use hotel towers). Thus, impacts to groundwater recharge on the Project Site would be less than significant. No mitigation measures are required. This impact will also be clearly insignificant and unlikely to occur.

Permanently or Substantially Alter the Existing Drainage Pattern of the Site

Construction activities are the primary activities that could contribute to erosion or siltation when soils are exposed during development of the Project Site. Once the Project is operational, the Project Site will be impervious and erosion and siltation would not occur. Construction activities would have the potential to temporarily alter existing drainage patterns and flows within the Project Site by exposing the underlying soils and making the Project Site temporarily more permeable. However, the Project would be required to obtain coverage under the NPDES General Construction stormwater permit. In accordance with the requirements of this permit, the Project would implement a SWPPP that specifies BMPs and erosion control measures to be used during construction to manage runoff flows and prevent pollution. BMPs would be designed to reduce runoff and pollutant levels in runoff during construction.

Therefore, the Project would not substantially alter the existing drainage patterns of the Project Site or area, including through alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site. Impacts would be less than significant.

Alter the Existing Drainage Pattern of the Site or Substantially Increase the Rate or Amount of Surface Runoff in a Manner that would Result in Flooding On or Off-Site

The Project would not substantially alter the existing drainage patterns of the Project Site or area. Compliance with the LID requirements for the Project Site would ensure stormwater treatment with post-construction BMPs per the City's Stormwater Program. Therefore, Project would not substantially alter the existing drainage pattern of the Project 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 that would result in flooding on- or off-site. Impacts would be less than significant.

Create or Contribute Runoff Water Which Would Exceed the Capacity of Existing or Planned Stormwater Drainage Systems

The Project would not create runoff that would exceed the capacity of existing or planned drainage systems because the current drainage infrastructure is sufficient to handle existing and post-project peak flows, and would not require construction of new stormwater drainage facilities or expansion of existing facilities because there is no material change in pre- and post-project stormwater runoff volumes or flow rates. Therefore, the Project would not 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. Impacts would be less than significant.

Degrade Water Quality

The Project would implement a site-specific SWPPP adhering to the California Stormwater Quality Association BMP Handbook. In addition, the Project would implement infiltration for stormwater runoff in accordance with current LID requirements, and generally improve the water quality conditions during operation of the Project. Finally, Project does not propose any activities or land uses that would otherwise create water quality pollutants that are atypical of most urban existing uses and proposed developments. Therefore, the Project would not otherwise substantially degrade water quality. Impacts would be less than significant.

Housing or Structures within a 100-year Flood Plain

The Project Site is not located within a flood zone, including the 100-year flood zone designated by the Federal Emergency Management Agency (FEMA). Thus, no flood zone impacts would occur and no mitigation measures would be required. This impact will also be clearly insignificant and unlikely to occur.

Levee or Dam

The Project Site is not located within a designated floodplain. Further, the Project Site is not located with a potential inundation area. Additionally, there are no levees or dams in the Project vicinity. Therefore, no impact associated with flooding, including flooding due to the failure of a levee or dam, would occur. This impact will also be clearly insignificant and unlikely to occur.

Inundation by Seiche, Tsunami, or Mudflow

With respect to tsunami hazards, the Project Site would not be subject to a tsunami, and is not located in a City-designated tsunami hazard area. The Project Site is located in an area of

relatively flat topography and urban development, with no enclosed bodies of water nearby, and as such, there is no potential for inundation resulting from a seiche or mudflows. Therefore, no impacts would occur due to inundation by tsunami or mudflow. This impact will also be clearly insignificant and unlikely to occur.

Cumulative

In accordance with City requirements, related projects and other future development projects would be required to implement BMPs to manage stormwater in accordance with LID guidelines. Furthermore, the City Department of Public Works would review each future development project on a case-by-case basis to ensure sufficient local and regional infrastructure is available to accommodate stormwater runoff. Construction and operation of future projects would be subject to NPDES requirements for water quality and Los Angeles Regional Water Quality Control Board (LARWQCB) requirements governing groundwater quality. As such, the Project's contribution to cumulatively significant impacts on surface water hydrology, surface water quality or groundwater quality, considered together with the related projects, would be less than significant.

Land Use and Planning

Physically Divide an Established Community

The Project Site is located within the boundaries of the Central City Community Plan, in the highly urbanized South Park district of Los Angeles. The Project vicinity is generally built out with a variety of entertainment, residential, and commercial uses, as well as surface parking. Development is generally dense, with mid- to high-rise structures typifying nearby development. The Project would represent infill development and would introduce new hotel and commercial uses to the Project Site similar to adjacent and nearby land uses. Therefore, the Project would not physically divide an established community and related impacts would be less than significant. This impact will also be clearly insignificant and unlikely to occur.

Consistency with Applicable Plans and Policies

The Project would develop a 42-story hotel tower and a 25-story hotel tower, ground-floor retail/restaurant uses, and streetscape improvements including landscaping, enhanced sidewalks, street lighting, decorative paving, and public seating. The Project also includes a Sign District on the Project Site and surrounding parcels. The Sign District would permit signage that is generally consistent with the extensive signage in the LASED, enhance the aesthetic character along Figueroa Street and Pico Boulevard, and create visual continuity within the South Park district.

The Project would increase the intensity of development on the Project Site, but would be compatible in scale and height with the adjacent developments and uses. The Project would also be compatible with applicable plans and policies, including SCAG 2016 RTP/SCS, General Plan Framework, Health and Wellness Element (Plan for a Healthy Los Angeles), Do Real Planning, Walkability Checklist, Central City Community Plan, Redevelopment Plan for the City Center Redevelopment Project Area, 2010 Bicycle Plan and Mobility Plan 2035, and MyFigueroa Project. Therefore, impacts related to land use compatibility would be less than significant.

Conflict with Habitat Conservation Plans

The Project Site is located in the highly urbanized downtown area of Los Angeles and is developed with a two-story commercial building and surface parking. The Project Site is not located within a habitat conservation plan or natural community conservation plan. Therefore, the Project would not conflict with the provisions of any adopted applicable conservation plan. This impact will also be clearly insignificant and unlikely to occur.

Cumulative

The related projects, in conjunction with the Project, would provide needed housing, hotel rooms, and jobs in the downtown area near existing entertainment venues; provide amenities to visitors, residents, and workers; concentrate development near transit; activate the downtown area; and support the Convention Center, LA LIVE, and existing businesses. These projects are consistent with the high–rise, high-density development identified in the Framework Element, Community Plan, and City Center Redevelopment Plan. As such, the high-density mixed-use residential, retail, and hotel development would be consistent with the general intent of these plans to provide additional housing, hotel rooms, and job opportunities; intensify development near public transit and job centers; and encourage and active 24-hour environment in the downtown area. The Project and the related projects combined would be consistent with the overall intent of the applicable land use plans and would not preclude the attainment of primary land use goals in the South Park or downtown area. Therefore, the Project would not result in a cumulatively considerable significant impact regarding land use consistency and compatibility. Impacts are less than significant.

Mineral Resources

The Project Site is not classified by the City of Los Angeles as containing significant mineral deposits. Furthermore, the Project Site is not designated as an existing mineral resource extraction area by the State of California or the U.S. Geological Survey. Although the Project Site is within a City-designated Oil Drilling District, that designation merely identifies districts where the drilling of oil wells or the production from the wells of oil, gases or other hydrocarbon substances is permitted (it does not apply to subterranean gas holding areas are operated as a public utility). There are no active wells or drilling on the Project Site and none are proposed as part of the Project; moreover, Project implementation would not impede such activities elsewhere in the Project area. Project implementation would not result in the loss of availability of a known mineral resource of value to the region and residents of the State, nor of a locally important mineral resource recovery site. No impacts to mineral resources would occur. This impact will also be clearly insignificant and unlikely to occur.

Noise

Noise in Excess of Applicable Standards – Off-Site Construction Activity and Related Noise

Construction truck trips would occur throughout the construction period. Haul trucks would travel on approved truck routes designated within the City. Given the Project Site's proximity to SR-110 and I-10, haul truck traffic would take the most direct route to the appropriate freeway ramps. The addition of the estimated haul trucks and worker vehicles per day along these routes would result in a negligible noise level increase and would not increase noise levels by 5 dBA CNEL over the ambient condition. Therefore, noise impacts from off-site construction

traffic would not expose persons to noise levels in excess of standards established by the City and would be less than significant. No mitigation measures are required.

Noise in Excess of Applicable Standards – Operational Noise

For operational noise, the threshold of significance used for on-site operations is an increase in ambient noise level of 5 dBA L_{eq} at an adjacent property line. The EIR found the following impacts less than significant on an individual basis while the composite operational uses are less than significant with mitigation measures incorporated, as discussed in detail in the Sections below.

Open Space - Hotel A/B Tower's 36th Floor Landscaped Viewing Deck

A portion of Hotel A/B Tower's 36th floor would contain an open-air landscaped viewing deck. The nearest residential uses are the multi-family residences at City Lights on Fig (receptor R7), approximately 120 feet south of the Project Site. The multi-family residences at City Lights on Fig are located in a five-story building, and as such would not be directly across from the Hotel A/B Tower's 36th floor. The landscaped viewing deck noise would be reduced to 43.6 dBA at the nearest noise sensitive receptor (R7), which is below the significance thresholds of 76.9 dBA (daytime noise level of 71.9 dBA at R7 in Table 4.8-1 of the Draft EIR plus 5 dBA).

The viewing deck would include ambient music. With speakers set at approximately 10 dBA over the noise level from visitors, ambient music noise would be approximately 53.6 dBA at the nearest noise sensitive receptor (R7). The combined noise level would be approximately 54.0 dBA, which is below the significance threshold of 76.9 dBA (daytime noise level of 71.9 dBA at R7 in Table 4.8-1 plus 5 dBA). As such, the impacts of noise associated with the use of common outdoor open spaces on the landscaped viewing deck, as experienced at the nearest sensitive receptor (R7), would not expose persons to noise levels in excess of City standards. Impacts would be less than significant and no mitigation would be required.

Open Space - Hotel C Tower's 24th Floor Rooftop Pool Deck

The Hotel C Tower would contain a roof deck containing a pool lounging area, cabanas, and various movable furniture for casual seating on the 24th floor. The Hotel C Tower's 24th floor rooftop pool deck would include light music and entertainment and would be programmed as a less active and more casual space compared to Hotel A/B Tower's 8th floor landscaped pool deck and 41st floor rooftop pool deck. The nearest noise-sensitive residential uses are receptor R5, the Circa project currently under construction and located approximately 25 feet north of the Project Site. However, the Hotel C Tower itself would block the line-of-sight between the Hotel C Tower's rooftop pool deck and the receptor R5. As a result, there would be no perceptible increases in noise from the Hotel C Tower's rooftop pool deck at the receptor R5.

The next nearest noise-sensitive uses are the multi-family residential uses across W. Pico Boulevard (receptor R7, City Lights on Fig Apartments), located approximately 120 feet to the south of the Project Site. The roof deck noise would be reduced to 44.7 dBA at the noise sensitive receptors (City Lights on Fig Apartments), R7 to the south, which is below the significance threshold of 76.9 dBA (daytime noise level of 71.9 dBA at R7 in Table 4.8-1 of the Draft EIR plus 5 dBA).

The Hotel C Tower rooftop pool deck would include light music and entertainment and would be programmed as a less active and more casual space compared to Hotel A/B Tower's 8th floor landscaped pool deck and 41st floor rooftop pool deck. The combined noise level would be

approximately 55.1 dBA, which is below the significance threshold which is below the daytime significance threshold of 76.9 dBA (daytime noise level of 71.9 dBA at R7 plus 5 dBA) and nighttime significance threshold of 69.6 dBA (nighttime noise level of 64.6 dBA from 10:00 P.M. to 2:00 A.M. plus 5 dBA). Furthermore, at this location, given the height of the 24th level, the noise from the rooftop pool deck would not substantially combine with the ground-level or near-ground level on-site Project noise sources and would not substantially contribute to Project composite noise sources.

Traffic – Existing and Future

The maximum increase in Project-related traffic noise levels over existing traffic noise levels would be 0.4 dBA CNEL, which would occur along W. Pico Boulevard between S. Figueroa Street and S. Flower Street adjacent to residential and commercial uses. The maximum increase in Project-related traffic noise levels over the future traffic noise levels would be 0.3 dBA CNEL, which would occur along S. Flower Street, between W. Pico Boulevard and W. Venice Boulevard adjacent to residential and commercial uses. These increases in sound level would be well below the most stringent significance threshold of 3 dBA CNEL increase over ambient noise levels. Accordingly, the Project-related noise increases would be less than the applicable thresholds. Therefore, operation of the Project would not result in off-site traffic-related noise impacts in excess of City standards and impacts would be less than significant.

Fixed Mechanical Equipment

As part of the Project, new mechanical equipment would be located on rooftops or within buildings, and would be shielded from nearby land uses to attenuate noise and avoid conflicts with adjacent uses. Operation of mechanical equipment would not exceed the City's thresholds of significance of a 5 dBA L_{eq} increase at an adjacent noise-sensitive property line, in accordance with the LAMC. The operation of mechanical equipment would not result in generation of noise levels in excess of standards established by the City and impacts would be less than significant.

Loading Dock Areas

Loading dock activities such as truck movements/idling and loading/unloading operations generate noise levels that have the potential to adversely impact adjacent land uses during long-term Project operations. Loading dock activities would not result in the generation of noise levels in excess of established City standards. As such, impacts would be less than significant and no mitigation measures are required. The Project would also incorporate PDF NOISE-1 to ensure impacts would be less than significant.

Refuse Collection Areas

Refuse collection activities such as truck movements/idling and trash compactor operations would generate noise levels that have the potential to adversely impact adjacent land uses during long-term Project operations. Truck idling and trash compactor noise would be approximately 54 dBA L_{eq} and 50 dBA L_{eq}, respectively, and would not increase the ambient noise level of 75 dBA L_{eq} at this location by 5 dBA. Activities associated with the refuse collection area would not result in the generation of noise levels in excess of established City standards. As such, impacts would be less than significant and no mitigation measures are required.

Parking Structures

Noise generated within the parking structure would be effectively shielded from the off-site sensitive receptors located in the vicinity of the Project Site except on the northeast side where the partially screened or open walls on the northeast side could allow for noise within the parking structure to reach the outside environment. The Project's parking related noise levels of approximately 54 dBA would not increase the nighttime ambient noise level of 60.4 dBA measured along S. Figueroa Street by 5 dBA. The Project's parking area would not result in the generation of noise levels in excess of City standards. Thus, this impact would be less than significant.

Ground Borne Vibration

Structural Impacts

Construction activities at the Project Site have the potential to generate low levels of groundborne vibration as the operation of heavy equipment generates vibrations that propagate through the ground and diminish in intensity with distance from the source. The nearest off-site receptors to the Project Site that could be exposed to vibration levels generated from Project construction include the residences at the Circa project located north of the Project Site and currently under construction. However, groundborne vibrations from construction activities very rarely reach the levels that can damage structures, but they may be perceptible in buildings very close to a construction site.

Vibration velocities from construction could range from 0.003 to 0.089 in/sec PPV at 25 feet from the source of activity. Residential receptors R2, R3, R4, R6, and R7 are located more than 100 feet from the Project Site. Therefore, based on the information shown in Table 4.8-19 in the Draft EIR, which shows an estimated 87 VdB (0.089 in/sec PPV) at a distance of 25 feet at receptor R5 from the Project Site, these residential receptors would not be exposed to in/sec PPV groundborne vibration levels exceeding the FTA's 94 VdB (0.2 in/sec PPV) for non-engineered concrete and masonry buildings. As such, the vibration impacts at these residential buildings would be less than significant, and no mitigation measures are required.

Construction trucks (e.g., haul, delivery and construction trucks) would also generate ground-borne vibration as they travel along the Project's anticipated haul route. Since PDF TRAF-1 would identify haul routes and the location of any roadway or sidewalk closures as well as traffic detours, roadway travel over uneven road surfaces in the immediate vicinity of a building is not expected. As such, impacts would be less than significant with respect to structural impacts.

Human Annoyance – Operation

The potential vibration levels of approximately up to 50 VdB to 60 VdB from all Project operational sources at the closest existing and future sensitive receptor locations would be less than the significance threshold of 72 VdB for perceptibility for "Frequent Events." As such, the Project operations would not result in the generation of excessive groundborne vibration. Impacts associated with operation of the Project would be below the significance threshold and impacts would be less than significant.

Public and Private Airport Noise

The Project Site is not located within an airport land use plan or within two miles of an airport. Therefore, the Project would not expose its future residents or residents within the Project

vicinity to excessive noise levels from airport use. This impact will also be clearly insignificant and unlikely to occur.

Cumulative

Cumulative noise impacts would occur primarily as a result of increased traffic on local roadways due to operation of the Project and related projects, as traffic is the greatest source of operational noise in the Project area. Cumulative traffic-generated noise impacts were assessed based on a comparison of the future cumulative base traffic volumes with the Project to the existing base traffic volumes without the Project. The noise levels associated with existing base traffic volumes without the Project, and cumulative base traffic volumes with the Project are provided in Table 4.8-20, Off-Site Traffic Noise Impacts – Future 2022 Cumulative Increment. Table 4.8-20 shows the Project's contribution to the cumulative noise levels. The maximum cumulative noise increase from the Project plus related project traffic would be 3.2 dBA CNEL, which would occur along 12th Street, between S. Figueroa Street and S. Flower Street, where there are commercial uses within "normally acceptable" category with up to 63.9 dBA CNEL. This increase in sound level would not exceed the significance threshold of an increase of 5 dBA CNEL. As a result, cumulative traffic related noise impacts would be less than significant.

The LAMC-required provisions that limit stationary source noise from equipment such as rooftop mechanical equipment would ensure that noise levels would be less than significant at the property line for each related project. In addition, the types of on-site noise generated by each related project in the vicinity would be similar to noise from mixed-use multi-family residential projects that do not include substantial operational on-site noise generators. It follows that operational noise levels from the related projects would not be substantial considering the ambient noise levels in the surrounding urban environment. Further, noise from other stationary sources, including parking structures, open space activity and loading docks would be limited to areas in the immediate vicinity of each related project. The Project includes mitigation measures to reduce operational noise levels below a level of significance. And, there are not substantial on-site noise generators associated with the related projects that could combine with the on-site operational noise of the Project to create a cumulatively considerable significant impact As such, the Project's composite stationary source impacts considered together with potential operational noise from the related projects would be less than significant and would not result in a significant cumulative stationary source noise impacts.

Operation of the Project would result in generally low levels of vibration that would not exceed the threshold for human annoyance. The related projects would be expected to generate similarly low vibration levels from the same types of sources as the Project, such as commercial-grade stationary mechanical and electrical equipment, air handling units, condenser units, exhaust fans, and passenger vehicle circulation within parking areas. Due to the rapid attenuation characteristics of groundborne vibration, the generally low level of vibration from these types of sources, and the distance from each of the related projects to the Project Site, there is no potential for cumulative operational impacts with respect to groundborne vibration. Therefore, the potential for cumulatively significant groundborne vibration impacts is less than significant.

Project Design Features

PDF NOISE-1: Prohibition of Idling: The Project shall not allow delivery truck idling of main engines in the loading area pursuant to applicable City and State standards. Signs shall be posted prohibiting idling.

Conclusion

No mitigation measures are included in the EIR with respect to the above thresholds of significance since impacts are less than significant with incorporation of PDF-NOISE-1.

Population and Housing

Induce Substantial Population Growth

The Project would not have indirect effects on growth through such mechanisms as the extension of roads and infrastructure, since the infill Project would utilize the existing transportation and utility infrastructure to serve the Project. The Project would provide approximately 1,162 hotel rooms and 13,145 square feet of ground-floor retail space. The increase in growth is consistent with Southern California Association of Government's (SCAG) growth projections, and therefore impacts regarding consistency with the projections would be less than significant. This impact will also be clearly insignificant and unlikely to occur.

Displace Existing Housing or Persons

No residential dwelling units are currently located on the Project Site. Thus, the Project would not result in the demolition of existing housing units. Since no existing housing would be displaced, there would be no necessity for the construction of replacement housing elsewhere. This impact will also be clearly insignificant and unlikely to occur.

Public Services - Fire Protection

Construction

Construction activities associated with the demolition of the existing on-site structures and the construction of the Project have the potential require fire protection and EMS response. However, in compliance with OSHA and Fire and Building Code requirements, construction managers and personnel would be trained in fire prevention and emergency response. Fire suppression equipment specific to construction would be maintained on-site. Additionally, Project construction would comply with applicable existing codes and ordinances related to the maintenance of mechanical equipment, handling and storage of flammable materials, and cleanup of spills of flammable materials. Therefore, Project construction impacts on the demand for fire protection and EMS would be less than significant.

Project construction activities could also potentially affect emergency response times and emergency access to the Project Site and the vicinity due to Project construction traffic and temporary street closures. A Construction Management Plan would be implemented to minimize disruptions to through traffic flow and maintain emergency vehicle access to the Project Site and neighboring land uses (PDF TRAF-1). Furthermore, Project construction activities would be temporary and intermittent, and construction haul routes would require approval by the Los Angeles Department of Transportation (LADOT) prior to construction. Therefore, Project construction would not result in substantial adverse impacts to emergency response times and emergency access.

Based on the above, Project construction would not result in substantial adverse physical impacts associated with the provision of or need for new or altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain

acceptable service ratios, response times, or other performance objectives. Impacts would be less than significant.

Operation

The LAFD has determined that existing fire protection resources are adequate to serve the Project and that adherence to LAFD recommendations would reduce potential impacts to an acceptable level. Also, response times to the Project Site from the closest fire stations are within standards.

The Project would comply with the applicable Building Code, Fire Code, other LAMC, and LAFD requirements. Given these regulatory requirements and PDF TRAF-1, and given the LAFD's determination that existing fire protection resources are "adequate" to serve the Project, the incremental increase in demand for fire protection and EMS resulting from Project operation would not be substantial enough to require a new fire station, or the expansion, consolidation, or relocation of an existing fire station, to maintain existing service levels. Also, based on the distance criteria and compliance with LAFD requirements, the Project would not require the addition of a new fire facility, or the expansion, consolidation, or relocation of an existing facility in order to maintain service. As such, the potential for physical impacts associated with construction of new fire service facilities are considered less than significant.

Based on the above, Project operation would not result in substantial adverse physical impacts associated with the provision of or need for new or altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives. Impacts would be less than significant.

Emergency Access

Emergency access to the Project Site is provided by the three streets bordering the Project Site, including: (1) an ingress/egress driveway alley off W. Pico Boulevard; (2) an ingress-only driveway off S. Figueroa Street; and (3) an ingress/egress driveway off S. Flower Street. The Project would provide Fire Department access roadways, fire lanes, building access, and emergency directional signage as required by the LABC and LAMC. Furthermore, the Project would be subject to the review and approval of the LAFD for compliance with emergency access requirements, prior to the issuance of building permits. Therefore, adequate emergency access would be provided, and the impact would be less than significant.

Domestic Water Flow and Demand

The Project's domestic water demand is based on the approved WSA prepared for the Project (provided in Appendix L to the Draft EIR), which relies on the City's BOS sewerage generation factors. Based on the Utility Technical Report, the Hotel A/B Tower would have a domestic water demand for 620 gpm and would be connected to the 12-inch main in Figueroa Street for domestic and fire-flow demand, and the Hotel C Tower would have a domestic water demand for 480 gpm and would be connected to the 8-inch main in Flower Street for domestic and fire-flow demand. The approved Service Advisory Request (SAR) (provided in Exhibit 1 of the Utility Technical Report) confirms that the meter assembly capacity of a 6-inch line is 700 gpm, and therefore the existing infrastructure has adequate capacity to serve the Project.

Fire Flow and Demand

As previously stated, the LAFD has determined that the required fire-flow for the Project would be 6,000 to 9,000 gpm (total) from five fire hydrants flowing simultaneously with a residual water pressure of 20 psi. Project impacts with respect to fire-flow requirements would be less than significant because LADWP has confirmed that existing fire-flow from five hydrants in the Project vicinity would be available at sufficient gpm to serve the Project. The Project would be designed to comply with applicable regulatory requirements of the Fire Code, and development plans would be subject to review and approval by the LAFD.

Cumulative

The increase in development and service population from these related projects would generate, in conjunction with the Project, the need for additional fire protection and EMS from these fire stations. As discussed below, however, the incremental increase in demand on LAFD services would not result in a cumulatively considerable impact.

With regard to facilities and equipment, similar to the Project, the related projects would be required to implement all applicable Building Code and Fire Code requirements, demonstrated as part of LAFD's fire/life safety plan review and LAFD's fire/life safety inspection for new construction projects.

Compliance with applicable regulatory requirements would ensure that adequate fire prevention features would be provided and reduce demand on LAFD facilities and equipment. As with the Project, other related projects may also include the installation of automatic The Project, as well as the related projects, would also generate revenues to the City's Municipal Fund (in the form of property taxes, sales revenue, etc.) that could be applied toward the provision of new fire station facilities and related staffing, as deemed appropriate by the City.

With regard to response distance, given that the Project Site is located within an urban area, each of the related projects within the geographic scope would likewise be developed within urbanized locations serviced by one or more existing fire stations. Additionally, in accordance with Fire Code requirements, if the related projects would not be within the acceptable distance from a fire station, the related project would be required to install an automatic fire sprinkler system to comply with response distance requirements. Similarly, as with the Project, the related projects would be required to comply with all applicable Building Code and Fire Code requirements regarding site access, including providing adequate emergency vehicle access.

Further, the protection of public safety pursuant to the General Plan is the first responsibility of local government and local officials have an obligation to give priority to the provision of adequate public safety services, which are typically financed through the City general funds. Through the City's regular budgeting efforts, LAFD's resource needs would be identified and monies allocated according to the priorities at the time. The LAFD indicated that there are no immediate plans to increase staffing or resources in the area around the Project Site. Accordingly, the potential need for additional fire protection services as part of an unplanned fire station at this time is not an environmental impact that the Project would be required to mitigate.

Therefore, the Project's contribution to cumulative fire protection and EMS impacts would not be cumulatively considerable. The Project, when considered together with certain related projects, would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant

environmental impacts, in order to maintain acceptable fire protection and EMS. Cumulative impacts would be less than significant.

Project Design Features

PDF TRAF-1: Construction Management Plan: A detailed Construction Management Plan shall be submitted to the City's Department of Transportation (LADOT) for review and approval prior to the start of any construction work. The Construction Management Plan shall show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs, and access to abutting properties. The Construction Management Plan shall formalize how construction shall be carried out and identify specific actions that shall be required to reduce effects on the surrounding community. The Construction Management Plan shall be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site, and shall include, but not be limited to, the following mandatory elements:

- Advance, bilingual notification of adjacent property owners and occupants of upcoming construction activities, including durations and daily hours of operation.
- Prohibition of construction worker or equipment parking on adjacent streets.
- Temporary pedestrian, bicycle, and vehicular traffic controls during all construction activities adjacent to Figueroa Street, Flower Street, and Pico Boulevard, to ensure traffic safety on public rights of way. These controls shall include, but not be limited to, flag people trained in pedestrian and bicycle safety at the Project Site's Figueroa Street, Flower Street and Pico Boulevard driveways.
- Temporary traffic control during all construction activities adjacent to public rights-of-way to improve traffic flow on public roadways (e.g., flag men).
- Scheduling of construction activities to reduce the effect on traffic flow on surrounding arterial streets.
- Sequencing construction activity to reduce the amount of construction-related traffic on arterial streets.
- Contain construction activity within the Project Site boundaries.
- Coordination with LADOT to address any overlapping of construction with the MyFigueroa project.
- Coordination with Metro to address any construction near the railroad right of way.
- Safety precautions for pedestrians and bicyclists through alternate routing and protection barriers/fencing that shall be implemented.
- Scheduling of construction-related deliveries and haul trips so as to occur outside the commuter peak hours.

Conclusion

No mitigation measures are included in the EIR with regard to Public Utilities – Fire Protection, and impacts would be less than significant with the incorporation of PDF-TRAF-1.

Public Services - Police Protection

Construction

During short-term Project construction, the Project Site which could be subject to theft or vandalism, potentially requiring Los Angeles Police Department (LAPD) involvement. The potential impacts during construction would be addressed through a number of security measures found in PDF POL-1 to limit access to construction areas, including private security, construction fencing, and locked entry. Incorporation of PDF POL-2 would also ensure impacts would be less than significant.

Short-term Project construction activities would generate traffic and may involve temporary lane closures. PDF TRAF-1, which would be subject to review and approval by LADOT would ensure that adequate and safe access remains available at the Project Site during construction activities.

The various safety features that would be implemented during Project construction would reduce the potential for incidents that would require police response. Thus, based on the above, temporary construction activities associated with the Project would not generate a demand for additional police protection services that would substantially exceed the capability of the LAPD to serve the Project Site, nor would Project construction cause a substantial increase in emergency response times as a result of increased traffic congestion. Therefore, Project construction would not result in substantial adverse physical impacts associated with the provision or need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives for police protection. Impacts on police protection services during Project construction would be less than significant.

Operation

The Project would introduce additional employees, hotel guests, and retail/restaurant customers to the Project Site which could potentially require an increase in LAPD police responses. Demand for police services would be reduced as the result of the security services provided by the South Park BID Safety Team, which would help patrol the Project Site and surrounding area; and the proposed security features set forth in PDF POL-3, including private on-site security and a close circuit television system. The improved safety conditions around the Project Site after development could beneficially impact the level of potential criminal activity in the immediate vicinity.

LAPD assessed the Project characteristics in its April 18, 2017 letter, and stated that while there could be an increased need for police services, there are no current plans to expand the Central Community Police Station or increase the number of personnel assigned to the Central Area. This conclusion, coupled with an adequate officer-per-resident ratio before and after the Project, indicates that operational impacts on police protection services would be less than significant.

In addition, emergency response times are not expected to significantly increase as a result of the Project. Therefore, Project operation would not result in substantial adverse physical impacts associated with the provision or need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives for police protection. Impacts would be less than significant.

Cumulative

The increase in development and service population from these related projects would generate, in conjunction with the Project, the need for additional police protection from the Central Community Police Station. As discussed below, however, the incremental increase in demand on LAPD services would not result in a cumulatively considerable impact.

However, similar to the Project, each related project would be subject to the City's routine construction permitting process that includes a review by the LAPD to ensure that sufficient security measures are implemented to reduce potential impacts to police services. With respect to operations, the related projects would be required to demonstrate general conformance with applicable General Plan goals, objectives, and policies pertaining to police services as part of environmental review. As part of this process, the related projects (particularly those of a larger nature) would be subject to review by LAPD to implement sufficient security measures are implemented to reduce potential impacts to police protection services. Similarly, many of the related projects would also be expected to provide on-site security, personnel and/or PDF that reduce demand for police protection services.

Accordingly, the Project would not have cumulatively considerable impacts on police protection services. The Project would not independently, or when combined with the related projects, directly require the development of a new or expanded police facility. Therefore, the Project would not result in a cumulatively considerable or substantial adverse physical impact associated with the provision or need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives for police protection. Cumulative impacts on police protection services would be less than significant.

Project Design Features

PDF POL-1: On-Site Construction Security Measures: During construction, on-site security measures shall include:

- Private security personnel shall monitor vehicle and pedestrian access to the construction areas and the Project Site; and
- Construction fencing with gated and locked entry shall be installed around the perimeter of the construction site.

PDF POL-2: Provision of Project Diagrams to LAPD: Prior to the issuance of a building permit, the Project shall provide the LAPD Central Area Commanding Officer with a diagram of each portion of the Project Site, including access routes, gate access codes, and additional information, as required, to facilitate potential LAPD responses.

PDF POL-3: **On-Site Operational Security Measures:** The Project shall provide an extensive security program to ensure the safety of hotel guests, employees and other visitors to the Project Site. On-site security measures during Project operation shall include:

- Comprehensive coverage and monitoring of key areas through Close Circuit Television (CCTV) systems;
- Access to non-public areas of the Project shall be restricted by electronically controlled locking and access cards;

- Full time 24-hour security shall be provided, including security in each hotel tower along with roving patrols

PDF TRAF-1: Construction Management Plan: A detailed Construction Management Plan shall be submitted to the City's Department of Transportation (LADOT) for review and approval prior to the start of any construction work. The Construction Management Plan shall show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs, and access to abutting properties. The Construction Management Plan shall formalize how construction shall be carried out and identify specific actions that shall be required to reduce effects on the surrounding community. The Construction Management Plan shall be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site, and shall include, but not be limited to, the following mandatory elements:

- Advance, bilingual notification of adjacent property owners and occupants of upcoming construction activities, including durations and daily hours of operation.
- Prohibition of construction worker or equipment parking on adjacent streets.
- Temporary pedestrian, bicycle, and vehicular traffic controls during all construction activities adjacent to Figueroa Street, Flower Street, and Pico Boulevard, to ensure traffic safety on public rights of way. These controls shall include, but not be limited to, flag people trained in pedestrian and bicycle safety at the Project Site's Figueroa Street, Flower Street and Pico Boulevard driveways.
- Temporary traffic control during all construction activities adjacent to public rights-of-way to improve traffic flow on public roadways (e.g., flag men).
- Scheduling of construction activities to reduce the effect on traffic flow on surrounding arterial streets.
- Sequencing construction activity to reduce the amount of construction-related traffic on arterial streets.
- Contain construction activity within the Project Site boundaries.
- Coordination with LADOT to address any overlapping of construction with the MyFigueroa project.
- Coordination with Metro to address any construction near the railroad right of way.
- Safety precautions for pedestrians and bicyclists through alternate routing and protection barriers/fencing that shall be implemented.
- Scheduling of construction-related deliveries and haul trips so as to occur outside the commuter peak hours.

Conclusion

No mitigation measures are included in the EIR with regard to police protection, and impacts would be less than significant in consideration of the Project Design Features.

Public Services - Schools

There would be no new student population associated with Project construction. Because the Project contains no residential component, the Project's projected student generation is likely to be less than estimated. The Project's retail and hotel uses would generate few, if any, students. For Project operation, if Project employees currently reside in neighboring communities and

have school children, it is expected the children would remain enrolled in their current school. If employees with school-age children choose to move closer to the Project Site for work, or if new employees with school-age children are hired form the surrounding community or another City, there could be an increase in student population in the nearby schools of up to 10 students.

To the extent that on-site development increases demand at LAUSD schools serving the Project Site, State law, including Government Code Section 65995 and Education Code Section 17620, requires the payment of fees at a specified rate for the funding of improvements and expansion to school facilities. Such fees are paid upon the issuance of building permits. In accordance with Senate Bill 50 (SB 50), enacted in 1998, the payment of this fee is deemed to provide full and complete mitigation for impacts to school facilities and impacts to schools would therefore be reduced to a less than significant level. No mitigation measures are required. This impact will also be clearly insignificant and unlikely to occur.

Public Services - Parks

Since the Project does not include residential uses, it would generate minimal demand for existing parks and recreational facilities. However, a small percentage of new visitors and employees to the Project Site might visit nearby parks and generate some degree of increased demand on existing public recreational and park facilities. The proposed hotels include open space above the podiums and on the rooftops, including pool decks and community gathering areas. These facilities would reduce the Project's limited demand for use of existing public recreational and park facilities. Therefore, there would be a less than significant impact on park services in the Project area. This impact will also be clearly insignificant and unlikely to occur.

Public Service - Other Public Facilities

Since there is no residential component to the Project, the only potential new library visitors, if any, would be employees or visitors to the Project Site. The addition of 594 new employees to the Project Site would not materially change demand on local libraries. Therefore, there would be a less than significant impact associated with library services.

During construction and operation of the Project, other governmental services, including roads, would continue to be utilized. Project patrons, visitors, and employees would use the existing road network, without the need for new roadways to serve the Project Site. However, the additional use of roadways would not be excessive and would not necessitate the upkeep of such facilities beyond normal requirements. Therefore, the Project would result in less than significant impacts on other governmental services. This impact will also be clearly insignificant and unlikely to occur.

Recreation

Increased Use of Existing Neighborhood and Regional Parks

The Project would introduce new visitors and employees to the Project Site and greater demand on existing public recreational and park facilities and services could be generated. As the Project would provide approximately 39,790 square feet of private and public open spaces across the Project Site through the provision of hardscape, planting areas, pools and decks, fitness centers, and other guest amenities, Project-related demand existing public recreational and park facilities would be minimal. Therefore, the Project would not cause or accelerate the deterioration of regional or neighborhood parks and recreational facilities. This impact will also be clearly insignificant and unlikely to occur.

New or Required Construction of Recreational Facilities

The Project would provide both publicly accessible and private open space and recreational amenities. These Project features have been incorporated into the overall Project design. Therefore, the construction of these recreational facilities as part of the Project would take place at the same time as the rest of the construction processes and would have no additional adverse physical effects on the environment. Therefore, there would be a less than significant impact in regards to construction or expansion of recreational facilities which may have adverse physical effects on the environment. This impact will also be clearly insignificant and unlikely to occur.

Transportation and Traffic

Congestion Management Program

Arterial Monitoring Station Analysis

One arterial CMP monitoring station is located within 2 miles of the Study Area (i.e., Alvarado Street & Wilshire Boulevard, which is located approximately 1.25 miles northwest of the Study Area boundary (Intersection #7 Georgia Street/SR-110 Northbound Off-Ramp & 9th Street). The Project is expected to add 10 trips during the A.M. and P.M. peak hours at this arterial monitoring intersection, which is fewer than the 50 peak-hour trip threshold set by the CMP for analysis of arterial monitoring intersections. Therefore, the Project's CMP arterial intersection impacts are considered to be less than significant and no further analysis is required.

Freeway Segment Analysis

The CMP identifies four mainline freeway monitoring location within the vicinity of the Project Site, SR-110 south of US 101 – approximately 1.50 miles northeast of the Project Site; SR-110 at Alpine Street – approximately 2.15 miles northwest of the Project Site; US 101 north of Vignes Street – approximately 2.25 miles northeast of the Project Site; and I-10 at Budlong Avenue – approximately 1.65 southwest of the Project Site.

The Project would add no more than 33 trips during the a.m. and p.m. peak hours in either direction on these freeway mainline monitoring locations, which is fewer than the 150 peak-hour trip threshold set by the CMP for analysis of mainline freeway segments. Nonetheless, to provide conservative and robust analysis, further CMP analysis was conducted to provide additional information related to the Project's potential incremental effects on the freeway mainline facilities based on the measured flow compared to the estimated capacity of the freeway mainline section. The changes in the D/C ratio during the a.m. and p.m. peak hour at the four CMP mainline freeway monitoring locations with the addition of Project traffic would not exceed the CMP significance threshold of 0.02 under either Existing or Future Conditions. Therefore, the Project would result in a less than significant impact on the CMP freeway segments.

Air Traffic Patterns

The two nearest airports are the Santa Monica Municipal Airport and the Los Angeles International Airport, which are located approximately 11 miles west and 11 miles southwest of the Project Site, respectively. The Project is within the cluster of high-rise towers that comprise the downtown area of Los Angeles. As such, the Project is not anticipated to alter air traffic

patterns or affect the utilization of navigable air space. Further, to ensure the safety of residents and guests from localized aircraft (e.g., helicopters), the Project would be subject to the Federal Aviation Administration's (FAA) Federal Aviation Regulations Part 77, Objects Affecting Navigable Airspace. These regulations ensure air safety by regulating construction or alteration of buildings or structures that may affect navigable airspace, and apply to buildings with a height of over 200 feet above ground level. The Project would result in the development of two towers on the site that would be 529 and 326 feet above grade. In accordance with FAA regulations, and similar to other downtown high-rise buildings, the Project would be required to notify the FAA of the building's location and height, and install flashing beacons and/or steady burning lights to demarcate the building's location to aircraft. As such, the Project would not result in a change in air traffic patterns including, increases in traffic levels or changes in location that would result in substantial safety risks. This impact will also be clearly insignificant and unlikely to occur.

Increased Hazards Due to a Design Features or Incompatible Use

Vehicular access would be provided via three driveways along W. Pico Boulevard, S. Figueroa Street, and S. Flower Street, the three major roadways surrounding the Project Site. Hotel pick-up/drop-off areas would be primarily accessed via the existing alley along W. Pico Boulevard. LADOT reviewed and approved the Traffic Study wherein the Project design includes an eastbound left-turn lane along W. Pico Boulevard that would be provided to minimize the potential for blocking through-vehicles and creating vehicle queues on W. Pico Boulevard. Access to the parking structure would be provided via the inbound-only driveway on S. Figueroa Street, which currently provides both inbound and outbound access, and the primary Project driveway which would be located in the same location as the current alley along W. Pico Boulevard. Secondary access to the hotel pick-up/drop-off and the parking garage would be provided via a new driveway on S. Flower Street. The driveways would be designed based on LADOT standards. The driveways would not require the removal or relocation of existing transit stops and would be designed and configured to avoid potential conflicts with transit services and pedestrian traffic.

With respect to access and compatibility with neighboring land uses, the Project Site is bordered by commercial uses to the east and the Metro Pico Station; commercial uses to the west (the Los Angeles Convention Center); the under-construction Circa high-rise mixed-use commercial and residential project to the north; and a mix of commercial retail and residential uses to the south. The ingress/egress driveway for the parking structure for residential property south of the Project Site, City Lights on Fig, aligns with the existing alley/future driveway for the Project Site and therefore there is no conflict along W. Pico Boulevard with respect to Project Site access. Similarly, the future Project Site driveway on S. Figueroa Street, against the northern property boundary, would be in the same location as the existing driveway in that location. The Project would limit access to in-bound only traffic at the S. Figueroa Street driveway rather than the current inbound and outbound traffic. The driveway onto S. Flower Street would allow right-turn-only Project Site ingress and egress since it is a 1-way street.

Pedestrian access to the hotels would be provided from the porte-cochères along the alley, primarily accessed via W. Pico Boulevard. Pedestrian access to the commercial uses would be provided from S. Figueroa Street, S. Flower Street, and W. Pico Boulevard. The Project access locations would be designed to City standards and would provide adequate sight distance, sidewalks, crosswalks, and pedestrian movement controls that meet the City's requirements to protect pedestrian safety. All roadways and driveways intersect at right angles, and street trees and other potential impediments to adequate driver and pedestrian visibility would be minimal.

Therefore, the Project would not create or substantially increase hazards due to a design feature or incompatible uses.

Emergency Access

Existing emergency access to the Project Site is considered adequate based on the response distances of the first-due Engine Company and first-due Truck Company, which are both housed at Fire Station No. 10, located 0.33 mile from the Project Site. Project construction activities could potentially affect emergency response times and emergency access to the Project Site and the vicinity due to Project construction traffic and temporary street closures. However, because of the close proximity of the first-due and other fire stations, and with implementation of PDF TRAF-1, Construction Management Plan, which is intended to minimize disruptions to through-traffic flow and maintain emergency vehicle access to the Project Site and neighboring land uses, construction impacts on emergency access were determined to be less than significant.

With respect to Project operations, the Project Site is bordered by three major streets and would provide: (1) an ingress/egress driveway alley off W. Pico Boulevard, (2) an ingress-only driveway off S. Figueroa Street, and (3) an ingress/egress driveway off S. Flower Street. The final design of emergency access features would be subject to the review and approval of the LAFD for compliance with emergency access requirements, prior to the issuance of building permits. Therefore, adequate emergency access would be provided. Operational impacts on emergency access would be adequate and impacts would be less than significant.

Conflict with Adopted Policies, Plans or Program Regarding Public Transit, Bicycle, or Pedestrian Facilities

The Project would be consistent with policies, plans, and programs that support alternative transportation, including the Mobility Plan and 2010 Bicycle Plan, Central City Community Plan, MyFigueroa project, and Los Angeles Streetcar project. The Project would support alternative transportation by: enhancing the pedestrian experience through the provisions of wide sidewalks and landscaping, and providing a connection with the Convention Center, Staples Center, and LA LIVE; concentrating mixed use development within the Downtown Center near public transit; supporting bicycle and pedestrian uses along Figueroa Street and 11th Street consistent with MyFigueroa project and the Los Angeles Streetcar project;; and providing bicycle parking in compliance with LAMC requirements. Therefore, the Project would not conflict with policies, plans, and programs that support alternative transportation, and impacts would be less than significant.

Cumulative

As discussed above and in the Draft EIR, the CMP analysis incorporates cumulative development by taking into consideration related projects and anticipated growth. As such, consistent with the analysis above, cumulative impacts related to a conflict with an applicable CMP, considered together with related projects, would not be a significant cumulative impact. Thus, the Project's incremental effect would not be cumulatively considerable.

The Project's impacts to hazards due to design features or incompatible uses or inadequate emergency access would be less than significant. Additionally, construction and operation of future projects would be subject to LADOT standards and final design of emergency access features would be subject to the review and approval of the LAFD for compliance with emergency access requirements. As such, the Project’s contribution to cumulatively significant

impacts on increasing hazards or inadequate emergency access, considered together with the related projects, would not be a significant cumulative impact. Thus, the Project's incremental effect would not be cumulatively considerable.

The Project would also be consistent with policies, plans, and programs that support alternative transportation, including the Mobility Plan and 2010 Bicycle Plan, Central City Community Plan, MyFigueroa project, and Los Angeles Streetcar project. The Project would also support alternative transportation. Future projects would also be required to be consistent with applicable policies, plans, and programs. Therefore, the Project's impacts would be less than significant, and considered together with related projects would not be a significant cumulative impact. Thus, the Project's incremental effect would not be cumulatively considerable.

The Project Site is served by numerous bus lines, as well as the Metro Red Line, Purple Line, Blue Line and Expo Line, and Foothill Transit, OCTA, and Torrance Transit bus lines. Although the Project (and other related projects) will cumulatively add transit ridership, the Project Site, Downtown Los Angeles, and the Study Area are well served by a vast amount of transit service with regional connectivity. It follows that capacity constraints in one transit resource or station do not necessarily translate directly into impacts on capacity of the transit system to service ridership regionally. Overall, the Traffic Study (Appendix K to the Draft EIR) demonstrates that the total transit capacity along the routes of those lines can accommodate the Project and cumulative impacts of the related projects and anticipated growth. Therefore, the Project impact to the regional transit system would be less than significant, and considered together with related projects would not be a significant cumulative impact. Thus, the Project's incremental effect would not be cumulatively considerable.

Project Design Features

PDF TRAF-1: Construction Management Plan: A detailed Construction Management Plan shall be submitted to the City's Department of Transportation (LADOT) for review and approval prior to the start of any construction work. The Construction Management Plan shall show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs, and access to abutting properties. The Construction Management Plan shall formalize how construction shall be carried out and identify specific actions that shall be required to reduce effects on the surrounding community. The Construction Management Plan shall be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site, and shall include, but not be limited to, the following mandatory elements:

- Advance, bilingual notification of adjacent property owners and occupants of upcoming construction activities, including durations and daily hours of operation.
- Prohibition of construction worker or equipment parking on adjacent streets.
- Temporary pedestrian, bicycle, and vehicular traffic controls during all construction activities adjacent to Figueroa Street, Flower Street, and Pico Boulevard, to ensure traffic safety on public rights of way. These controls shall include, but not be limited to, flag people trained in pedestrian and bicycle safety at the Project Site's Figueroa Street, Flower Street and Pico Boulevard driveways.
- Temporary traffic control during all construction activities adjacent to public rights-of-way to improve traffic flow on public roadways (e.g., flag men).
- Scheduling of construction activities to reduce the effect on traffic flow on surrounding arterial streets.

- Sequencing construction activity to reduce the amount of construction-related traffic on arterial streets.
- Contain construction activity within the Project Site boundaries.
- Coordination with LADOT to address any overlapping of construction with the MyFigueroa project.
- Coordination with Metro to address any construction near the railroad right of way.
- Safety precautions for pedestrians and bicyclists through alternate routing and protection barriers/fencing that shall be implemented.
- Scheduling of construction-related deliveries and haul trips so as to occur outside the commuter peak hours.

Conclusion

No mitigation measures are included in the EIR with respect to the above thresholds of significance since impacts are less than significant with implementation of PDF TRAF-1.

Tribal Cultural Resources

Substantial Adverse Change in the Significance of a Tribal Cultural Resource Defined in Public Resources Code Section 21074 and Listed in Public Resources Code Section 5024.1(k).

The City sent notification letters on January 27, 2017 to the California Native American Tribes that requested inclusion on the City's AB 52 notification list. On July 19, 2017, the City, after acting in good faith and with reasonable effort, concluded consultation for the Project. The City determined that the record did not contain substantial evidence that the Project may cause a significant impact on a tribal cultural resource. The City also determined that no mitigation measures relating to tribal cultural resources were required.

Finally, none of the potential tribal resources disclosed during the consultation process, or after the City had concluded consultation, are either listed or eligible for listing in the California Register or in a local register of historical resources as defined in PRC Section 5020.1(k). Therefore, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource as defined in PRC Section 21074. Impacts would be less than significant and no mitigation measures are required.

Substantial Adverse Change in the Significance of a Tribal Cultural Resource Defined in Public Resources Code Section 21074 and Determined by the Lead Agency to be Significant under Public Resources Code Section 5024.1(c)

In compliance with AB 52, the City sent notification letters on January 27, 2017 to the California Native American Tribes that requested inclusion on the City's AB 52 notification list. On July 19, 2017, the City, after acting in good faith and with reasonable effort, concluded consultation for the Project. Accordingly, the City determined, in its discretion based on the evidence in the record, that the Project would not cause a substantial adverse change in the significance of a tribal cultural resource pursuant to the criteria in subdivision (c) of PRC Section 5024.1. Therefore, impacts would be less than significant and no mitigation measures are required.

Cumulative

As demonstrated above, the Project does not result in a significant impact to a tribal cultural resource. Specifically, there are no resources listed or determined eligible for listing, on the national, state, or local register of historical resources and the Lead Agency determined that resources identified during AB 52 tribal consultation are not eligible for listing under the criteria in subsection (c) of the Public Resources Code Section 5024.1. Therefore, the Project itself does not make a contribution to a cumulative impact on tribal cultural resources. Accordingly, the impact to tribal cultural resources cannot be characterized as a cumulative impact of the Project.

Further, in compliance with CEQA review, AB 52 consultation was completed for the Project. Similarly, consultations would be required for the related projects with California Native American Tribes in order to identify potential impacts to tribal cultural resources. There are no other ongoing or foreseeable contiguous excavations adjacent to the Project Site that could, when viewed together with the Project, cause a substantial adverse change in the significance of a tribal cultural resource. Therefore, the Project would not independently contribute to a cumulative impact, and when considered together with the related projects, would not create a cumulative impact. Therefore, impacts are less than cumulatively considerable and there are no cumulatively significant impacts on tribal cultural resources.

Utilities

Exceed Wastewater Treatment Requirements of Los Angeles Regional Water Quality Control Board

Construction activities would produce nominal amounts of wastewater from construction workers on the Project Site. The resultant waste would be disposed of off-site by licensed waste haulers and would not be directed to the City's sewer system. Therefore, construction activities would not create wastewater that would exceed the treatment requirements of the applicable RWQCB.

Operationally, the Project would increase the amount of wastewater generated at the Project Site. Similar to existing conditions, the effluent from the Project would be conveyed to Hyperion Water Reclamation Plant (HWRP) and the HWRP continually monitors all effluent to ensure it meets applicable water quality standards of the RWQCB. These standards are more stringent than those required under the operable NPDES permit. Therefore, the Project would comply with the wastewater treatment requirements of the RWQCB. Impacts would be less than significant.

Require Construction of New Wastewater Treatment Facilities or Expansion of Existing Facilities

Construction

During construction of the Project, a nominal volume of wastewater would be temporarily generated by on-site construction workers, totaling less than is generated by the on-site uses under existing conditions. The wastewater would not be directed into the City's sewer system and would not increase in wastewater flows from the Project Site compared to existing conditions.

Construction of the Project would include all necessary on- and off-site sewer pipe improvements and connections to adequately connect to the City's existing sewer system. Construction would occur on the Project Site and be primarily confined to trenching for miscellaneous utility lines and connections to public infrastructure. The designs of these connections would be developed by a registered engineer and approved by the City's Bureau of Engineering.

Therefore, existing wastewater treatment capacity, and future wastewater treatment capacity, show that sufficient wastewater treatment capacity would be available for Project construction. The Project would not require the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects. Impacts would be less than significant.

Operations

The Project Site would continue to be served by existing City water and utility lines, including the 10-inch sewer main in S. Figueroa Street and the 10-inch sewer main in W. Pico Boulevard. The Project would result in an estimated average daily wastewater generation of approximately 310,898 gpd. However, after subtracting the existing wastewater generation of 55,600 gpd, the Project would result in a net increase of 255,298 gpd of wastewater generation over existing conditions. The proposed increase of 255,298 gpd from the Project is approximately 0.2553 million gallons per day (mgd), which equals 0.146 percent of HWRP's available capacity.

The capacity of sewer lines to serve the Project, specifically 10-inch sewer main in S. Figueroa Street and 10-inch sewer main in W. Pico Boulevard, was validated through the City Bureau of Engineering's (BOE) letter responses to a SCAR application in April 2017. The letters indicate that sufficient hydraulic capacity exists in the system to accommodate wastewater generated during operation of the Project.

Moreover, the existing design capacity of the HWRP is approximately 450 mgd. Currently, approximately 275 mgd is treated at the HWRP, resulting in residual treatment capacity of approximately 175 mgd. The proposed increase of 255,298 gpd (equivalent to 0.2553 mgd) generated during Project operation would represent 0.146 percent of the HWRP's existing residual capacity.

For future conditions, as discussed below in cumulative impacts, the average dry weather flow for HWRP, as projected by Integrated Resource Plan (IRP), would be 435 mgd in 2020. The net increase in wastewater that would result from Project operation could be accommodated within the projected available capacity of the HWRP for 2020 and would not substantially increase the projected average dry weather wastewater flows to the HWRP.

Therefore, given the amount of wastewater generated during Project operation, existing wastewater treatment capacity, and future wastewater treatment capacity, sufficient wastewater treatment capacity would be available to serve the proposed Project. The Project would not require the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects. Impacts would be less than significant.

Construction of New Water Facility or Expansion of New Water Facilities

The Project would be responsible for providing the necessary building water system on the Project Site and any extensions to connect the Project Site to existing water lines in the area.

The Project would connect to existing water mains located within the adjacent street right-of-ways. These include, per LADWP and available record data, a 12-inch and 16-inch water main in S. Figueroa Street, a 24-inch main in W. Pico Boulevard, and an 8-inch water main in S. Flower Street. LADWP water maps indicate that the 1240 South S. Figueroa lot is served by an existing water service off of S. Figueroa Street. The Project would require construction of new, on-site water distribution lines to provide the new building water service for the 601 W. Pico Boulevard lot.

As stated in the SAR, the Project would connect to the existing 16-inch main in S. Figueroa Street and 8-inch main in S. Flower Street to provide for domestic water flow services. Connecting to these existing mains would be through standard trenching and grading activities; does not materially change the construction activities associated with the Project. No upgrades to public water mains are anticipated. According to Los Angeles Department of Water and Power (LADWP), the service lateral from the Project Site to the existing water mains would be adequately sized to accommodate domestic demand and sufficient capacity is available in the existing water mains to serve the Project. No other scheduled water infrastructure improvements are known to be planned in the area, and none are required to adequately serve the Project. Also, the City has determined that the existing water infrastructure systems have sufficient capacity to meet the Project's needs.

Therefore, the Project would not require new water facilities or the expansion of existing facilities, the construction of which would cause significant environmental effects. Impacts would be less than significant.

Water Supply

Construction

Water would be required for Project construction activities, and would occur intermittently, with demand for water consumption varied, and generally short-term and temporary in nature. The activities requiring water would not create substantial water demand. Based on a review of construction projects of similar size and duration, a conservative estimate of construction water demand would be approximately 1,000 to 2,000 gallons per day (gpd). The water supply needed for construction is merely a fraction of the operational water demand and is well within the water supply available for the Project from existing LADWP entitlements. Impacts would be less than significant.

Operation

The Project would create new demand for the consumption of water resources that exceeds demand of the existing uses on the Project Site. As determined by LADWP in the approved WSA, the net increase in water demand for the Project would be approximately 289.84 afy. The estimate of water consumption includes the amount of water conservation required by Ordinance 180,822 and the PDF WS-1 related to water conservation, and the WSA has determined that sufficient water supplies are available to serve the project, and impacts would be less than significant.

Result in a Determination by the Wastewater Treatment Provider that the Project Has Adequate Capacity to Serve Demand

Wastewater in the City is collected and conveyed by three separate sanitary sewer systems owned and operated by LADPW. Sanitary sewer service to the Project Site from the

surrounding streets is provided by BOS. As stated in the SCAR, provided in Exhibit 4 of the Utility Technical Report, the BOE requested verification from BOS for sewer capacity for the Project. BOS processed the SCAR on April 28, 2017, which led to a determination that there is capacity available to handle the anticipated discharge from the Project. Project construction would generate a nominal amount of wastewater which would be collected and disposed of off-site by a private company providing portable restrooms. Accordingly, construction-related wastewater would not constrain the City's sanitary sewer system, or substantially incrementally exceed the capacity of the HWRP.

The wastewater treatment provider (i.e., BOS), in coordination with BOE, concluded in the SCAR that sufficient capacity exists within the City's sanitary sewer system serving the Project Site to accommodate wastewater generated as part of Project operation without constraining sewer capacity. Ample future capacity also exists at the HWRP, which would treat wastewater discharged from the Project Site, to handle Project wastewater flows.

Therefore, BOS has determined there is adequate capacity to serve for the Project's demand in addition to the provider's existing commitments. The Project would not require or result in the construction of new wastewater treatment facilities or the expansion of existing facilities, the construction of which would cause significant environmental effects, and impacts would be less than significant.

Cumulative

Water Infrastructure

Development of the Project in conjunction with the related projects would cumulatively increase the need for service capacity of the existing water infrastructure. However, each cumulative project would be subject to City review to assure that the existing public water infrastructure would be adequate for the domestic and fire water conveyance demands of each project. The related projects would be required to attain SAR reports based on flow testing of water infrastructure to verify that there is available capacity at that time. Developers are required to improve infrastructure or facilities when needed and development cannot proceed without appropriate verification and approval. Furthermore, LADWP, together with the City's Department of Public Works, conducts ongoing evaluations to ensure facilities are adequate and requires infrastructure system improvements. As evidenced in the Utility Technical Report, the City determined that there is sufficient capacity in the existing water conveyance infrastructure to support existing development, the Project, and anticipated growth. Therefore, the Project would not have a cumulatively considerable significant impact on the existing water facilities or infrastructure. Cumulative impacts on water infrastructure would be less than significant.

Water Demand

Development of the Project in conjunction with the related projects would cumulatively increase water demand in the City. LADWP provides water supply to the City and the WSA conclusions considered the Project water demand within the context of citywide water demand and anticipated growth. The cumulative water demand for the Project and the related projects is approximately 13,823,384 gpd or 15,496 afy. As discussed above, LADWP has a reliable water supply of 675,700 afy in 2040 to service an estimated demand of 675,685 afy based on anticipated growth citywide. Thus, the combined water demand from the Project and the related projects is within the available supply of LADWP. Moreover, the WSA confirmed adequate supply for the Projects and future growth within the City.

Therefore, the Project would not have a cumulatively considerable significant impact on water supply. Cumulative impacts on water supply would be less than significant.

Wastewater Generation

The HWRP has a service area encompassing 600 square miles, which provides a geographic scope for cumulative analysis. With respect to wastewater infrastructure, this analysis considers the related projects and SCAR determinations from the City that infrastructure can accommodate cumulative growth.

Wastewater Conveyance Infrastructure

As with the Project, the related projects would be subject to the provisions of the LAMC requiring provision of on-site infrastructure, improvements to connect project wastewater into the local conveyance infrastructure, payment of fees for future sewerage replacement and/or relief improvements, and a required determination by LADPW that there is allotted sewer capacity available to adequately service each project. The City accounts for other recently approved SCARs and evaluates the potential for cumulative impacts on the sanitary sewer system caused by related projects and growth.

Therefore, the Project, when considered together with the related projects, would not have a cumulatively considerable significant impact on wastewater infrastructure. The City's sanitary sewer system infrastructure would accommodate current and foreseeable new development and would have sufficient capacity for the contributions of the Project and the related projects.

Wastewater Treatment

For future conditions, as discussed below in cumulative impacts, the average dry weather flow for HWRP, as projected by IRP, would be 435 mgd in 2020. The net increase in wastewater that would result from Project operation could be accommodated within the projected available capacity of the HWRP for 2020 and would not substantially or incrementally impact increase the projected average dry weather wastewater flows to the HWRP.

As previously stated, the HWRP has a treatment capacity of 450 mgd and a projected average dry weather flow of 435 mgd in 2020, which equates to approximately 15 mgd of additional capacity in the future condition. The IRP projected that cumulative growth through 2020 within the service area, which includes the Project Site and vicinity, could be accommodated by the design capacity of the HWRP. As demonstrated above, the Project would generate 255,298 mgd of wastewater in the future operational condition and that equates to 0.017 percent of the available treatment capacity. Forecasted wastewater flow from cumulative growth (i.e., 435 mgd) for the entire service area of the HWRP includes the Project Site and surrounding areas. Thus, the incremental increase of wastewater flow from the Project is captured within the cumulative increase in wastewater flow from growth within the service area. Furthermore, even if the 0.017 percent increase in wastewater flow was added onto the cumulative increase of wastewater from all growth (255,299 gpd + 435 mgd = 435,255,299 gpd) the total wastewater flow would still be well below the 450 mgd average dry weather flow design capacity. Thus, the Project would not have a cumulatively considerable impact on the wastewater treatment capacity of the HWRP.

In addition, the HWRP currently meets applicable water quality standards as set forth by the NPDES. As such, the wastewater effluent discharged by growth within the services area boundary would have a less than significant impact on water quality. Implementation of the IRP,

upgrades in the advanced treatment processes at the HWRP, and continual monitoring by the EMD would ensure that effluent discharged is within applicable limits. Thus, cumulative impacts on water quality would be less than significant.

Therefore, the Project considered with cumulative growth and projects within the sanitary sewer service area would not exceed wastewater treatment requirements of the RWQCB, require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects, or result in a determination by the wastewater treatment provider, which serves the project, that it does not have adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments.

Landfill

Project construction would generate demolition waste. Construction materials are disposed of at one of the unclassified inert landfills available to the City of Los Angeles, typically the Azusa Land Reclamation Facility, which has an estimated remaining capacity of approximately 59.83 million tons or 49.86 million cubic yards. As a result, Project excavation and construction would account for only a small percentage (0.09 percent) of the Azusa Land Reclamation Facility, and construction waste would not exceed the existing capacity of this facility. Because construction waste would not exceed the capacity of existing disposal facilities and would be further reduced by recycling, impacts would be less than significant.

It is estimated that the total waste generation for the Project during operation would be approximately 854 tons per year, or 2.34 tons per day. The daily amount of solid waste generated by the Project would represent a negligible amount (0.02 percent) of the daily solid waste disposed of by the City (9,881 tons). As described in the Countywide Integrated Waste Management Plan (CoIWMP) 2014 Annual Report, future disposal needs for the 15-year planning horizon (2029) would be adequately met through the use of in-County and out-of-County facilities. It should also be noted that with annual reviews of demand and capacity in each subsequent Annual Report, the 15-year planning horizon is extended by one year, thereby providing sufficient lead time for the County to address any future shortfalls in landfill capacity.

Based on the above, Project-generated waste would not exacerbate the estimated landfill capacity requirements addressed for the 15-year planning period ending in 2029, or alter the ability of the County to address landfill needs via existing capacity and other options for increasing capacity. Therefore, impacts on solid waste disposal from Project operations and construction would be less than significant. This impact will also be clearly insignificant and unlikely to occur.

Solid Waste

The Project would be consistent with the applicable regulations associated with solid waste. Specifically, the Project would provide adequate storage areas in accordance with the City of Los Angeles Space Allocation Ordinance (Ordinance No. 171,687), which requires that developments include a recycling area or room of specified size on the Project Site. Further, the Project would comply with the City's Construction and Demolition Waste Recycling Ordinance. The Project would also promote compliance with AB 939 and City waste diversion goals by providing clearly marked, source sorted receptacles to facilitate recycling. Since the Project would comply with federal, State, and local statutes and regulations related to solid waste, a less than significant impact would occur and no mitigation measures would be required. This impact will also be clearly insignificant and unlikely to occur.

Project Design Features

PDF-WS-1: Water Conservation Features: The Project shall provide the following specific water efficiency features:

- High efficiency waterless hybrid type urinals
- High efficiency water closet with flush volume of 1.1 gallons of water per flush
- ENERGY STAR® certified light commercial clothes washers – water factor of 4.2 or less, with a capacity of 4.5 cubic feet or smaller
- Domestic water heating system located close proximity to point(s) of use
- Cooling tower conductivity controllers or cooling tower pH conductivity controllers
- Water-saving pool filter
- Pool/spa recirculating filtration equipment
- Pool splash troughs around the perimeter that drain back into the pool
- Install a meter on the pool make-up line so water use can be monitored and leaks can be identified and repaired
- Reuse pool backwash water for irrigation
- Leak detection system for swimming pools and spas
- Drip/subsurface irrigation (micro-irrigation)
- Micro-spray
- Proper hydro-zoning/zoned Irrigation (groups plants with similar water requirements together)
- Landscaping contouring to minimize precipitation runoff
- Drought tolerant plants – 70 percent of total landscaping

Conclusion

No mitigation measures are included in the EIR with regard to Utilities and Service Systems, and impacts would be less than significant with implementation of PDF-WS-1.

Energy

Conflict with Adopted Energy Conservation Plans

The Project would be designed in a manner that is consistent with relevant energy conservation plans designed to encourage development that results in the efficient use of energy resources. The Project would comply with the Los Angeles Green Building Code to reduce energy consumption by implementing energy efficient building designs, reducing indoor and outdoor water demand, and installing energy-efficient appliances and equipment. These measures are consistent with the City's sustainability and smart-growth goals of improving energy and water efficiency in buildings, decreasing per-capita water use, using energy efficient appliances and equipment, and creating a more livable city.

As provided in PDF AQ-1, PDF AQ-2, PDF TRAF-1, and PDF WS-1, the Project would also implement features that would result in energy reductions beyond those specified by regulation by incorporating energy efficient design features and VMT reduction land use characteristics. As a result, the Project would implement PDFs and incorporate water conservation, energy conservation, tree-planting, and other features consistent with the City's Green LA Plan and the Sustainable City pLAn, as well as PDFs that go beyond those specified by regulations such as

the City's Green Building Ordinance. Therefore, the Project would be consistent with the City's applicable plans for conserving energy and impacts would be less than significant.

Violate State or Federal Energy Standards

The Project would utilize construction contractors who demonstrate compliance with applicable CARB regulations restricting the idling of heavy-duty diesel motor vehicles and governing the accelerated retrofitting, repowering, or replacement of heavy duty diesel on- and off-road equipment. As discussed in Section 4.4, Greenhouse Gas Emissions, of the Draft EIR, CARB has adopted an Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other toxic air contaminants. The measure prohibits diesel-fueled commercial vehicles greater than 10,000 pounds from idling for more than 5 minutes at any given time.

CARB has also adopted emission standards for off-road diesel construction equipment of greater than 25 hp. The emissions standards are referred to as "tiers" with Tier 4 being the most stringent (i.e., less polluting). The requirements are phased in, with full implementation for large and medium fleets by 2023 and for small fleets by 2028. The Project would accelerate the use of cleaner construction equipment by using equipment that meet at a minimum the Tier 3 or Tier 4 interim off-road emissions standards as specified in PDF AQ-2.

The daily operation of the Project would generate demand for electricity, natural gas, and water supply, as well as generating wastewater requiring conveyance, treatment and disposal off-site and municipal solid waste requiring collection and transport off-site. The Project would comply with or exceed the applicable provisions of Title 24 and the CALGreen Code in effect at the time of building permit issuance. According to the CEC, the Title 24 (2016) standards use 5 percent less energy for lighting, heating, cooling, ventilation, and water heating than the prior Title 24 (2013) standards for non-residential uses. As specified in PDF AQ-1, the Project would be designed to include numerous energy and waste reduction features that would allow the Project to comply with and exceed the Title 24 standards and achieve greater energy savings than required by state regulations.

With respect to operational transportation-related fuel usage, the Project would support statewide efforts to improve transportation energy efficiency and reduce transportation energy consumption with respect to private automobiles. The Project itself would co-locate complementary hotel, retail, and restaurant land uses on the site in close proximity to existing off-site commercial, residential, and retail destinations and in close proximity to existing public transit stops, which would result in reduced vehicle trips and VMT. The Project would be consistent with and support the goals and benefits of the SCAG 2016 RTP/SCS.

Therefore, construction and operation of the Project would be consistent with State and federal energy standards and would be designed to include numerous energy and waste saving features as well as waste reduction features that would achieve greater energy savings than required. The Project would also be sited in a transportation-efficient location and achieve reductions in VMT from private automobiles traveling to and from the site consistent with the 2016 RTP/SCS. As a result, impacts would be less than significant.

Wasteful, Inefficient, or Unnecessary Consumption of Energy

Construction

Electricity

Electrical power would be consumed to construct the Project. The demand would be supplied from existing electrical services at the Project Site. Overall, demolition and construction activities would require minimal electricity consumption and would not be expected to have any adverse impact on available electricity supplies and infrastructure. Therefore, impacts on electricity supply and infrastructure associated with short-term construction activities would be less than significant.

Natural Gas

Natural gas is not expected to be consumed in any substantial quantities during construction of the Project. Therefore, Project impacts on energy and gas associated with construction activities would be less than significant.

Transportation Energy

The estimated fuel usage for off-road equipment is based on the number and type of equipment that would be used during construction activities, hour usage estimates, the total duration of construction activities, and hourly equipment fuel consumption factors from the OFFROAD model. On-road equipment would include trucks to haul material to and from the Project Site, vendor trucks to deliver supplies necessary for Project construction, and fuel used for employee commute trips. The estimated fuel usage for on-road trucks is based on the engineering estimates that form the basis of the construction-related impact analyses and fuel consumption information from the CARB on-road vehicle emissions model, EMFAC2014. The number of construction workers that would be required would vary based on the phase of construction and activity taking place. The transportation fuel required by construction workers to travel to and from the Project Site would depend on the total number of worker trips estimated for the duration of construction activity. The estimated fuel usage for construction worker commutes is based on the estimated number of workers for different phases of construction, the average distance that the workers would travel on local and regional roadways from CalEEMod, and emissions factors in the EMFAC2014 model. As shown in Table 4.12-1 in the Draft EIR, on- and off-road vehicles would consume an estimated annual average of 74,754 gallons of diesel fuel for each year of Project construction.

Compliance with the anti-idling regulation and the use of cleaner construction equipment would reduce the Project's annual average diesel fuel usage by approximately 16,624 gallons for each year of Project construction.

As discussed previously, construction of the Project would utilize fuel efficient equipment consistent with state and federal regulations, and would comply with State measures to reduce the inefficient, wasteful, or unnecessary consumption of energy. While these regulations are intended to reduce construction emissions, compliance with the above anti-idling and emissions regulations would also result in energy savings from the use of more fuel-efficient engines. The use of Tier 4 interim engines have shown a 5 percent reduced fuel consumption compared to a Tier 3 engine. Compliance with anti-idling regulations and commitments under PDF AQ-2 to use the newest, cleanest equipment would result in fuel savings that would otherwise have been consumed in the absence of these measures.

In addition, per the City's regulatory requirements, the Project would implement a construction waste management plan to divert mixed construction and demolition debris to City certified construction and demolition waste processors, consistent with the Los Angeles City Council approved Ordinance No. 181519 (LAMC Chapter VI, Article 6, Section 66.32-66.32.5).

Implementation of the construction waste management plan would reduce truck trips to landfills, which are typically located some distance away from City centers, and increase the amount of waste recovered (e.g., recycled, reused, etc.) at material recovery facilities, thereby further reducing transportation fuel consumption.

Based on the available data, construction would utilize energy for necessary on-site activities and to transport construction materials and demolition debris to and from the Site. As discussed above, idling restrictions and the use of cleaner, energy-efficient equipment would result in less fuel combustion and energy consumption and thus minimize the Project's construction-related energy use. Therefore, construction of the Project would not result in the wasteful, inefficient, or unnecessary consumption of energy.

Operation

Electricity

The Project will increase the demand for electricity resources including for water supply, conveyance, distribution, and treatment as compared to the existing commercial use on-site. The Project would result in a projected consumption of electricity totaling approximately 12.94 million kWh per year. The existing restaurant and parking lots use approximately 0.59 million kWh per year. As such, the Project would result in a net new consumption of electricity within the Site of 12.34 million kWh per year. Implementation of PDF AQ-1 would minimize the Project's estimated electricity consumption. For instance, PDF AQ-1 would reduce parking structure lighting energy by approximately 50 percent, which would be expected to achieve savings of approximately 0.19 million kWh per year.

As discussed previously, the Project would comply with or exceed the applicable provisions of Title 24 and the CALGreen Code in effect at the time of building permit issuance. As specified in PDF AQ-1, the Project would be designed to include numerous energy and waste saving features as well as waste reduction features that would allow the Project to comply with and exceed the Title 24 standards and achieve greater energy savings than required by state regulations. Compliance with the Los Angeles Green Building Program Ordinance would reduce energy and water consumption by incorporating strategies such as low-flow toilets, low-flow faucets, low-flow showers, and other energy and resource conservation measures. The heating, ventilation, and air conditioning (HVAC) system would be sized and designed in compliance with the CALGreen Code to maximize energy efficiency caused by heat loss and heat gain. The Project would also support the recycling and waste diversion goals of the City by incorporating recycling collection areas in the Project design. As such, the Project would minimize energy demand. Therefore, with the incorporation of these features, operation of the Project would not result in the wasteful, inefficient, or unnecessary consumption of electricity.

LADWP forecasts that its peak demand in the 2021-2022 fiscal year, the Project buildout year, would be approximately 23,609 million kWh. The Project's estimated net new electrical consumption would account for approximately 0.052 percent of LADWP's projected electricity sales for the Project's buildout year. Therefore, it is anticipated that the LADWP's existing and planned electricity capacity and electricity supplies would be sufficient to support the Project's

electricity demand. Thus, the impacts related to electrical supply and infrastructure capacity would be less than significant.

Natural Gas

The Project would increase the demand for natural gas as compared to existing on-site uses. The Project is projected to generate an annual demand for natural gas totaling approximately 20 million kBtu. The Site currently contains a restaurant and surface parking lots that consumes approximately 1.11 million kBtu of natural gas. As such, the Project would result in a net new consumption of natural gas within the Site of 18.89 million kBtu. Natural gas savings from measures specified in PDF AQ-1 cannot readily be quantified due to unavailability of specific data.

As would be the case with electricity, the Project would comply with or exceed the applicable provisions of Title 24 and the CALGreen Code in effect at the time of building permit issuance to minimize natural gas demand. As specified in PDF AQ-1, the Project would be designed to include numerous energy saving features as well as waste reduction features that would allow the Project to comply with and exceed the Title 24 standards and achieve greater energy savings than required by State regulations. As such, the Project would minimize energy demand. Therefore, with the incorporation of these features, operation of the Project would not result in the wasteful, inefficient, or unnecessary consumption of natural gas.

According to SoCalGas data, natural gas sales have been relatively stable over the past three years with a slight increase from 287 billion cubic feet in 2014 to 294 billion cubic feet in 2016. Based on the Project's estimated natural gas consumption as shown in Table 4.12-2, the Project would account for approximately 0.006 percent of SoCalGas for the Project's buildout year. Therefore, it is anticipated that SoCalGas' existing and planned natural gas supplies would be sufficient to support the Project's demand for natural gas. Therefore, impacts related to natural gas would be less than significant.

Transportation Energy

The Project's estimated operational transportation fuel demand is provided in Table 4.12-2 of the Draft EIR. The Project would support statewide efforts to improve transportation energy efficiency and reduce transportation energy consumption with respect to private automobiles. By locating hotel, retail, and restaurant land uses at an infill location in close proximity to existing off-site commercial, residential, and retail destinations and in close proximity to existing public transit stops, the Project would minimize vehicle trips and VMT. The Project would be consistent with and support the goals and benefits of the SCAG 2016 RTP/SCS. The Project would also include the installation of electric vehicle supply equipment (EVSE) in garages, pursuant to the CALGreen Code. According to the EMFAC2014 model, electric vehicles are predicted to account for approximately 2.1 percent of passenger vehicles in 2022 in the region. The estimated potential fuel savings from EVSE is provided in Table 4.12-2. The estimated fuel savings from the land use characteristics is accounted for in the Project's estimated transportation fuel demand (i.e., without the land use characteristics that reduce VMT, the Project would be expected to result in additional fuel demand equal to the amount quantified in the "Estimated Project Energy Savings" row of Table 4.12-2).

PDF AQ-1 also includes providing easily accessible recycling areas dedicated to the collection and storage of non-hazardous materials such as paper, corrugated cardboard, glass, plastics, metals, and landscaping debris (trimmings), consistent with City of Los Angeles strategies and ordinances, with the goal of achieving 70 percent waste diversion by 2020, and 90 percent by

2025. As such the Project would minimize solid waste generation thereby reducing transportation fuel needed to transport waste to a landfill, although the fuel savings from reduced waste haul trips is not quantified.

Given the evidence presented above, the Project would minimize operational transportation fuel demand consistent with State and City goals. Therefore, operation of the Project would not result in the wasteful, inefficient, or unnecessary consumption of transportation fuel and impacts would be less than significant.

Increase in Demand for Electricity or Natural Gas

The Project's estimated net energy and transportation fuel demand are also provided in Table 4.12-3 of the Draft EIR. To put the Project's net energy and transportation fuel demand into perspective, the values are compared to the energy sales from regional providers and state transportation fuel supplies. The Project would represent a very small fraction of the energy sales from regional providers and state transportation fuel supplies.

Energy demands during the construction of the Project would not represent a substantial fraction of the available energy supply in terms of equipment and transportation fuels and would not substantially affect existing local and regional supply and capacity for the future. Furthermore, construction of the Project would use equipment that would be consistent with the energy standards applicable to construction equipment including limiting idling fuel consumption and using contractors that comply with applicable CARB regulatory standards that affect energy efficiency. Thus, construction of the Project would not conflict with energy standards applicable to heavy-duty construction equipment and associated on-road trucks and vehicles. Because Project construction would entail energy demands largely associated with equipment and transportation fuels, construction of the Project would not increase demands on the electric power network during peak and base period demand periods. As a result, construction energy impacts on supplies and infrastructure would be less than significant.

The Project would comply with or exceed the applicable provisions of the Title 24 standards and the CALGreen Code in effect at the time of building permit issuance. Based on the required load forecast projections by LADWP and SoCalGas, these utilities would be expected to meet the Project's demand and electricity and natural gas services and supply and infrastructure impacts would be less than significant.

With respect to operational transportation-related fuel usage, the Project would support statewide efforts to improve transportation energy efficiency. The Project itself would co-locate complementary hotel, retail, and restaurant land uses on the site. The Project would also be located near major transit facilities, including the Metro Pico light rail station. The proximity to transit and existing off-site uses would reduce vehicle trips and VMT by encouraging walking and non-automotive forms of transportation, which would result in corresponding reductions in transportation-related fuel demand. The Project would also include the installation of EVSE in garages, pursuant to the CALGreen Code. Alternative-fueled, electric, and hybrid vehicles, to the extent these types of vehicles would be utilized by passengers, would reduce the Project's consumption of gasoline and diesel. According to the EMFAC2014 model, electric vehicles are predicted to account for approximately 2.1 percent of passenger vehicles in 2022 in the region. Nonetheless, electric vehicles would translate to a fuel savings as shown in Table 4.12-3. Plug-in electric vehicles would generally obtain battery power from utility-provided electricity, which are required to provide an increasing share of electricity from renewable sources (i.e., 33 percent by 2020 and 50 percent by 2030) under the State's Renewables Portfolio Standard. Therefore, while plug-in electric vehicles would replace traditional transportation fuels (i.e.,

gasoline) with utility provided electricity, the electricity would be provided by an increasing share of renewable sources resulting in an overall reduction in energy resource consumption. As discussed above, according to the USEIA's International Energy Outlook 2016, the global supply of crude oil, other liquid hydrocarbons, and biofuels is expected to be adequate to meet the world's demand for liquid fuels through 2040. As the Project would incorporate characteristics and measures that would reduce transportation fuel usage, the Project energy impacts on transportation fuel supplies and infrastructure would be less than significant.

Cumulative

Electricity

The geographic context for the cumulative analysis of electricity is LADWP's service area. Growth within these geography is anticipated to increase the demand for electricity and the need for infrastructure, such as new or expanded facilities.

Buildout of the Project, the related projects, and additional growth forecasted to occur in the City would increase electricity consumption during Project construction and operation, and may cumulatively increase the need for energy supplies. LADWP forecasts that its peak electricity demand in the 2021-2022 fiscal year, the Project buildout year, would be approximately 23,609 million kWh. As shown in Table 4.12-3, the Project's estimated net new electrical consumption would account for approximately 0.052 percent of LADWP's projected electricity sales for the Project's buildout year.

Future development would result in the irreversible use of electricity resources that could limit future energy availability. However, the utility provider for the Project and related projects have determined that the use of such resources would be minor compared to existing supply and infrastructure within the LADWP service area and would be consistent with growth expectations for LADWP's service area. Furthermore, like the Project, other future development projects would be expected to incorporate energy conservation features, comply with applicable regulations including CALGreen and State energy standards under Title 24, and incorporate mitigation measures, as necessary. As discussed above and based on evidence from LADWP, the Project would not have a cumulatively considerable impact on existing energy resources either individually or incrementally when considered with the anticipated growth in the service areas. Accordingly, the impacts related to electricity consumption would not be cumulatively considerable, and thus would be less than significant.

Natural Gas

The geographic context for the cumulative analysis of natural gas is the SoCalGas service area. Growth within these geography is anticipated to increase the demand for natural gas and the need for infrastructure, such as new or expanded facilities.

Buildout of the Project and related projects in the SoCalGas service area is expected to increase natural gas consumption and the need for natural gas supplies. According to SoCalGas data, natural gas sales have been relatively stable over the past three years with a slight increase from 287 billion cubic feet in 2014 to 294 billion cubic feet in 2016. Based on the Project's estimated natural gas consumption as shown in Table 4.12-3, the Project would account for approximately 0.006 percent of SoCalGas for the Project's buildout year.

Although future development projects would result in irreversible use of natural gas resources which could limit future availability, the use of such resources would be on a relatively small

scale and would consistent with regional and local growth expectations for the SoCalGas service area. Further, like the Project, other future development projects would be expected to incorporate energy conservation features, comply with applicable regulations including CALGreen and State energy standards of Title 24, and incorporate mitigation measures, as necessary. Therefore, the Project would not have a cumulatively considerable impact related to natural gas consumption, and impacts would be less than significant.

Transportation Energy

Buildout of the Project and related projects in the region would be expected to increase overall VMT; however, the effect on transportation fuel demand would be minimized by future improvements to vehicle fuel economy pursuant to federal and state regulations. By 2025, vehicles are required to achieve 54.5 mpg (based on USEPA measurements), which is a 54 percent increase from the 35.5 mpg standard in the 2012-2016 standards. As discussed previously, the Project would support statewide efforts to improve transportation energy efficiency and would co-locate complementary hotel, retail, and restaurant uses at an infill site near major transit facilities, including the Metro Pico light rail station. Siting land use development projects at infill sites is consistent with the State's overall goals to reduce VMT pursuant to SB 375, and as outline in the 2016 RTP/SCS for the region. Related projects would need to demonstrate consistency with these goals and incorporate project design features or mitigation measures as required under CEQA, which would also ensure related projects contribute to transportation energy efficiency. Furthermore, according to the USEIA's International Energy Outlook 2016, the global supply of crude oil, other liquid hydrocarbons, and biofuels is expected to be adequate to meet the world's demand for liquid fuels through 2040. Therefore, as the Project would incorporate land use characteristics consistent with state goals for reducing VMT, the Project would not have a cumulatively considerable impact related to transportation energy, and impacts would be less than significant.

Project Design Features

PDF AQ-1: Green Building Measures: The Project shall be designed and operated to include energy and resource efficient features that exceed regulatory requirements, which shall include the following:

- The Project shall include easily accessible recycling areas dedicated to the collection and storage of non-hazardous materials such as paper, corrugated cardboard, glass, plastics, metals, and landscaping debris (trimmings).
- The Project shall install energy efficient appliances that meet the 2017 ENERGY STAR® rating standards or equivalent for both hotel and restaurant land uses.
- The Project shall include efficient heating, ventilation, and air conditioning (HVAC) systems (2017 ENERGY STAR® rating standards or equivalent).
- The parking structure shall be designed with occupancy-sensor controlled lighting that places lighting fixtures in a low power state in unoccupied zones.
- To encourage carpooling and the use of electric vehicles by Project employees, guests, and visitors, the Project shall designate a minimum of 5 percent of on-site parking for carpool and/or alternative-fueled vehicles, and the Project design shall provide for the installation of the conduit and panel capacity to accommodate future electric vehicle charging stations into 10 percent of the parking spaces.

PDF AQ-2: Construction Features: Construction equipment operating at the Project Site will be subject to a number of requirements. These requirements shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. Construction measures shall include the following:

- The Project shall utilize off-road diesel-powered construction equipment that meets or exceeds the CARB and USEPA Tier 4 interim off-road emissions standards for equipment rated at 50 horsepower (hp) or greater during Project construction. All equipment shall be outfitted with Best Available Control Technology (BACT) devices including a CARB certified Level 3 Diesel Particulate Filter or equivalent. A copy of each unit's certified tier specification or model year specification and CARB or SCAQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment.
- Equipment such as tower cranes and welders shall be electric or alternative fueled (i.e., non-diesel). Pole power shall be made available for use with electric tools, equipment, lighting, etc.
- Alternative-fueled generators shall be used when commercial models that have the power supply requirements to meet the construction needs of the Project are readily available from local suppliers/vendors.
- All on-road heavy-duty diesel trucks with a gross vehicle weight rating of 19,500 pounds or greater used at the Project Site shall be engine model year 2012 or later or shall comply with the USEPA 2007 on-road emissions standards.

PDF TRAF-1: Construction Management Plan: A detailed Construction Management Plan shall be submitted to the City's Department of Transportation (LADOT) for review and approval prior to the start of any construction work. The Construction Management Plan shall show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs, and access to abutting properties. The Construction Management Plan shall formalize how construction shall be carried out and identify specific actions that shall be required to reduce effects on the surrounding community. The Construction Management Plan shall be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site, and shall include, but not be limited to, the following mandatory elements:

- Advance, bilingual notification of adjacent property owners and occupants of upcoming construction activities, including durations and daily hours of operation.
- Prohibition of construction worker or equipment parking on adjacent streets.
- Temporary pedestrian, bicycle, and vehicular traffic controls during all construction activities adjacent to Figueroa Street, Flower Street, and Pico Boulevard, to ensure traffic safety on public rights of way. These controls shall include, but not be limited to, flag people trained in pedestrian and bicycle safety at the Project Site's Figueroa Street, Flower Street and Pico Boulevard driveways.
- Temporary traffic control during all construction activities adjacent to public rights-of-way to improve traffic flow on public roadways (e.g., flag men).
- Scheduling of construction activities to reduce the effect on traffic flow on surrounding arterial streets.
- Sequencing construction activity to reduce the amount of construction-related traffic on arterial streets.

- Contain construction activity within the Project Site boundaries.
- Coordination with LADOT to address any overlapping of construction with the MyFigueroa project.
- Coordination with Metro to address any construction near the railroad right of way.
- Safety precautions for pedestrians and bicyclists through alternate routing and protection barriers/fencing that shall be implemented.
- Scheduling of construction-related deliveries and haul trips so as to occur outside the commuter peak hours.

PDF-WS-1: Water Conservation Features: The Project shall provide the following specific water efficiency features:

- High efficiency waterless hybrid type urinals
- High efficiency water closet with flush volume of 1.1 gallons of water per flush
- ENERGY STAR® certified light commercial clothes washers – water factor of 4.2 or less, with a capacity of 4.5 cubic feet or smaller
- Domestic water heating system located close proximity to point(s) of use
- Cooling tower conductivity controllers or cooling tower pH conductivity controllers
- Water-saving pool filter
- Pool/spa recirculating filtration equipment
- Pool splash troughs around the perimeter that drain back into the pool
- Install a meter on the pool make-up line so water use can be monitored and leaks can be identified and repaired
- Reuse pool backwash water for irrigation
- Leak detection system for swimming pools and spas
- Drip/subsurface irrigation (micro-irrigation)
- Micro-spray
- Proper hydro-zoning/zoned Irrigation (groups plants with similar water requirements together)
- Landscaping contouring to minimize precipitation runoff
- Drought tolerant plants – 70 percent of total landscaping

Conclusion

With the implementation of the Project Design Features identified above and compliance with existing regulations, the Project would not result in significant impacts associated with energy, and no mitigation measures are required.

V. LESS THAN SIGNIFICANT IMPACTS WITH MITIGATION

The EIR determined that the Project has potentially significant environmental impacts in the areas discussed below. The EIR identified feasible mitigation measures to avoid or substantially

reduce the environmental impacts in these areas to a level of less than significant. Based on the information and analysis set forth in the EIR, the Project would not have any significant environmental impacts in these areas, as long as all identified feasible mitigation measures are incorporated into the Project. The City again ratifies, adopts, and incorporates the full analysis, explanation, findings, responses to comments, and conclusions of the EIR.

Cultural Resources

Description of Effects

Substantial Adverse Change in the Significance of an Archaeological Resource (CEQA Guidelines § 15064.5)

The Project Site has been previously disturbed by historical grading and building activities. However, as Project implementation would require grading and excavation to greater depths than previously occurred on the Project Site, the possibility exists that previously unknown archaeological resources may be encountered, which is a potentially significant impact. The Project would incorporate MM-CULT-1 to avoid or substantially lessen this environmental effect. In the event of the discovery of previously unknown archaeological resources during construction, implementation of the standard City mitigation measure would reduce potential impacts to a less than significant level.

Directly or Indirectly Destroy a Unique Paleontological Resource or Site or Unique Geologic Feature

The Project Site has been previously graded and developed or paved and does not include any unique geologic features. In addition, no unique geologic features are anticipated to be encountered during Project construction. Therefore, the Project is not expected to directly or indirectly destroy a unique geologic feature. Impacts associated with unique geologic features would be less than significant.

Although the Project Site has been previously disturbed by grading and building activities, Project-related grading and excavation for subterranean parking and building foundations could extend into native soils that might potentially contain paleontological resources, which is a potentially significant impact. The Project would incorporate MM-CULT-2 to avoid or substantially lessen this environmental effect. In the event of the discovery of previously unknown paleontological resources during construction, implementation of the standard City mitigation measures would reduce potential impacts to a less than significant level.

Project Design Features

No project design features are included in the Initial Study with regard to cultural resources.

Mitigation Measures

Mitigation Measure CULT-1: Prior to the issuance of any grading, excavation, or ground disturbance permit, the applicant shall execute a covenant acknowledging and agreeing to comply with all the terms and conditions established herein which shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the

Recorder's number and date shall be provided to the Department of City Planning for retention in the administrative record for Case No. ENV 2016-2594-EIR.

a. All initial grading and all excavation activities shall be monitored by a Project archaeologist. The Project archaeologist shall be present full-time during the initial disturbances of matrix with potential to contain cultural deposits and will document activity.

b. The services of an archaeologist, qualified for historic resource evaluation, as defined in CEQA and Office of Historic Preservation (OHP) Guidelines, shall be secured to implement the archaeological monitoring program. The qualified archaeologist shall be listed, or be eligible for listing, in the Register of Professional Archaeologist (RPA). Recommendations may be obtained by contacting the South Central Coastal Information Center (657-278-5395) located at California State University Fullerton.

c. In the event of a discovery, or when requested by the Project archaeologist, the contractor shall divert, direct, or temporarily halt ground disturbing activities in an area in order to evaluate potentially significant archaeological resources.

    i. It shall be the responsibility of the Project archaeologist to: determine the scope and significance of the find; determine the appropriate documentation, preservation, conservation, and/or relocation of the find; and determine when grading/excavation activities may resume in the area of the find.

    ii. Determining the significance of the find shall be guided by California Public Resources Code Division 13, Chapter 1, Section 21083.2, subdivision (g) and (h). If the find is determined to be a “unique archaeological resource”, then the applicant, in conjunction with the recommendation of the Project archaeologist, shall comply with Section 21083.2, subdivisions (b) though (f).

    iii. If at any time the Project Site, or a portion of the Project Site, is determined to be a “historical resource” as defined in California Code of Regulations Chapter 3, Article 1, Section 15064.5, subdivision (a), the Project archaeologist shall prepare and issue a mitigation plan in conformance with Section 15126.4, subdivision (b).

    iv. If the Project archaeologist determines that continuation of the Project or Project related activities will result in an adverse impact on a discovered historic resource which cannot be mitigated, all further activities resulting in the impact shall immediately cease, and the Lead Agency shall be contacted for further evaluation and direction.

    v. The applicant shall comply with the recommendations of the Project archaeologist with respect to the documentation, preservation, conservation, and/or relocation of finds.

d. Monitoring activities may cease when:

    i. Initial grading and all excavation activities have concluded; or

    ii. By written consent of the Project archaeologist agreeing that no further monitoring is necessary. In this case, a signed and dated copy of such agreement shall be submitted to the Dept. of City Planning for retention in the administrative record for Case No. ENV 2016-2594-EIR.

e. At the conclusion of monitoring activities, and only if archaeological materials were encountered, the Project archaeologist shall prepare and submit a report of the findings to the South Central Coastal Information Center.

f. At the conclusion of monitoring activities, the Project archaeologist shall prepare a signed statement indicating the first and last date monitoring activities took place, and submit it to the Dept. of City Planning, for retention in the administrative file for Case No. ENV 2016-2594-EIR.

Mitigation Measure CULT-2: If any paleontological materials are encountered during the course of Project development, all further development activity shall halt and the following shall be undertaken:

a. The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology-USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum-who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.

b. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.

c. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.

d. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.

e. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, paleontological reports have been submitted, or a statement indicating that no material was discovered.

f. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

Finding

With respect to the potential impacts regarding archeological and paleontological resources with the Project, each decision-making body of the City adopts the first possible finding as outlined above in Section III, which states that "changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines Section 15091(a)(1)).

Rationale for Finding

Although the Project Site has been previously disturbed by grading and building activities, Project-related grading and excavation for subterranean parking and building foundations could extend into native soils that might potentially contain unknown archeological or paleontological resources, which is a potentially significant impact. In the event of the discovery of previously unknown resources during construction, implementation of the mitigation measures would reduce potential impacts to a less than significant level.

Reference

For a complete discussion of the Project's impacts associated with archeological and paleontological resources, see Section IV, Cultural Resources, of Appendix A of the Draft EIR.

Hazards and Hazardous Materials

Description of Effects

Reasonably Foreseeable Upset and Accident Conditions Involving the Release of Hazardous Materials into the Environment – Construction – Impacted Soils

Total petroleum hydrocarbons (TPH) and volatile organic compounds (VOCs) were not detected in any of the analyzed soil samples, and VOCs were not detected in any of the soil vapor samples. This indicates that such contaminants are not of concern in the areas assessed. Neither the Phase I Environmental Site Assessment (ESA) nor the Phase II ESA identified other hazardous materials on the Project Site that could not be adequately contained by standard regulatory compliance measures if accidently released during construction. Accordingly, the risk of upset and accident related to hazardous materials is low considering the multiple subsurface investigations of the Project Site and report conclusions regarding environmental concerns.

However, it is possible that previously unknown contamination could be encountered during construction. In the absence of proper handling procedures, soil excavation at the Project Site could expose workers to elevated concentrations of hazardous materials (that were previously unknown) during Project construction. These unforeseen impacts could be potentially significant. Hence, mitigation is provided to ensure proper handling of contaminated soils and reduce the risk of impacts on people, property or the environment. Mitigation measure MM-HAZ-1 requires the preparation and implementation of a site-specific Health and Safety Plan in accordance with federal OSHA regulations. And, MM-HAZ-2 requires the preparation and implementation of a Soil and Groundwater Management Plan that would be implemented prior to and during Project construction. These measures would reduce the probable frequency and severity of consequences to people or property from the accidental release of impacted soils or groundwater. Accordingly, implementation of these mitigation measures would ensure that potential impacts from reasonably foreseeable upset or accident conditions involving the release of contaminated soils or groundwater during Project construction are less than significant.

Cumulative

The Project would adhere to applicable regulatory requirements, incorporate project design features, and provides mitigation measures for site-specific soil conditions. The Phase II ESA did not report subsurface contamination in the areas assessed and MM-HAZ-1 and MM-HAZ-2 ensure that any unknown contamination encountered during construction would be adequately handled. Accordingly, the Project would not individually contribute to an adverse impact related to hazards or hazardous materials.

Generally, the geographic context for cumulative impact analysis of hazards includes the related projects in the vicinity of the Project, that when viewed together with the Project, could incrementally increase a hazards impact to a significant level. As described above, the Phase I ESA identified potentially hazardous conditions located between 0.25- to 1-mile around the Project Site. It concluded that based on distance, topography, gradients, current regulatory status, and the absence of reported releases, none of the sites surrounding the Project Site

represent a likely past, present, or material threat of release that could adversely affect the Project Site.

Therefore, the Project would not have a cumulatively considerable hazards or hazards materials impact when viewed together with the potential effects of the related projects. Cumulative impacts are less than significant.

Project Design Features

PDF TRAF-1: Construction Management Plan: A detailed Construction Management Plan shall be submitted to the City's Department of Transportation (LADOT) for review and approval prior to the start of any construction work. The Construction Management Plan shall show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs, and access to abutting properties. The Construction Management Plan shall formalize how construction shall be carried out and identify specific actions that shall be required to reduce effects on the surrounding community. The Construction Management Plan shall be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site, and shall include, but not be limited to, the following mandatory elements:

- Advance, bilingual notification of adjacent property owners and occupants of upcoming construction activities, including durations and daily hours of operation.
- Prohibition of construction worker or equipment parking on adjacent streets.
- Temporary pedestrian, bicycle, and vehicular traffic controls during all construction activities adjacent to Figueroa Street, Flower Street, and Pico Boulevard, to ensure traffic safety on public rights of way. These controls shall include, but not be limited to, flag people trained in pedestrian and bicycle safety at the Project Site's Figueroa Street, Flower Street and Pico Boulevard driveways.
- Temporary traffic control during all construction activities adjacent to public rights-of-way to improve traffic flow on public roadways (e.g., flag men).
- Scheduling of construction activities to reduce the effect on traffic flow on surrounding arterial streets.
- Sequencing construction activity to reduce the amount of construction-related traffic on arterial streets.
- Contain construction activity within the Project Site boundaries.
- Coordination with LADOT to address any overlapping of construction with the MyFigueroa project.
- Coordination with Metro to address any construction near the railroad right of way.
- Safety precautions for pedestrians and bicyclists through alternate routing and protection barriers/fencing that shall be implemented.
- Scheduling of construction-related deliveries and haul trips so as to occur outside the commuter peak hours.

Mitigation Measures

MM-HAZ-1: Prior to the issuance of a grading permit, the construction contractor shall demonstrate that they have retained a qualified environmental professional to prepare and

implement a site-specific Health and Safety Plan in accordance with the performance standards and implementation requirements of the federal OSHA regulations (29 CFR 1910.120) and Cal/OSHA regulations (8 CCR Title 8, Section 5192). The Health and Safety Plan shall be submitted to the City for review and approval. The Health and Safety Plan shall include all required measures to protect construction workers and the general public potentially exposed to hazardous materials by including engineering controls, monitoring, and security measures to prevent unauthorized entry to the construction area and to reduce hazards outside of the construction area. If prescribed contaminant exposure levels or the performance standards in the Health and Safety Plan are exceeded, personal protective equipment shall be required for workers, and remedial actions taken, in accordance with state and federal regulations. The plan shall include designated personnel responsible for implementation of the Health and Safety Plan. Submittal of the Health and Safety Plan to the City shall not be construed as approval of the adequacy of the contractor's health and safety professional, the contractor's plan, or any safety measure taken in or near the construction site. The contractor shall be solely and fully responsible for compliance with all laws, rules, and regulations applicable to health and safety during the performance of the construction work.

MM-HAZ-2: The construction contractor shall retain and consult a qualified environmental professional if contaminated soil is identified during construction activities. The construction contractor shall comply with and enforce the applicable provisions of the Health and Safety Plan to determine the proper handling, storage, and disposal procedures for any contaminated soils or materials discovered during construction.

Finding

With respect to the potential impacts regarding previously unknown contamination during construction associated with the Project, each decision-making body of the City adopts the first possible finding as outline above in Section III, which states that "changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines Section 15091(a)(1)).

Rationale for Finding

The risk of upset and accident conditions related to hazardous materials release during construction is low based on the results of the multiple subsurface investigations performed on the Project Site. Specifically, the Phase I ESA and Phase II ESA completed for the Project did not identify hazardous materials on the Project Site that could not be adequately contained by standard regulatory compliance measures if accidently released during construction.

Nevertheless, because it is possible that previously unknown contamination could be encountered during construction, MM-HAZ-1 and MM-HAZ-2 will be incorporated into the Project to avoid or substantially lessen the probable frequency and severity of consequences to people or property from accidental release of impacted soils or groundwater. Mitigation measure MM-HAZ-1 requires the preparation and implementation of a site-specific Health and Safety Plan in accordance with federal OSHA regulations. And, MM-HAZ-2 requires the preparation and implementation of a Soil and Groundwater Management Plan that would be implemented prior to and during Project construction.

Project demolition, construction and improvements would also comply with existing regulations that govern water quality, treatment of soils, asbestos, lead-containing materials, PCBs, and

other potentially hazardous materials during construction to ensure that impacts would be less than significant.

Reference

For a complete discussion of the Project's impacts associated with hazards and hazardous materials, see Section 4.5, Hazards and Hazardous Materials, of the Draft EIR.

Noise

Description of Effects

Noise Levels In Excess of Applicable Standards - Operation

Hotel A/B Tower's 8th Floor Landscaped Pool Deck

Hotel A/B Tower's 8th floor would include a landscaped pool deck, a kitchen and hotel guest dining area, and a fitness center. The analysis in the Draft EIR assumed that the landscaped pool deck would be planned to host music and entertainment during the daytime and nighttime until 2:00 A.M. The dominant sources of noise would include noise generated by human conversation and from the use of amplified speakers. The nearest noise-sensitive uses to the 8th floor landscaped pool deck are the Circa project residences currently under construction at 1200 S. Figueroa Street (receptor R5), approximately 25 feet north of the Project Site and the City Lights on Fig residences (receptor R7), approximately 120 feet south of the Project Site.

Under the conservative scenario analyzed in the Draft EIR, there could be up to approximately 895 visitors to the landscaped pool deck at one time on a peak weekend day. Visitors would be located throughout the landscaped pool deck with approximately half of the visitors expected to be in or around the pool and the other half within the lounge seating areas. Assuming up to approximately 500 visitors talking simultaneously, the continuous noise level would be up to 81.8 dBA at a reference distance of 3 feet. The landscaped pool deck area would also include the use of amplified speakers for music and entertainment. For music and entertainment purposes, amplified speakers in a dance club setting can expose persons within the dance club to noise levels ranging from 84 dBA to 104 dBA. The primary speakers would be arranged around the pool area to provide music and entertainment for visitors. Secondary or smaller speakers would be provided in the lounge seating areas. The Draft EIR conservatively assumed the amplified speakers would generate a noise environment of 104 dBA at the south end of the landscaped pool deck near the pool area, the combined noise from amplified speakers and visitors talking could potentially exceed the significance threshold of 5 dBA over ambient noise levels per LAMC at receptor R5 and would be very close to exceeding the threshold at receptor R7. Therefore, impacts would be potentially significant and mitigation measures would be required.

Hotel A/B Tower's 41st Floor Rooftop Pool Deck

Hotel A/B Tower's 41st floor would contain an open-air landscaped pool deck containing a bar for Hotel A/B. The Draft EIR assumed the rooftop pool deck would be planned to host music and entertainment during the daytime and nighttime until 2:00 A.M. The dominant sources of noise would include noise generated by human conversation and from the use of amplified speakers. The nearest noise-sensitive uses to the 41st floor rooftop pool deck are the Circa project residences currently under construction (Receptor R5) located approximately 25 feet north of the Project Site. The Circa project residences are located in two 36-story towers. While there

would be some elevation difference between these towers and the Hotel A/B Tower's 41st floor, for the purposes of this noise assessment, the noise level from the Hotel A/B Tower's 41st floor is evaluated assuming equivalent building heights (direct line of sight) and does not account for the attenuation effects of sound traveling an additional 60 feet in between the noise source and noise-sensitive receptor. Under a conservative scenario, there could be up to approximately 355 visitors to the pool deck at a time on a peak weekend day. Visitors would be located throughout the rooftop pool deck with the majority of the visitors expected to be in or around the pool area and nearby lounge seating areas. As shown in Figure 2-6 (refer to Chapter 2, Project Description, of this Draft EIR), the pool would be located at the northern end of the rooftop pool deck area. Lounge seating would be located throughout the outdoor areas of the rooftop pool deck. Noise from human conversation is approximately 55 dBA at a distance of 3 feet. Assuming up to approximately 200 visitors talking simultaneously, the continuous noise level would be up to approximately 78 dBA at 3 feet. In addition, for the purposes of this analysis, in order to estimate expected maximum visitor noise conditions, it is assumed that visitors would be grouped approximately 25 feet from the northern perimeter rails (i.e., near the pool area) and within the lounge seating areas adjacent to the bar area. The estimated visitor noise is combined with the amplified speakers, discussed below, to determine the maximum combined noise from the rooftop pool deck.

The 41st floor landscaped pool deck area would include the use of amplified speakers for music and entertainment. As discussed previously for the 8th floor landscaped pool deck, amplified speakers in a dance club setting can expose persons within the dance club to noise levels ranging from 84 dBA to 104 dBA, with the upper end of this range primarily attributed to clubs with dance floors (typically 94 dBA and higher). As discussed previously, the noise level range depends on many factors including the volume setting of the equipment, the orientation of the speakers, physical separation distance from the speakers to receptors, and whether screens, pillars or other barriers shield or partially shield the speaker noise. The primary speakers would be arranged around the pool area to provide music and entertainment for visitors. Secondary or smaller speakers would be provided in the lounge seating areas. Assuming the amplified speakers generate a noise environment of 94 dBA near the pool area without a dedicated dance floor, the combined noise from amplified speakers and visitors talking at receptor R5, when combined with ambient noise would be 75.4 dBA during the daytime and 65.6 dBA during the nighttime, which is slightly less than the values shown in Table 4.8-12, and generally an expected result given that this space would be smaller compared to the 8th level landscaped pool deck and have a smaller visitor capacity. Nonetheless, the nighttime noise level would potentially exceed the significance thresholds of 5 dBA over ambient noise levels per LAMC at receptor R5 during the nighttime hours. Therefore, impacts would be potentially significant and mitigation measures would be required. Furthermore, at this location, given the height of the 41st level, the noise from the rooftop pool deck would not substantially combine with the ground-level or near-ground level on-site Project noise sources and would not substantially contribute to Project composite noise sources.

Composite Noise Level Impacts from Project Operations

The threshold of significance for composite noise levels (on-site and off-site sources) is based on the LA CEQA Thresholds Guide, and the threshold is stated as an increase in the ambient noise level of 3 dBA or 5 dBA CNEL (depending on the existing conditions at the affected noise sensitive land use) for the Project's composite noise (both project-related on-site and off-site sources) at affected uses.

An evaluation of the combined noise levels from the Project's various operational noise sources (i.e., composite noise level) was conducted to conservatively ascertain the potential maximum

Project-related noise level increase that may occur at the noise sensitive receptors considered in this analysis. Operational noise sources associated with the Project include loading area activities, refuse collection areas, parking structure, traffic on nearby roadways, on-site mechanical equipment, and open space related activities.

Based on a review of the noise sensitive receptors and Project noise sources, the only existing noise sensitive locations at which composite noise impacts could occur are the Circa project residences (receptor R5) approximately 25 feet north of the Project Site and the Gilbert Lindsay Plaza (receptor R2) approximately 120 feet west of the Project Site. For the reasons discussed above, the predominant Project noise source that could potentially affect receptor R5 and R2 would be loading area activities, refuse collection activities, parking structures, traffic on nearby roadways, on-site mechanical equipment, and open space related activities, including the use of amplified speakers.

The composite noise could potentially exceed the significance threshold of 3 dBA CNEL over ambient CNEL noise levels at receptor R5 and receptor R2, primarily as a result of maximum potential open space noise. Therefore, impacts would be potentially significant and mitigation measures would be required.

Implementation of MM-NOISE-4, MM-NOISE-5, and MM-NOISE-6 would establish performance standards for the open space areas where amplified speakers for music and entertainment would be used and where visitors would congregate. The performance standards require an acoustical design plan that meets quantitative standards that would ensure noise levels would be controlled to below the significance thresholds. Implementation of these mitigation measures would reduce the Project's noise levels to below the significance thresholds.

Groundborne Vibration – Human Annoyance – Construction

The closest vibration sensitive land use located in the Project Site vicinity is the Circa project (receptor R5) located north of the Project Site and currently under construction. Vibration levels exceeding 72 VdB would be considered distinctly perceptible for "Frequent Events." The Circa project could be exposed to vibration levels of 87 VdB from the use of large bulldozers or other similarly large vibration-generating equipment, which would exceed the FTA's 72 VdB threshold. Thus, vibration impacts related to human annoyance would be potentially significant at this receptor. With implementation of MM-NOISE-3, which would restrict the use of large bulldozers or other similarly large vibration-generating equipment near vibration-sensitive uses, this impact would be reduced to less than significant. All other sensitive receptors in the Project vicinity are too distant to be affected by vibration from Project construction.

With respect to haul truck trips, while loaded on-road rubber-tired haul trucks traveling on uneven roads could potentially generate transitory vibration, impacts to vibration-sensitive uses would not occur because the City would require haul trucks to utilize a designated haul route that restricts haul trucks from traveling on roadways near vibration-sensitive uses, such as residential neighborhoods. Furthermore, the Project would implement PDF TRAF-1 and prepare a detailed Construction Management Plan, which will include information about haul routes and the location of any roadway or sidewalk closures, traffic detours, and hours of construction. Compliance with City haul route requirements and implementation of PDF TRAF-1 would ensure haul truck vibration impacts with respect to human annoyance would be less than significant at residences and buildings where people normally sleep, in accordance with the FTA guidelines.

With implementation of MM-NOISE-3, which prohibits the use of large bulldozers and other similar vibration-generating heavy equipment greater than 300 horsepower within 80 feet of existing residential structures, the noise and vibration levels during construction would be reduced below the applicable threshold. Therefore, Project construction would not result in the exposure of persons to excessive groundborne noise or vibration and impacts would be less than significant with mitigation.

Permanent Increase in Ambient Noise Levels in the Project Vicinity

Project operations would potentially result in a substantial permanent increase in ambient noise levels at the sensitive receptors in the Project vicinity, as measured against applicable regulations including LAMC standards for ambient noise levels and DHS CNEL standards for normally acceptable noise increase for the residential and commercial land uses. This includes operational noise generated by Project-related traffic noise on surrounding roadways under baseline existing and future conditions, impacts from on-site stationary noise sources including upper-story open space decks and rooftops, fixed mechanical equipment, loading deck areas, refuse collection areas, the parking structure, and composite noise level impacts considering all Project operational sources combined.

Therefore, the Project would have a potentially significant impact related to a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project and mitigation measures would be required. With implementation of MM-NOISE-4, MM-NOISE-5, and MM-NOISE-6, these impacts would be reduced to less than significant.

Cumulative Impacts

The LAMC-required provisions that limit stationary source noise from equipment such as rooftop mechanical equipment would ensure that noise levels would be less than significant at the property line for each related project. In addition, the types of on-site noise generated by each related project in the vicinity would be similar to noise from mixed-use multi-family residential projects that do not include substantial operational on-site noise generators. It follows that operational noise levels from the related projects would not be substantial considering the ambient noise levels in the surrounding urban environment. Further, noise from other stationary sources, including parking structures, open space activity and loading docks would be limited to areas in the immediate vicinity of each related project. The Project includes mitigation measures to reduce operational noise levels below a level of significance. And, there are no substantial on-site noise generators associated with the related projects that could combine with the on-site operational noise of the Project to create a cumulatively considerable significant impact As such, the Project's composite stationary source impacts considered together with potential operational noise from the related projects would be less than significant and would not result in a significant cumulative stationary source noise impacts.

Project Design Features

PDF NOISE-1: Prohibition of Idling: The Project shall not allow delivery truck idling of main engines in the loading area pursuant to applicable City and State standards. Signs shall be posted prohibiting idling.

Mitigation Measures

MM-NOISE-4: Perimeter railing with solid wall panels (glass, metal, masonry or similar) shall be installed along the outer edge of the pool deck areas on the 8th floor landscaped pool deck and

the 41st floor rooftop pool deck on the Hotel A/B Tower. The railing shall be a minimum of 42 inches high and have no gaps between each panel or between the panel and floor, unless required by building code, wind load resistance standards, or other applicable standards. In such cases, gaps shall be kept to the minimum necessary to meet applicable code and standards.

MM-NOISE-5: Prior to operating outdoor amplified music and entertainment speakers on the 8th floor landscaped pool deck of the Hotel A/B Tower, an acoustical design plan shall be submitted to the City, shown to result in a pool deck composite noise level at the south end perimeter rail of no more than 98 dBA Leq and at the north end of the perimeter rail of no more than 65 dBA Leq. The pool deck composite noise level is defined as the sound level resulting from the amplification of recorded or live music combined with simultaneous spoken word (i.e., D.J.) emanating from all speakers in use, and excluding noise from guests and the normal operation of the amenities lounge, food and beverage service. To achieve this performance level, the acoustical design plan may rely on, among other strategies and technologies the following:

- Directional speakers or arrays of smaller speakers shall be used so as to maximize on-site sound levels while minimizing the spread of sound beyond the pool deck perimeter. For example, within the pool area southwest of the amenities lounge, speakers placed around the pool should be directed towards the pool. Speakers located southwest of the pool shall be angled towards the pool or amenities lounge. Sound from all speakers shall be directed below the top of the railing (if necessary, downward tilted at an appropriate angle). All ceiling-mounted speakers shall be oriented directly downward towards the floor.

- Within the outdoor seating areas northeast of the amenities lounge, speakers shall be generally directed towards the interior of the property. Sound from all speakers shall be directed below the top of the railing (if necessary, downward tilted at an appropriate angle). All ceiling-mounted speakers shall be oriented directly downward towards the floor.

- The areas shall be designed with the strategic use of materials with high sound absorption properties within the pool deck area and shall avoid using highly sound-reflective surfaces, to the extent possible, at the amenities lounge.

- The use of amplified speakers for recorded or live music performances shall be limited to up to 2:00 A.M.

- All disc jockeys (DJs) and musicians shall utilize the on-site sound system. The DJs and musicians shall use speakers set at or below pre-approved settings and in predetermined speaker locations and directions.

MM-NOISE-6: Prior to operating outdoor amplified music and entertainment speakers on the 41st floor rooftop pool deck of the Hotel A/B Tower, an acoustical design plan shall be submitted to the City, shown to result in a pool deck composite noise level of no more than 90 dBA Leq at the perimeter rail. The pool deck composite noise level is defined as the sound level resulting from the amplification of recorded or live music combined with simultaneous spoken word (i.e., DJ) emanating from all speakers in use, and excluding noise from guests and the normal operation of the amenities lounge, food and beverage service. To achieve this performance level, the acoustical design plan may rely on, among other strategies and technologies the following:

- The use of directional speakers or arrays of smaller speakers so as to maximize on-site sound levels while minimizing the spread of sound beyond the pool deck perimeter. For

example, speakers placed around the rooftop area should be directed towards the interior of the space, such as towards the pool and seating areas. Speakers located southwest of the pool shall be angled towards the pool or amenities lounge. Sound from all speakers shall be directed below the top of the railing (if necessary, downward tilted at an appropriate angle). All ceiling-mounted speakers shall be oriented directly downward towards the floor.

- The area shall be designed with the strategic use of materials with high sound absorption properties within the pool deck area and shall avoid using highly sound-reflective surfaces, to the extent possible, at the bar, restroom, and elevator/stairwell walls.

- The use of amplified speakers for recorded or live music performances shall be limited to up to 2:00 A.M.

- All disc jockeys (DJs) and musicians shall utilize the on-site sound system. The DJs and musicians shall use speakers set at or below pre-approved settings and in predetermined speaker locations and directions.

Finding

With respect to the potential impacts outlined above regarding the operation of the landscaped pool decks on Hotel A/B's 8th and 41st floors, composite noise levels from operations, human annoyance from groundborne vibration during construction, permanent increase in ambient noise levels in the vicinity of the Project, and cumulative impacts, each decision-making body of the City adopts the first possible finding as outline above in Section III, which states that "changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines Section 15091(a)(1)).

Rationale for Finding

Under the conservative approach used in the Draft EIR, impacts associated with the operation of the landscaped pool decks on Hotel A/B Tower's 8th and 41st floors could potentially exceed the significance threshold of 5 dBA over ambient noise levels per LAMC at receptor R5 and could be very close to exceeding the threshold at receptor R7 on the 8th floor. Mitigation Measures NOISE 4, 5 and 6 would be incorporated into the Project to mitigate operational noise impacts and would avoid or substantially lessen these environmental effects. MM NOISE-4 requires the perimeter railing on the outer edge of the landscaped pool decks to be designed with solid wall panels and be a minimum of 42 inches high. Individual acoustical design plans with specific performance standards must be submitted to the City for the landscaped pool decks, as required by MM NOISE 5 and 6. As such, impacts would be less than significant.

Similarly, the conservative analysis of the operational composite noise levels (project-related on-site and off-site sources) discussed in the Draft EIR found that potentially significant noise impacts could occur a sensitive receptors R2 and R5. MM-NOISE 4, 5 and 6 would be incorporated into the Project to mitigate operational noise impacts and would avoid or substantially lessen these noise impacts. Impacts would be less than significant.

The Circa Project could be exposed to vibration levels of 87 VdB from the use of large bulldozers or other similarly large vibration-generating equipment, which would exceed the FTA's 72 VdB threshold and could result in a significant impact. MM-NOISE-3 would be incorporated into the Project to restrict the use of large bulldozers and other similar vibration-generating heavy equipment greater than 300 horsepower within 80 feet of vibration-sensitive

uses. This would avoid or substantially reduce this impact at the Circa Project. All other sensitive receptors in the Project vicinity are too distant to be affected by vibration from Project construction. Therefore, Project construction would not result in the exposure of persons to excessive groundborne noise or vibration and impacts would be less than significant with mitigation.

Project operations would result in a substantial permanent increase in ambient noise levels at the sensitive receptors in the Project vicinity, as measured against applicable regulations including LAMC standards for ambient noise levels and DHS CNEL standards for normally acceptable noise increase for the residential and commercial land uses. This increase in Project-related ambient noise levels includes noise increases from the upper-story open space decks and rooftops. Other operational noises including those from traffic noise on surrounding roadways under baseline existing and future conditions, fixed mechanical equipment, loading deck areas, refuse collection areas, the parking structure, and composite noise level impacts would be less than significant at nearby sensitive receptor locations as shown in Table 4.8-17 in the Draft EIR. The Project incorporates MM-NOISE-4, MM-NOISE-5, and MM-NOISE-6, which avoid or substantially lessen this significant environmental effect. Impacts would be reduced to less than significant.

Reference

For a complete discussion of the Project's impacts associated with noise, see Section 4.8, Noise, of the Draft EIR.

Transportation and Traffic

Description of Effects

Conflict with Applicable Plan, Ordinance, Policy -- Future with Project Conditions (1 Intersection)

The Draft EIR found the Project's incremental increase in the V/C ratios at 25 of the 29 study intersections would be less than significant during the peak hours under Future With Project Conditions. However, the Project would cause a significant impact at intersection 13. Figueroa Street & W. 11th Street at A.M. and P.M. peak hours. The feasible mitigation program for the Project that quantitatively reduced significant impacts includes: (1) implementation of a TDM program for the Project Site to promote peak period trip reduction; and (2) Transportation Systems Management (TSM) improvements, including signal controller upgrades at key intersections within the Study Area. These mitigation measures are consistent with Transportation Impact Study Guidelines and the City's goals to reduce greenhouse gas emissions by reducing the use of single-occupant vehicle trips, encourage developers to construct transit and pedestrian-friendly projects with safe and walkable sidewalks, and promote other modes of travel.

The mitigation program would result in peak hour trip reductions from implementation of the TDM program and operation improvements as a result of the TSM improvements.

As discussed in detail in the Draft EIR and the Traffic Study, Appendix K to the Draft EIR, the proposed mitigation measures reduced impacts to less than significant levels at this impacted intersection.

Project Design Features

No project design features are included in the EIR for the above-references thresholds of significant with regard to transportation and traffic.

Mitigation Measures

MM-TRAF-1 (Transportation Demand Management Program): A Transportation Design Management (TDM) program shall be prepared to reduce the use of single occupant vehicles (SOV) during commute hours by increasing the number of trips by walking, bicycle, carpool, vanpool and transit.

A preliminary TDM program shall be prepared and provided for LADOT review prior to the issuance of the first building permit for this Project and a final TDM program approved by LADOT is required prior to issuance of the first certificate of occupancy for the Project. As recommended by the transportation study, the TDM program shall include, but is not limited to, the following:

- Provide a transportation information center and on-site TDM coordinator to educate employers, employees, hotel guests, and customers of surrounding transportation options

- Promote bicycling and walking through amenity upgrades such as exclusive access points, secured bicycle parking, sidewalk pavement improvements, wayfinding signage, etc. around the Project Site

- Promote and support carpool/vanpool/rideshare use through parking incentives and administrative support

- Incorporate incentives for using alternative travel modes

- Support existing and/or future efforts by LADOT for Mobility Hubs by providing amenities such as bicycle parking, rentals, shared vehicle rentals, transit information, etc. at the Project Site (subject to design feasibility)

- Make a one-time fixed-fee financial contribution of $100,000 to the City's Bicycle Plan Trust Fund to implement bicycle improvements in the general Downtown Los Angeles area of the Project

MM-TRAF-2 (Transportation Systems Management Improvements): The Project shall contribute up to $30,000 toward Transportation Systems Management (TSM) improvements that would better accommodate intersection operations and increase intersection capacity throughout the study area. LADOT's ATSAC Section has identified the following upgrades as part of the TSM improvements:

- Fiber optic upgrades along South Figueroa Street from Pico Boulevard to Olympic Boulevard for ($20,000)

- Two CCTV camera upgrades at Pico Boulevard and Figueroa St, and LA Live Way and Pico Boulevard ($10,000)

These upgrades would improve the network capacity for real-time video monitoring of intersection, corridor, transit, and pedestrian operations in Downtown Los Angeles by reducing delays experienced by motorists at study intersections.

A final determination on how to implement these CCTV installations will be made by LADOT prior to the issuance of the first building permit. These installations will be implemented either by the Applicant through the B-Permit process of the Bureau of Engineering (BOE), or through payment of a one-time fixed fee of $30,000 to LADOT to fund the cost of the upgrades. If LADOT selects the payment option, then a required payment of $30,000 shall be provided to LADOT, and LADOT shall design and construct the upgrades.

If the installations are implemented by the Applicant through the B-Permit process, then these improvements must be guaranteed prior to the issuance of any building permit and completed prior to the issuance of any certificate of occupancy. Temporary certificates of occupancy may be granted in the events of any delay through no fault of the Applicant, provided that, in each case, the Applicant has demonstrated reasonable efforts and due diligence to the satisfaction of LADOT.

Finding

With respect to the potential impacts regarding future with Project conditions at intersection 13. Figueroa Street & W. 11th Street at A.M. and P.M. peak hours, each decision-making body of the City adopts the first possible finding as outline above in Section III, which states that "changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines Section 15091(a)(1)).

Rationale for Finding

As discussed in more detail in the Draft EIR, the Project's incremental increase in the V/C ratios at intersection 13. Figueroa Street & W. 11th Street during A.M. and P.M. peak hours would cause a significant impact. The Project would incorporate MM-TRAF-1 and MM-TRAF-2 to avoid or substantially lessen this environmental effect. The mitigation program for the Project at this intersection includes: (1) implementation of a TDM program for the Project Site to promote peak period trip reduction; and (2) Transportation Systems Management (TSM) improvements.

The TDM program details a set of strategies proposed for the Project designed to reduce peak hour vehicular traffic to and from the Project Site. It is a comprehensive program of design features, transportation services, education programs, and incentive programs intended to reduce the impact of traffic from employees and visitors to the Project Site during the most congested periods of the day. The combined effect of the strategies implemented as part of the TDM program would result in a reduction in peak hour trip generation by offering services, actions, specific facilities, incentives, and contributions, aimed at encouraging use of alternative transportation modes (e.g., transit, bus, walking, bicycling, carpool, etc.). Trip Generation Handbook, 3rd Edition provides a summary of research of TDM programs at many different sites. At places that had the most comprehensive programs, including both economic incentives (e.g., transit passes, etc.) and support services, the programs resulted in an average 24 percent reduction in commuter vehicles. Thus, as an achievable but conservative estimate, an overall TDM trip reduction credit of 10 percent was assumed.

In addition, the Project would contribute funding toward TSM improvements that would better accommodate intersection operations and increase intersection capacity. LADOT has determined that TSM improvements would improve traffic operations and increase intersection capacity by approximately 1 percent along a corridor. The funding provided as part of the mitigation would be used by LADOT to implement the TSM improvements and thereby reduce impacts at identified intersections. The TSM improvements would target the Figueroa Street corridor, as well as the intersection of LA Live Way & W. Pico Boulevard.

The mitigation program would result in peak hour trip reductions at this intersection from implementation of the TDM program and operation improvements as a result of the TSM improvements, as shown in Table 13 of Appendix K, Traffic Study to the Draft EIR. The proposed mitigation measures reduced impacts to less than significant levels at this impacted intersection.

Reference

For a complete discussion of the Project's impacts associated with transportation and traffic, see Section 4.10, Transportation and Traffic, of the Draft EIR.

VI. SIGNIFICATION AND UNAVOIDABLE IMPACTS

The Final EIR determined that the environmental impacts set forth below are significant and unavoidable. In order to approve the project with significant unmitigated impacts, the City is required to adopt a Statement of Overriding Considerations, which is set forth in Section X below. No additional environmental impacts other than those identified below will have a significant effect or result in a substantial or potentially substantial adverse effect on the environment as a result of the construction or operation of the project. The City finds and determines that:

a) All significant environmental impacts that can be feasibly avoided have been eliminated, or substantially lessened through implementation of the project design features and/or mitigation measures; and

b) Based on the Final EIR, the Statement of Overriding Considerations set forth below, and other documents and information in the record with respect to the construction and operation of the project, all remaining unavoidable significant impacts, as set forth in these findings, are overridden by the benefits of the project as described in the Statement of Overriding Considerations for the construction and operation of the project and implementing actions.

Noise

Description of Effects

Conflict with Applicable Standards – Construction

As shown in Table 4.8-8 and Table 4.8-9 of the Draft EIR construction noise levels are estimated to reach a maximum of 89 dBA Leq at sensitive receptor R5 (the under-construction Circa project), which exceeds the maximum allowable LAMC increase at this location (the ambient noise level of 75.0 dBA Leq plus 5 dBA Leq); a maximum of 77 dBA Leq at sensitive receptor R2 (Gilbert Lindsay Plaza), which exceeds the maximum allowable LAMC increase at this location (the daytime noise level of 65.6 dBA Leq plus 5 dBA Leq); and a maximum of 77

dBA Leq at sensitive receptor R7 (the City Lights on Fig Apartments), which exceeds the maximum allowable LAMC increase at this location (the daytime noise level of 71.9 dBA Leq plus 5 dBA Leq). Therefore, the Project would have potentially significant construction noise impacts at these three sensitive receptors if no mitigation was applied.

The Final EIR requires implementation of mitigation measures MM-NOISE-1 and MM-NOISE-2 listed below. Due to the design of the adjacent uses and projects, and the proposed excavation of the Project Site, the physical condition during construction would be the 15-foot tall construction fence abutting an approximately 90-foot-high podium structure at the Circa project, and the same fence heights facing other adjacent uses identified as receptors above. Consequently, the 15-foot tall construction fence mitigates noise impacts at grade and above to the fence height, but would have minimal ability to reduce noise between the Project Site and sensitive receptor locations that are substantially above grade level (plus 15 feet) because the sound barrier construction fence would not directly block line of sight. Accordingly, the EIR concludes and the City finds that although temporary construction noise would attenuate with the increased distance between the noise sources on the Project Site, and feasible mitigation has been applied, the Project would still result in temporary noise impacts that are considered significant and unavoidable.

Cumulative Impacts – Construction

For cumulative noise impacts, the Draft EIR identified related projects that are located in the vicinity of the Project Site and are capable of having combined noise impacts. Because the timing of the construction activities for related projects cannot be defined specifically and is beyond the control of the City and the Applicant, the Draft EIR's quantitative analysis conservatively assumed multiple concurrent construction projects could have significant cumulative noise impacts on identified receptor locations.

The Draft EIR also disclosed that related project construction noise levels would be intermittent, short-term (ceasing at the end of the construction phase), and would comply with time restrictions and other relevant provisions of the LAMC. Noise associated with construction activities would be reduced to the degree reasonably and technically feasible through proposed mitigation measures for each individual project and compliance with the City's noise ordinances. However, such measures would only reduce noise to a degree that is technically feasible. Therefore, even with implementation of design features and mitigation measures, the Draft EIR conservatively concluded that if identified related projects are constructed concurrently with the Project, that could result in exposure of persons to or generation of noise levels in excess of standards established by the City or result in a substantial temporary or periodic increase in ambient noise levels in the vicinity of the Project Site above levels existing without the Project and related projects. Hence, the Draft EIR concluded and the City finds that temporary cumulative construction noise impacts are significant and unavoidable.

Project Design Features

PDF NOISE-1: Prohibition of Idling: The Project shall not allow delivery truck idling of main engines in the loading area pursuant to applicable City and State standards. Signs shall be posted prohibiting idling.

Mitigation Measures

MM-NOISE-1: The Project shall provide a temporary 15-foot-tall construction fence equipped with noise blankets rated to achieve sound level reductions of at least 10 dBA between the Project construction site and the Gilbert Lindsay Plaza (receptor R2) to the west and between the Project construction on-site and residential uses at the Circa project (receptor R5) to the north. Temporary noise barriers shall be used to block the ground level line-of-sight between the construction equipment and the noise sensitive receptors during early Project construction phases (up to the start of framing) when the use of heavy equipment is prevalent.

MM-NOISE-2: The Project contractor(s) shall employ state-of-the-art noise minimization strategies when using mechanized construction equipment capable of achieving at least a 2 dbA noise reduction. The contractor(s) shall limit unnecessary idling of equipment on or near the site in compliance with the California Air Resources Board Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling (Title 13 California Code of Regulations, Section 2485). The contractor(s) shall place noisy construction equipment as far from the Project Site edges as practicable taking into consideration closeness to sensitive receptors and the location of the construction activity on the Project Site. The Project contractor(s) shall equip all construction equipment, fixed or mobile, with properly operating and maintained noise mufflers, consistent with manufacturers' standards that achieve at least a 2 dBA reduction in equipment engine noise levels as compared to the same equipment without noise mufflers. Absorptive mufflers capable of achieving at least a 2 dBA noise reduction are considered commercially available and state-of-the-art noise reduction for heavy duty equipment.

MM-NOISE-3: Heavy equipment, such as use of a large bulldozer (greater than 300 horsepower), and other similarly large vibration-generating equipment shall not be used within 80 feet of the neighboring residential structures. If such proximate construction is required, alternative equipment and methods such as small bulldozers (less than 300 horsepower), shall be used to ensure that vibration effects on adjacent residential uses would result in maximum vibration levels of less than 72 VdB at the Circa project (receptor R5) north of the Project Site.

Finding

Each decision making body of the City finds that all feasible mitigation measures to substantially reduce or avoid the project's construction noise impact and the project's contribution to cumulative construction noise impacts have been incorporated into the project.

In accordance with CEQA Guidelines Section 15091, the City finds that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen these significant environmental impacts. The City also finds that specific economic, legal, social, technological or other considerations, including provision of employment opportunities for highly trained workers, make infeasible additional mitigation measures or project alternatives identified in the Final EIR. However, while implementation of mitigation measures will reduce the impacts, the project's construction noise impact, and the project's contribution to cumulative construction noise impacts, will be significant and unavoidable.

Rationale for Finding

The Draft EIR concluded that the Project would have significant and unavoidable project-specific and cumulative construction noise impacts. The ambient noise conditions are heavily influenced by high intensity urban uses and large scale ongoing construction projects adjacent to and around the Project Site. This environmental setting contributes to the significant noise

impacts associated with the Project. Implementation of mitigation measures would reduce the project's construction noise impacts from onsite activities to the extent feasible. While it is anticipated that nearby related projects would similarly implement mitigation measures to address potential noise impacts from construction activities, potential cumulative impacts would exist as a result of construction of the project and nearby related projects. Therefore, project specific and cumulative construction noise impacts from onsite activities would be significant and unavoidable.

Reference

For a complete discussion of the project's impacts associated with noise, see Section 4.8, Noise, and Appendix I, Noise Technical Report, of the Draft EIR.

Transportation and Traffic

Description of Effects

Conflict with Applicable Plan, Ordinance or Policy – Cumulative Construction

Impacts on traffic associated with construction are typically considered short-term adverse impacts; and construction worker and haul truck trips would occur outside of the commuter morning and afternoon peak hours and thus the number of trips independently from the Project would not result in significant traffic impacts. However, lane closures adjacent to the Project Site would result in significant impacts at the S. Flower Street & W. Pico Boulevard intersection during construction. The Project includes a Construction Management Plan, as a PDF, that would reduce the potential construction traffic impacts due to the lane closures, but there would still be temporary construction impacts that would be considered significant and unavoidable.

In addition, the construction of the related projects in the vicinity of the Project would contribute to traffic impacts during construction. There are several related projects under construction that have contributed to temporary lane closures and other construction activities that impact traffic levels of service in the vicinity. Due to the number of cumulative projects in the vicinity and the uncertainty in terms of timing for each cumulative project and the potential overlap of development, the Draft EIR concluded and the City finds that the Project would contribute to a cumulatively significant construction impact.

Conflict with Applicable Plan, Ordinance or Policy -- Future with Project Operational Conditions (3 Intersections)

As analyzed in the Draft EIR, the Future With Project Conditions (Year 2022), 12 of the 29 study intersections would operate at LOS B or better during both the A.M. and P.M. peak hours. The remaining 17 intersections would operate at LOS C or worse during at least one of the peak hours. The Project would cause a significant impact at an intersection operating at LOS C, D, E, or F if the incremental change in V/C ratio due to the Project exceeds the thresholds described in Table 4.10-4 of the Draft EIR. The Draft EIR found that the Project's incremental increase in the V/C ratios at 25 of the 29 study intersections would be less than significant during the peak hours under Future With Project Conditions.

However, the Project would cause a significant impact at the following four intersections: L.A. Live Way & W. Pico Boulevard (A.M. and P.M. peak hours); Figueroa Street & W. 11th Street (A.M. and P.M. peak hours); Figueroa Street & W. Pico Boulevard (A.M. and P.M. peak hours);

and Flower Street & W. Pico Boulevard (P.M. peak hour). Thus, mitigation measures were implemented to reduce impacts at these intersections. The feasible mitigation program for the Project that quantitatively reduced significant impacts includes: (1) implementation of a TDM program for the Project Site to promote peak period trip reduction; and (2) Transportation Systems Management (TSM) improvements, including signal controller upgrades at key intersections within the Study Area. As discussed in detail in the Traffic Study, the proposed mitigation measures reduced impacts to less than significant levels at one of the four significantly impacted intersections. Accordingly, the incremental impacts at the following three study intersections would be reduced, though not fully mitigated. Therefore, impacts at the following three study intersections would remain significant and unavoidable with the addition of Project traffic after mitigation: L.A. Live Way & W. Pico Boulevard (afternoon peak hour); Figueroa Street & W. Pico Boulevard (morning and afternoon peak hours; and Flower Street & W. Pico Boulevard (afternoon peak hour).

Therefore, the Draft EIR concluded and the City finds that the Project would exceed certain measures of effectiveness for the performance of the circulation system for the three intersections listed above. Accordingly, operational traffic impacts would be considered significant and unavoidable.

Project Design Features

PDF TRAF-1: Construction Management Plan: A detailed Construction Management Plan shall be submitted to the City's Department of Transportation (LADOT) for review and approval prior to the start of any construction work. The Construction Management Plan shall show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs, and access to abutting properties. The Construction Management Plan shall formalize how construction shall be carried out and identify specific actions that shall be required to reduce effects on the surrounding community. The Construction Management Plan shall be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site, and shall include, but not be limited to, the following mandatory elements:

- Advance, bilingual notification of adjacent property owners and occupants of upcoming construction activities, including durations and daily hours of operation.
- Prohibition of construction worker or equipment parking on adjacent streets.
- Temporary pedestrian, bicycle, and vehicular traffic controls during all construction activities adjacent to Figueroa Street, Flower Street, and Pico Boulevard, to ensure traffic safety on public rights of way. These controls shall include, but not be limited to, flag people trained in pedestrian and bicycle safety at the Project Site's Figueroa Street, Flower Street and Pico Boulevard driveways.
- Temporary traffic control during all construction activities adjacent to public rights-of-way to improve traffic flow on public roadways (e.g., flag men).
- Scheduling of construction activities to reduce the effect on traffic flow on surrounding arterial streets.
- Sequencing of construction activity to reduce the amount of construction-related traffic on arterial streets.
- Contain construction activity within the Project Site boundaries.
- Coordination with LADOT to address any overlapping of construction with the MyFigueroa

project.

- Coordination with Metro to address any construction near the railroad right of way.
- Safety precautions for pedestrians and bicyclists through alternate routing and protection barriers/fencing that shall be implemented.
- Scheduling of construction-related deliveries and haul trips, so as to occur outside the commuter peak hours.

Mitigation Measures

MM-TRAF-1 (Transportation Demand Management Program): A Transportation Design Management (TDM) program shall be prepared to reduce the use of single occupant vehicles (SOV) during commute hours by increasing the number of trips by walking, bicycle, carpool, vanpool and transit.

A preliminary TDM program shall be prepared and provided for LADOT review prior to the issuance of the first building permit for this Project and a final TDM program approved by LADOT is required prior to issuance of the first certificate of occupancy for the Project. As recommended by the transportation study, the TDM program shall include, but is not limited to, the following:

- Provide a transportation information center and on-site TDM coordinator to educate employers, employees, hotel guests, and customers of surrounding transportation options
- Promote bicycling and walking through amenity upgrades such as exclusive access points, secured bicycle parking, sidewalk pavement improvements, wayfinding signage, etc. around the Project Site
- Promote and support carpool/vanpool/rideshare use through parking incentives and administrative support
- Incorporate incentives for using alternative travel modes
- Support existing and/or future efforts by LADOT for Mobility Hubs by providing amenities such as bicycle parking, rentals, shared vehicle rentals, transit information, etc. at the Project Site (subject to design feasibility)
- Make a one-time fixed-fee financial contribution of $100,000 to the City's Bicycle Plan Trust Fund to implement bicycle improvements in the general Downtown Los Angeles area of the Project

MM-TRAF-2 (Transportation Systems Management Improvements): The Project shall contribute up to $30,000 toward Transportation Systems Management (TSM) improvements that would better accommodate intersection operations and increase intersection capacity throughout the study area. LADOT's ATSAC Section has identified the following upgrades as part of the TSM improvements:

- Fiber optic upgrades along South Figueroa Street from Pico Boulevard to Olympic Boulevard for ($20,000)
- Two CCTV camera upgrades at Pico Boulevard and Figueroa St, and LA Live Way and

Pico Boulevard ($10,000)

These upgrades would improve the network capacity for real-time video monitoring of intersection, corridor, transit, and pedestrian operations in Downtown Los Angeles by reducing delays experienced by motorists at study intersections.

A final determination on how to implement these CCTV installations will be made by LADOT prior to the issuance of the first building permit. These installations will be implemented either by the Applicant through the B-Permit process of the Bureau of Engineering (BOE), or through payment of a one-time fixed fee of $30,000 to LADOT to fund the cost of the upgrades. If LADOT selects the payment option, then a required payment of $30,000 shall be provided to LADOT, and LADOT shall design and construct the upgrades.

If the installations are implemented by the Applicant through the B-Permit process, then these improvements must be guaranteed prior to the issuance of any building permit and completed prior to the issuance of any certificate of occupancy. Temporary certificates of occupancy may be granted in the events of any delay through no fault of the Applicant, provided that, in each case, the Applicant has demonstrated reasonable efforts and due diligence to the satisfaction of LADOT.

Finding

Each decision making body of the City finds that all feasible mitigation measures to substantially reduce or avoid the project's cumulative construction traffic impact and the project's future-year operational traffic impacts have been incorporated into the project.

In accordance with CEQA Guidelines Section 15091, the City finds that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen these significant environmental impacts. The City also finds that specific economic, legal, social, technological or other considerations, including provision of employment opportunities for highly trained workers, make infeasible additional mitigation measures or project alternatives identified in the Final EIR. However, while implementation of mitigation measures will reduce the impacts, the project's cumulative construction traffic impact, and the project's future year traffic impacts, will be significant and unavoidable.

Rationale for Finding

With respect to operational traffic impacts, the Draft and Final EIR implemented a mitigation program for the Project that quantitatively reduced significant impacts which includes implementation of a TDM program for the Project Site to promote peak period trip reduction; and Transportation Systems Management (TSM) improvements, including signal controller upgrades at key intersections within the Study Area.

These mitigation measures are consistent with Transportation Impact Study Guidelines and the TDM program details a set of strategies proposed for the Project designed to reduce peak hour vehicular traffic to and from the Project Site. The TDM program implemented an achievable and conservative TDM trip reduction credit of 10 percent. In addition, the Project would contribute funding toward TSM improvements that would better accommodate intersection operations and increase intersection capacity. The TSM improvements would target the Figueroa Street corridor, as well as the intersection of LA Live Way & W. Pico Boulevard.

Moreover, the LADOT and the Traffic Study considered physical intersection improvements at

the significantly impacted study intersections where the implementation of the TDM program would not mitigate the impacts to a level of insignificance. LADOT determined that other physical traffic mitigation improvements at these impacted intersections were infeasible because of existing physical condition, existing right-of-way limitations, or conflicts with adopted plans and policies. Therefore, the Draft EIR concluded that operational traffic impacts were significant and unavoidable.

The Project Site is located adjacent to mass transit and the Los Angeles Conventions Center. Even though the Draft EIR identified operational traffic significant unavoidable impacts, the location of the Project would encourage pedestrian activity and use of alternatives modes of transportation due to its location and the numerous options for mass transit around the Project Site. This Project is consistent with the City's vision for development on the Project Site and the long-range planning considerations of increasing density in the urban core to reduce traffic and environmental impacts.

With respect to cumulative construction traffic, as with the Project, most of the construction workers for the related projects are anticipated to arrive and depart the construction sites during off-peak hours thereby minimizing construction-related trips during the A.M. and P.M. peak traffic periods. Also, the haul truck routes for all of the related projects would be approved by LADOT according to the location of the individual construction site and the ultimate destination. Additionally, each cumulative project would be required to comply with City requirements regarding haul routes and would implement mitigation measures and/or include project characteristics, such as traffic controls and scheduling, notification, and safety procedures, to reduce potential traffic impacts during construction. However, the Draft EIR concluded that operational traffic impacts would remain significant and unavoidable.

Reference

For a complete discussion of the project's impacts associated with traffic, see Section 4.10, Transportation and Traffic, and Appendix K-1, Transportation Study and Appendix K-2, LADOT Assessment Letter, of the Draft EIR.

VII. ALTERNATIVES TO THE PROJECT

CEQA requires that an EIR analyze a reasonable range of feasible alternatives that could substantially reduce or avoid the significant impacts of a project while also meeting the project's basic objectives. An EIR must identify ways to substantially reduce or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1). Accordingly, the discussion of alternatives shall focus on alternatives to a project or its location which are capable of avoiding or substantially reducing any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly. The alternative analysis included in the Draft EIR, therefore, identified a reasonable range of project alternatives focused on avoiding or substantially reducing the project's significant impacts.

Summary of Findings

Based upon the following analysis, the City finds, pursuant to CEQA Guidelines Section 15096(g)(2), that no feasible alternative or mitigation measure will substantially lessen any significant effect of the project, reduce the significant unavoidable impacts of the project to a level that is less than significant, or avoid any significant effect the project would have on the environment.

Project Objectives

Section 15124(b) of the California Environmental Quality Act (CEQA) Guidelines states that a project description shall contain "a statement of the objectives sought by the proposed project." In addition, Section 15124(b) of the State CEQA Guidelines further states that "the statement of objectives should include the underlying purpose of the project."

The underlying purpose of the Project is to develop a modern mixed-use hotel complex, with multiple hotel brands and room price points, which would be economically viable and supply the urban core with hotel rooms optimally located within walking distance to mass transit and regional entertainment destinations. This underlying purpose of the Project is also consistent with the Mayor's and the Los Angeles Department of Convention and Tourism's stated goal of reaching 8,000 hotel rooms within walking distance of the Convention Center. The objectives for the Project include:

- Objective 1: Create a mixed-use hotel complex that contributes distinctive hotel rooms to the current and forthcoming hotel supply to help alleviate demand pressure created by tourism, convention business, and local and regional entertainment facilities.

- Objective 2: Provide a variety of hotel brands, room options at varying price points, and publicly accessible amenity spaces that support the concentration of residential uses, entertainment, retail, and convention destinations that are rapidly developing in the South Park district.

- Objective 3: Utilize a development site that the City has indicated is optimally located to support a revitalized Convention Center by creating a vibrant mixed-use hotel that is compatible with existing development patterns and reflects the City's long-term planning goals for high-density development in transit core areas of downtown.

- Objective 4: Introduce an architecturally distinctive development that contributes dramatic elements to the City's evolving skyline, complements the scale of adjacent development, and activates the pedestrian realm along adjacent street frontages.

- Objective 5: Enhance and activate the prominent corner of S. Figueroa Street and W. Pico Boulevard, facing the Convention Center, with distinctive sidewalks, landscaping, ground floor retail uses and outdoor activity to attract and accommodate Convention Center patrons, visitors, and neighborhood residents.

- Objective 6: Redevelop an underutilized site by replacing the existing surface parking and moderate commercial uses with an economically viable and aesthetically attractive development capable of delivering over 1,000 hotel rooms on a physically constrained site that will be physically and programmatically compatible with the variety of urban uses in the vicinity.

- Objective 7: Improve pedestrian connectivity, safety, and security in the area by improving the pedestrian experience and wayfinding ability between the Convention Center, Gilbert Lindsay Plaza, LA Live, and the adjacent light rail station.

- Objective 8: Support the MyFigueroa plan goals for complete streets that make Figueroa Street safer and more attractive for walking, bicycling, and transit, and integrate components

of the LASED Streetscape Plan and City's Mobility Element to produce thematic continuity and plan consistencies where feasible.

- Objective 9: Create a sign district that encompasses the Project and the surrounding parcels which results in an aesthetically enhanced area inclusive of lighting, wayfinding elements, on- and off-site advertising, and improved aesthetic character that is generally compatible with surrounding sign districts and neighborhood improvement plans in the South Park area.

- Objective 10: Develop a feasible mixed-use hotel complex that efficiently concentrates density on the site and stimulates the economic vitality of the region by providing construction and permanent jobs, attracting commercial tenants and hotel operators, and increasing hotel patrons that collectively increase City tax revenues directly and indirectly.

Alternatives Analyzed in the Draft EIR and Final EIR

CEQA requires that an EIR analyze a reasonable range of feasible alternatives that could substantially reduce or avoid the significant impacts of a project while also meeting a project's basic objectives.

Each decision-making body of the City finds that given the potential impacts of the project, the Final EIR considered a reasonable range of alternatives to the project to provide informed decision-making in accordance with Section 15126.6 of the CEQA Guidelines.

Based on the significant environmental impacts of the project and the objectives established for the project, the following alternatives to the project were evaluated in the Final EIR:

- Alternative 1: No Project/No Build
- Alternative 2: Reduced Hotel Rooms (Two Towers)
- Alternative 3: Reduced Hotel Rooms (Single Tower)
- Alternative 4: Mixed-Use Hotel, Commercial, and Residential

In addition, the Final EIR analyzed another alternative that was suggested by American Life, Inc. (ALI). ALI owns the Courtyard Marriott and Residence Inn hotels located in the vicinity of the Project. ALI provided a site plan prepared by AXIS dated October 18, 2017 ("AXIS Site Plan") and claimed that it was another feasible reduced-density alternative. Response to Comment No. 11-1 in the Final EIR analyzed the AXIS Site Plan, provided a detailed response to comments, and contained evidence that demonstrated why the suggested alternative was not feasible for several reasons.

Alternative 1: No Project/No Build

Description of Alternative

Alternative 1, the No Project/No Build Alternative, assumes that the Project would not be approved and no new development would occur within the Project Site. The physical conditions of the Project Site would generally remain as they are at the time of NOP issuance. The Project Site would continue to be occupied by a two-story approximately 27,800-square-foot commercial building containing three restaurants, and surface parking lots that serve the building and as general public parking, bisected by a public alley accessed from W. Pico Boulevard. No new construction would occur; on-site improvements would be limited to normal upkeep and maintenance of the existing building and parking facilities.

Impact Summary of Alternative

The No Project/No Build Alternative would avoid the Project's significant and unavoidable environmental impacts related to construction noise and intersection service level transportation and construction traffic impacts. Alternative 1 would also eliminate most of the Project's less than significant impacts and less than significant with mitigation impacts. However, the Alternative would have greater impacts with respect to hydrology and water quality and land use and planning, since the existing site would not improve the site's water drainage and filtration like the Project, and is considered to be less compatible with the planning and land use goals for the site and downtown vicinity than the Project.

Finding

With respect to Alternative 1, each decision making body of the City adopts the third possible finding as outlined above in Subsection III, which states that "specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR." (CEQA Guidelines Section 15091(a)(3)).

Rationale for Finding

No new development would occur under the No Project/No Build Alternative and the project site would continue to operate as it does currently. As such, Alternative 1 would not meet the underlying purpose of the project or the project objectives. While the No Project/No Build Alternative would avoid all of the project's significant environmental impacts, it would not meet the project's underlying purpose and would not attain any of the project objectives. For these reasons, each decision making body of the City rejects the No Project/No Build Alternative as infeasible.

Reference

For a complete discussion of impacts associated with Alternative 1, see Section V, Alternatives, of the Draft EIR.

Alternative 2: Reduced Hotel Rooms (Two Towers)

Description of Alternative

Alternative 2, the Reduced Hotel Rooms Alternative (Two Towers), would redevelop the Project Site with the same types of uses as the Project, including up to three hotels and ground-floor retail/restaurant uses in two towers, but would have 30 percent fewer hotel guest rooms compared to the Project. A total of 813 guest rooms would be provided, a reduction of 349 guest rooms compared to the Project's proposed 1,162 guest rooms. The development density would be reduced by approximately 17 percent to 385,567 square feet (sf) compared to the Project, resulting in an approximately 20 percent reduction in the FAR (7.28:1 compared to the Project's 9.9:1).

The Hotel A/B Tower would contain 579 guest rooms, a reduction of 241 guest rooms compared to the Project, and would total approximately 261,891 sf. The Hotel A/B Tower would still include indoor amenities, outdoor pool decks, and fitness decks as under the Project, as well as the same amount of meeting space (11,286 sf) and floor retail/restaurant spaces (11,000 sf). It

would be reduced to 32 stories (i.e., five fewer floors of guest rooms) and 429 feet in height compared to the Project's proposed 42 stories and 529 feet.

The Hotel C Tower would contain 234 guest rooms, a reduction of 108 guest rooms compared to the Project, and would total approximately 123,676 sf. The Hotel C Tower would still include indoor amenities, an outdoor pool deck, and food and beverage facilities as under the Project, as well as the same amount of ground-floor retail/restaurant uses (2,145 sf). The Hotel C Tower would be reduced to 20 stories (i.e., nine fewer floors of guest rooms) and 276 feet in height compared to the Project's 25 stories and 326 feet.

The two towers would be built in the same locations and with the same footprints as under the Project, with Hotel A/B contained in the larger tower (Hotel A/B Tower) and Hotel C (Hotel C Tower) contained in the smaller tower. All parking for Hotel A/B and Hotel C would continue to be provided within a podium structure incorporated into the Hotel A/B Tower, although only five levels of podium parking above the ground-level retail/restaurant space would be required compared to the Project's six levels.

A Sign District would still be proposed for the Project Site as well as for surrounding parcels, as under the Project. Streetscape improvements on all Project Site street frontages would still be implemented as under the Project, including lighting and landscaping.

Impact Summary of Alternative

Alternative 2 would reduce the severity of Project's significant and unavoidable operational traffic impacts under Future with Project conditions at buildout due to the reduced density of the alternative. With implementation of MM-TRAF-1, Alternative 2 would have no impacted intersections, and impacts would be less than significant. Thus, Alternative 2's operational impacts on traffic would be less than those of the Project. With a reduced building profile, development program, and magnitude of construction, this Alternative would also help reduce less than significant impacts for other environmental topics, including construction and operational impacts (e.g. operational emissions, carbon monoxide hotspots, TACs, operational noise, public services, wastewater, water supply, energy). Although this Alternative reduces the overall duration of construction it would not necessarily reduce the intensity of the maximum hour or day of construction. As such, similar to the proposed Project, the significant and unmitigatable construction noise impacts to residential uses and significant and unavoidable construction traffic impacts resulting from the Project would not be reduced to less than significant levels under this Alternative.

Finding

With respect to Alternative 2, each decision making body of the City adopts the third possible finding as outlined above in Subsection III, which states that "specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR." (CEQA Guidelines Section 15091(a)(3)).

Rationale for Finding

Alternative 2, would reduce development intensity by approximately 17 percent. This Alternative would not achieve the underlying purpose of the Project to the same extent considering economic viability, density objectives, economic development objectives, and development

efficiencies for the site. In addition, Alternative 2 would not satisfy agency planning and policy goals for the public and private parcels that comprise the Project Site.

Regarding the project objectives, Alternative 2 would not satisfy many of the objectives or the underlying purpose of the Project to the same extent as the Project. For example, Alternative 2 would not meet the underlying purpose of the project because it would not be as economically viable as the Project considering the reduced density. Similarly, Alternative 2 would not satisfy, to the same extent as the Project because of the reduced density, the City's goal of providing 8,000 hotel rooms adjacent to the Los Angeles Convention Center. Moreover, Alternative 2 would not satisfy the project objectives to utilize the Project site in a manner that is consistent with the city's long-term planning goals for high density development in the transit core of downtown. Similarly, Alternative 2 would not be capable of delivering over 1,000 hotel rooms on the Project Site. The alternative would also not contribute to the same extent of economic development, in comparison to Project, as a result of the reduced density. The reduced density associated with Alternative 2 does not satisfy the underlying purpose of the Project or its key objectives.

In addition, regarding the City's planning goals and policies, the City has indicated that redevelopment of the Project Site should be high-density and has utilized planning tools to maximize developable area. Alternative 2 would not maximize developable area on the Project Site due to the reduced proposed density of the alternative. Moreover, the City's has stated its vision for the Project Site in several documents, which indicate that the Project Site should contain high density uses to maximize density on redevelopment sites located adjacent to transit and within the transit core areas identified in the City's planning and policy documents. The reduced density associated with Alternative 2 conflicts with the City's planning goals and is undesirable from a policy standpoint.

Furthermore, regarding social and other considerations, the Project Site is located in an area of the City that is undergoing rapid change and densification. The existing conditions and development trends immediately surrounding the Project Site are maximizing density because the area is transit rich, located adjacent to the Los Angeles Convention Center and regional entertainment venues, and will one of the centers of Olympic activity during the 2028 Olympic Games. Thus, there are several social and other considerations that warrant maximizing the density of development on the Project Site to implement a hotel project that can deliver the amount and type of hotel rooms and amenities desired by the City to support hotel room demand caused by convention business, regional entertainment venues, domestic and international tourism, and the forthcoming Olympic Games.

Reference

For a complete discussion of impacts associated with Alternative 2, see Section V, Alternatives, of the Draft EIR. Also see the 2012 RFP for the Project Site and City Council motions and CLA Reports indicating the preferred high-density development goal for the Project Site.

Alternative 3: Reduced Hotel Rooms (Single Tower)

Description of Alternative

Alternative 3, the Reduced Hotel Rooms Alternative (Single Tower), would redevelop the western half of the Project Site with the same types of uses as the Project, while maintaining the existing surface parking lot in eastern half of the Project Site, in the location of proposed Tower C. This alternative is a more substantial reduction in density than Alternative 2. This Alternative

would include up to two hotels and ground-floor retail/restaurant uses, but would provide approximately 30 percent fewer hotel rooms than the Project. All proposed uses would be housed in a single building, Hotel A/B Tower, in the same location and with the same footprint as the Hotel A/B Tower under the Project. The site-wide development density would be reduced by approximately 31.9 percent to 344,886 sf, resulting in an approximately 34 percent reduction in the FAR (6.51:1 compared to the Project's 9.9:1).

Under this Alternative, a total of 820 guest rooms would be provided in Hotel A/B Tower, a reduction of 342 guest rooms compared to the Project's proposed 1,162 guest rooms. The tower would include similar indoor amenities, outdoor pool decks, fitness decks, and food and beverage facilities as under the Project, as well as the same amount of meeting space (11,286 sf) and less floor retail/restaurant spaces (11,000 sf). The square footage of Hotel A/B Tower ground-floor retail/restaurant space (11,000 sf) would be unchanged compared to the Project, but since no Hotel C Tower would be constructed, the total square footage of retail/restaurant space site-wide would be reduced by 2,145 sf compared to the Project. The Hotel A/B Tower would be decreased to 41 stories (i.e., one less floor of guest rooms) and 519 feet in height compared to the Project's proposed 42 stories and 529 feet.

All required parking to serve the Project would continue to be provided within a podium structure incorporated into the Hotel A/B Tower, although only five levels of podium parking above the ground-level retail/restaurant space would be required compared to the Project's six levels of parking.

The proposed site of the Hotel Tower C under the Project, which is presently a surface parking lot containing approximately 47 spaces, would not be redeveloped and would continue to serve as a parking lot, as at present.

A City-initiated Sign District would be proposed for the Project Site and surrounding parcels as under the Project. Streetscape improvements on all Project Site street frontages would still be implemented as under the Project, including lighting and landscaping.

Impact Summary of Alternative

Alternative 3 would reduce the severity Project's significant and unavoidable operational traffic impacts under Future with Project conditions at buildout due to the reduced density of the alternative. With implementation of MM-TRAF-1, Alternative 3 would have no impacted intersections, and impacts would be less than significant. Thus, Alternative 3's operational impacts on traffic would be less than those of the Project. With a reduced development program, and magnitude of construction, this Alternative would also reduce less than significant impacts for other environmental topics, including construction and operational impacts (e.g. aesthetics, air quality, geology and soils, GHG emissions, operational noise, public services, wastewater, water supply, energy). Although this Alternative reduces the overall duration of construction it would not necessarily reduce the intensity of the maximum hour or day of construction. As such, similar to the proposed Project, the significant and unmitigatable construction noise impacts to residential uses and significant and unavoidable construction traffic impacts resulting from the Project would not be reduced to less than significant levels under this Alternative.

Finding

With respect to Alternative 3, each decision making body of the City adopts the third possible finding as outlined above in Subsection III, which states that "specific economic, legal, social,

technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR." (CEQA Guidelines Section 15091(a)(3)).

Rationale for Finding

Alternative 3 would reduce the amount of development by approximately 30 percent and this alternative presents a modified design because the land uses would be housed in a single tower, which would thereby leave the eastern half of the Project Site undeveloped. This Alternative would not maximize the development efficiencies of the Project Site or be compatible with planning goals and policies to activate street frontages and transition surface parking lots into active land uses adjacent to transit. In addition, Alternative 3 would not be desirable to accomplish the level of site activation anticipated for the site in current planning documents and long-range planning policy for development adjacent to rail transit and in a transit core area of downtown.

Regarding the project objectives, Alternative 3 would not satisfy many of the objectives or the underlying purpose of the Project to the same extent as the Project. For example, Alternative 3 would not meet the underlying purpose of the project because it would not be as economically viable as the Project considering the reduced density. Similarly, Alternative 3 would not satisfy, to the same extent as the Project because of the reduced density, the City's goal of providing 8,000 hotel rooms adjacent to the Los Angeles Convention Center. Moreover, Alternative 3 would not satisfy the project objectives to utilize the Project site in a manner that is consistent with the city's long-term planning goals for high density development in the transit core of downtown. Similarly, Alternative 3 would not be capable of delivering over 1,000 hotel rooms on the Project site. Neither would alternative to contribute the same extent of economic development, in comparison to the Project, result of the reduced density. The reduced density associated with Alternative 3 does not satisfy the underlying purpose of the Project or its key objectives. In addition, Alternative 3 would not, to the same extent as the project, alleviate demand pressures created by tourism, convention business, and local and regional entertainment facilities. Similarly, Alternative 3 would not utilize the Project Site in a manner that is consistent with the high density development goals for project sites adjacent to transit. In addition, Alternative 3 would not activate the pedestrian around along all of the street frontages because a portion of the development site would remain a surface parking lot. Neither would Alternative 3 develop a hotel complex that most efficiently concentrates density on the Project Site and stimulate as a high level of economic vitality as the Project.

In addition, regarding the City's planning goals and policies, the City has indicated that redevelopment of the Project Site should be high-density and has utilized planning tools to maximize developable area. Alternative 3 would not maximize developable area on the Project Site due to the reduced proposed density of the alternative. Moreover, the City's has stated its vision for the Project Site in several documents, which indicate that the Project Site should contain high density uses to maximize density on redevelopment sites located adjacent to transit and within the transit core areas identified in the City's planning and policy documents. The reduced density associated with Alternative 3 conflicts with the City's planning goals and is undesirable from a policy standpoint.

Furthermore, regarding social and other considerations, the Project Site is located in an area of the City that is undergoing rapid change and densification. The existing conditions and development trends immediately surrounding the Project Site are maximizing density because the area is transit rich, located adjacent to the Los Angeles Convention Center and regional entertainment venues, and will one of the centers of Olympic activity during the 2028 Olympic

Games. Thus, there are several social and other considerations that warrant maximizing the density of development on the Project Site to implement a hotel project that can deliver the amount and type of hotel rooms and amenities desired by the City to support hotel room demand caused by convention business, regional entertainment venues, domestic and international tourism, and the forthcoming Olympic Games.

Reference

For a complete discussion of impacts associated with Alternative 3, see Section V, Alternatives, of the Draft EIR. Also see the 2012 RFP for the Project Site and City Council motions and CLA Reports indicating the preferred high-density development goal for the Project Site.

Alternative 4: Mixed-Use Hotel, Commercial, and Residential

Description of Alternative

Alternative 4, the Mixed-Use Hotel, Commercial, and Residential Alternative, would redevelop the Project Site with two hotels in a single tower (Hotel A/B Tower), as under the Project. A second tower (the Hotel C Tower under the Project) would instead be developed with residential uses (Residential Tower), and the ground-floor retail/restaurant space and podium amenities would remain unchanged from the Project. The development density would be the same as under the Project, as would the FAR.

The number of hotel guest rooms in the Hotel A/B Tower would remain unchanged compared to the Project at 820 guest rooms, although elimination of the third hotel in the second tower would reduce the number of guest rooms site-wide by 342 guest rooms compared to the Project. The Hotel A/B Tower would also include meeting space, indoor amenities, outdoor pool decks, fitness decks, and food and beverage facilities as under the Project (including 11,286 sf of meeting space and 11,000 sf of ground-floor retail/restaurant space). Ground-floor retail/restaurant uses in both buildings would be unchanged compared to the proposed Project and would total approximately 13,145 sf.

Parking would continue to be provided within a podium structure incorporated into Hotel A/B Tower as under the Project, although three additional levels of podium parking would be required above the ground-level retail/restaurant space, for a total of nine levels of podium parking, to accommodate the residential parking code requirement. The Hotel A/B Tower would therefore be 45 stories compared to the Project's 42 stories and approximately 559 feet tall compared to 529 feet under Project.

The Residential Tower would contain a total of 176 residential units ranging from studios to one- and two-bedroom units, with unit sizes ranging from 500 sf to 1,100 sf. Amenities for residents would total approximately 15,000 sf and would include a fitness center, media room, business center, and pool deck. The Residential Tower would be 25 stories and approximately 326 feet in height, the same number of stories and heights as the Hotel C Tower under the Project. The two towers under this alternative would be in the same locations and occupy the same building footprints under the Project.

A Sign District would still be proposed for the Project Site as well as for surrounding parcels, as under the Project. Streetscape improvements on all Project Site street frontages would still be implemented as under the Project, including lighting and landscaping.

Impact Summary of Alternative

The Alternative would reduce some, but not all, the Project's significant and unavoidable operational traffic impacts. Due to Alternative 4's reduction in guest rooms, there would be a corresponding reduction in daily trips generated from hotel uses; however, there would be an increase in daily trips corresponding to the addition of residential units. Alternative 4 would result in three impacted intersections (Intersections 5, 13, and 15) prior to mitigation. After mitigation, Alternative 4 would result in one significant and unavoidable traffic impact at Intersection 15. Thus, Alternative 4's impacts on intersection level of service would be significant and unavoidable but less than those of the Project. With an alternative development program, and magnitude of construction, this Alternative would also reduce less than significant impacts for other environmental topics, including construction and operational impacts (e.g. operational emissions and carbon monoxide hotspots, wastewater, water supply, energy), but would cause greater impacts in other categories due to the taller tower design and mix of uses (light/glare, shading, geology and soils, and public services). Also, similar to the Project, the Alternative would not be able to reduce significant and unavoidable Project-level and cumulative construction noise impacts to less than significant levels due to surrounding residential uses, and would not reduce the significant and unavoidable construction traffic impacts. Therefore, construction noise and construction traffic impacts for Alternative 4, would result in the same significant and unavoidable impacts as the Project.

Finding

With respect to Alternative 4, each decision making body of the City adopts the third possible finding as outlined above in Subsection III, which states that "specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR." (CEQA Guidelines Section 15091(a)(3)).

Rationale for Finding

Alternative 4 would include the hotel rooms and commercial uses as under the Project, although the number of hotel rooms would be reduced by approximately 342 compared to the Project and would be housed in a single, taller tower, and the second high-rise tower would house only residential uses. This residential alternative would not achieve the underlying Project purpose to develop a hotel complex, with multiple hotel brands and room price points that would be economically viable and supply the urban core with hotel rooms optimally located within walking distance to mass transit and regional entertainment destinations.

Regarding the project objectives, Alternative 4 would not satisfy density objectives to the same extent as the Project, because of the reduced density and residential uses that are inconsistent with the City's goal of providing 8,000 hotel rooms adjacent to the Los Angeles Convention Center. Moreover, Alternative 4 would not satisfy the project objectives to utilize the Project site in a manner that is consistent with the city's long-term planning goals for high density development in the transit core of downtown. Similarly, Alternative 4 would not deliver over 1,000 hotel rooms on the Project site. Neither would the alternative to contribute the same extent of economic development, in comparison to Project, as a result of the reduced density of hotel rooms and the corresponding reduction in tax revenue generated for the City. The reduced density associated with Alternative 4 does not satisfy the underlying purpose of the Project or its key objectives. In addition, Alternative 3 would not, to the same extent as the project, alleviate demand pressures created by tourism, convention business, and local and regional entertainment facilities. Neither would Alternative 4 develop a hotel complex that most

efficiently concentrates density on the Project Site and stimulates as a high level of economic vitality as the Project.

In addition, regarding the City's planning goals and policies, the City has indicated that redevelopment of the Project Site should be high-density and has utilized planning tools to maximize developable area and provide for hotel uses. Alternative 4 proposes more residential uses on the Project Site which is not consistent with the City's prior requests for proposal goals or long-term use of the city-owned parcels on the Project Site. Also, Alternative 4 would not maximize developable area on the Project Site due to the reduced proposed density of the alternative. Moreover, the City's has stated its vision for the Project Site in several documents, which indicate that the Project Site should contain high density uses to maximize density on redevelopment sites located adjacent to transit and within the transit core areas identified in the City's planning and policy documents. The reduced density associated with Alternative 4 conflicts with the City's planning goals and is undesirable from a policy standpoint.

Furthermore, regarding social and other considerations, the Project Site is located in an area of the City that is undergoing rapid change and densification. The existing conditions and development trends immediately surrounding the Project Site are maximizing density, for hotel uses particularly, because the area is transit rich, located adjacent to the Los Angeles Convention Center and regional entertainment venues, and will be one of the centers of Olympic activity during the 2028 Olympic Games. Thus, there are several social and other considerations that warrant maximizing the hotel room density of development on the Project Site to implement a hotel project that can deliver the amount and type of hotel rooms and amenities desired by the City to support hotel room demand caused by convention business, regional entertainment venues, domestic and international tourism, and the forthcoming Olympic Games.

Reference

For a complete discussion of impacts associated with Alternative 4, see Section V, Alternatives, of the Draft EIR. Also see the 2012 RFP for the Project Site and City Council motions and CLA Reports indicating the preferred high-density development goals for the Project Site.

Environmentally Superior Alternative

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives to a project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR. The CEQA Guidelines also state that should it be determined that the No Project Alternative is the Environmentally Superior Alternative, the EIR shall identify another Environmentally Superior Alternative among the remaining alternatives. An environmentally superior alternative is an alternative to a project that would reduce and/or eliminate the significant, unavoidable environmental impacts associated with the project without creating other significant impacts and without substantially reducing and/or eliminating the environmental benefits attributable to the project.

With respect to identifying an Environmentally Superior Alternative among those analyzed in this EIR, the range of Alternatives includes the 1) No Project/No Build Alternative; 2) the Reduced Hotel Rooms (Two Towers) Alternative; 3) the Reduced Hotel Rooms (Single Towers) Alternative; and the 4) Mixed-Use Hotel, Commercial, and Residential. As indicated in the EIR, Alternative 1, the No Project/No Build Alternative, would have less impact than the Project or other alternatives and is considered the overall environmentally superior Alternative.

In accordance with the CEQA Guidelines requirement to identify an environmentally superior Alternative other than the No Project/No Build Alternative, the EIR provided a comparative evaluation of the remaining alternatives and concluded that Alternative 3, the Reduced Hotel Rooms (Single Tower) Alternative, would be the environmentally superior alternative as it would eliminate of the Project's significant unavoidable operational traffic impacts at buildout. Alternative 3 would also result in reduced construction noise impacts compared to the Project, as well as reduced impacts for several other environmental topics.

Alternatives Rejected as Being Infeasible

Section 15126.6(c) of the CEQA Guidelines requires EIRs to identify any alternatives that were considered by the lead agency but were rejected as infeasible, and briefly explain the reasons underlying the lead agency's determination. According to the CEQA Guidelines, among the factors that may be used to eliminate an alternative from detailed consideration are the alternative's failure to meet project objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts. Alternatives can be rejected by the City for specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, that make infeasible the project alternatives identified in the final EIR. Alternatives to the project that have been considered and rejected as infeasible include the following:

Alternative Off-Site Locations*:* The Draft EIR determined an alternative location would be infeasible and did not consider an alternative location in the detailed alternatives analysis for several reasons. First, the Project Site is optimally located to minimize traffic impacts because it is located adjacent to the Metro Blue Line Pico Station and across the street from the Los Angeles Convention Center. Second, the Project Site is comprised of parcels that are privately and publicly owned. The City has sought development of its parcels for hotel uses for several years. The Applicant secured the private parcels around the City parcels and has presented a development program that is aligned with the City's stated intentions for the site, as well as, the long-term planning goals for the area. Thus, an alternative site would not achieve the City's development intentions for its parcels and there is not another alternative site in the vicinity that presents the same public-private participation concepts as the Project Site. Third, the Applicant does not own any other sites in Los Angeles at this time. The Applicant considered other parcels in the South Park area, but did not secure control of those parcels. There are minimal, if any, available development sites that satisfy the underlying purpose of the Project and could be reasonably acquired by the Applicant in a manner that allows the City to utilize its parcels for hotel development in proximity to the Los Angeles Convention Center. Fourth, development of the Project on an alternative site would not be likely to substantially reduce the Project's potential impacts. The Project's temporary construction noise and traffic impacts are likely to occur at a similar level in most development site locations in the vicinity. Finally, the Project is suited to its specific location, in particular with respect to its location between Metro Blue Line Pico Station, the Los Angeles Convention Center, LA Live, and the Los Angeles Sports and Entertainment District (LASED). An alternative site not in the immediate vicinity would not help fulfill the City's identified goal of reaching 8,000 hotel rooms within walking distance of the Los Angeles Convention Center, which is also Project Objective. *Alternative On-Site Uses:* The Draft EIR determined an alternative on-site use would be infeasible and did not consider this alternative in the detailed alternatives analysis. The Draft EIR considered the development of residential uses on the Project Site as Alternative 4. Alternative land uses including office uses were also considered on the Project Site, but would not have met most of the project objectives including fulfillment of the City's identified goal for reaching 8,000 hotel rooms within walking distance of the Convention Center; providing a variety of hotel brands, room options at varying price points, and publicly accessible amenities to support the concentration of residential uses

and entertainment, and convention destinations in the South Park district; and doing so on a site that the City has indicated is optimally located to support a revitalized Convention Center, reflecting the City's long-term planning goals for high-density development in the downtown area. Also, likely office uses would not substantially reduce traffic impacts compared to the proposed Project. Thus, this alternative was rejected from further consideration in the Draft EIR.

Retention/Adaptive Reuse of Existing On-Site Building: The Draft EIR determined retention/adaptive reuse of the existing on-site building alternative would be infeasible and did not consider this alternative in the detailed alternatives analysis. The existing building's location would inhibit construction and operation of a suitable high density development on the Project Site due to the limited size and configuration of the Project Site and the public and private ownership of the parcels. In addition, redevelopment of the Project Site seeks to incorporate the existing public alley that bisects the site and provides a linkage between W. Pico Boulevard the interior of the site and adjacent property to the north of the Project Site. Also, the existing building was determined in the Initial Study to not be architecturally important or otherwise distinctive as a historical or cultural resource, and its retention is not consistent with a plan to redevelop the City parcels and surrounding parcels into a project that could meet with objectives and be consistent with the City's envisioned uses and density. Thus, it was determined unrealistic to develop the private and public parcels while retaining the existing building, which occupies a substantial portion of the development footprint. Moreover, the existing two-story building would not be physically compatible with the Project at buildout or the surrounding neighborhood, including the under-construction Circa project to the north. For these reasons, an adaptive reuse of the building was considered by rejected as an alternative for further analysis.

***Extended Construction Alternative*:** The Draft EIR determined extended construction alternative would be infeasible and did not consider this alternative in the detailed alternatives analysis. The Project's significant construction noise impact to adjacent future residents to be located at the Circa project (1200 S. Figueroa Street) is caused, in part, by the intensity of construction activity on the Project Site at any given time. The use of a 15-foot tall sound barrier at the Project Site boundary would reduce this impact to less than significant at ground level; however, future residential uses would be atop an approximately 90-foot tall podium and the ground-level barrier would not adequately reduce construction noise impacts. Although temporary, this impact is, therefore, significant and unavoidable. The analysis of Project impacts assumed an optimistic scenario wherein the Hotel A/B and Hotel C Towers are essentially under simultaneous, overlapping construction. An alternative to reduce the number of pieces of equipment on site simultaneously by extending the construction schedule would reduce the noise levels somewhat, but not appreciably, and the impact would remain significant and unavoidable due to the infeasibility of blocking the line of site to the future residential uses 90 feet above ground level. An extended construction schedule alternative would needlessly delay helping to fulfill the City's identified goal of reaching 8,000 hotel rooms within walking distance of the Convention Center, which is a Project Objective set forth in Chapter 2, Project Description, of the Draft EIR and other key benefits of the Project.

AXIS Site Plan Alternative: As a response to comment in the Final EIR, the EIR determined that the AXIS Site Plan would not be a feasible alternative. American Life, Inc. wrote a comment letter on the Draft EIR, on behalf of 901 West Olympic Boulevard Limited Partnership (ALI), that provided a site plan prepared by AXIS dated October 18, 2017 (AXIS Site Plan). ALI claimed that the AXIS Site Plan was a "feasibility study," that accommodated a 617-room hotel with a 6:1 FAR that the Draft EIR should have studied as a "code-compliant" Alternative. A detailed response to these issues, and ALI's entire comment letter, is included in the Final EIR as Response to Comment Letter 11. Therein, the response explains that the AXIS Site Plan: (1) is not equivalent to a feasibility study; (2) exceeds 6:1 FAR and would require entitlements similar

to the Project; (3) is not feasible for a variety of reasons; and (4) is not considerably different than the range of alternatives analyzed in the Draft EIR.

The AXIS Site Plan would redevelop the Project Site with the same types of uses as the Project, including three hotels and ground-floor retail/restaurant uses in two towers, but would have 47 percent fewer hotel guest rooms compared to the Project, and the development density would be reduced by approximately 34 percent, resulting in a 6.3:1 floor area ratio (FAR) as compared to the Project's 9.9:1 FAR. The height of both towers would be reduced under this Alternative, but other features such as amenities, tower locations and footprints, and parking location would be similar to that of the Project.

It should be noted that ALI did not present any PDFs or mitigation measures for the AXIS Site Plan that could reduce its potentially significant environmental impacts. In other words, ALI presented a plan but did not provide enough detail or proposed measures to demonstrate that implementation of the AXIS Site Plan would in fact reduce significant impacts compared to the Project and the alternatives analyzed in the Draft EIR. However, to provide a reasoned analysis that clarifies how the AXIS Site Plan compares to the Project and the alternatives, the analysis in the Final EIR conservatively applied similar PDFs and mitigation measures used for the Project and the other alternatives.

The AXIS Site Plan Alternative would reduce the severity of the Project's significant and unavoidable operational traffic impacts under Future with Project conditions at buildout. With implementation of MM-TRAF-1, the alternative would have no impacted intersections, and impacts would be less than significant. Thus, the alternative's operational impacts on traffic would be less than those of the Project. With a reduced development program, and magnitude of construction, this Alternative would also reduce less than significant impacts for other environmental topics, including construction and operational impacts.

However, since the alternative proposes 6.3:1 FAR, the AXIS Site Plan exceeds the current 6:1 FAR limit at the Project Site. Thus, it would require use of the TFAR Ordinance, or entitlements similar to the Project to implement its design and to ensure consistency with applicable land use plans, policies, and guidance. As the AXIS Site Plan would construct two high-rise towers, require similar entitlements, and develop land uses with the same mix of uses, its land use impacts would be similar to those of the Project and would be similarly less than significant.

This Alternative reduces the overall duration of construction, but it would not necessarily reduce the intensity of the maximum hour or day of construction. As such, similar to the proposed Project, the significant and unmitigatable construction noise impacts to residential uses and significant and unavoidable construction traffic impacts resulting from the Project would not be reduced to less than significant levels under this Alternative.

The AXIS Site Plan Alternative would reduce the amount the total square footage of development by approximately 34 percent and the number of hotel rooms by 47 percent. This Alternative would not maximize the development efficiencies of the Project Site. In addition, the alternative would not be desirable to accomplish the level of site activation anticipated for the site in current planning documents and long-range planning policy for development adjacent to rail transit and in a transit core area of downtown.

Regarding the project objectives, the Alternative would not satisfy many of the objectives or the underlying purpose of the Project to the same extent as the Project. For example, the Alternative would not meet the underlying purpose of the project because it would not be as economically viable as the Project considering the reduced density. Similarly, the Alternative

would not satisfy, to the same extent as the Project because of the reduced density, the City's goal of providing 8,000 hotel rooms adjacent to the Los Angeles Convention Center. Moreover, the Alternative would not satisfy the project objectives to utilize the Project site in a manner that is consistent with the city's long-term planning goals for high density development in the transit core of downtown. Similarly, the Alternative would not be capable of delivering over 1,000 hotel rooms on the Project site, and would not contribute to economic development to the same extent as the Project, as a result of the reduced density. In addition, the Alternative would not, to the same extent as the project, alleviate demand pressures created by tourism, convention business, and local and regional entertainment facilities. Similarly, the Alternative would not utilize the Project Site in a manner that is consistent with the high density development goals for project sites adjacent to transit. It would also not develop a hotel complex that most efficiently concentrates density on the Project Site and stimulate as a high level of economic vitality as the Project.

In addition, regarding the City's planning goals and policies, the City has indicated that redevelopment of the Project Site should be large-scale and has utilized planning tools to maximize developable area. The Alternative would not maximize developable area on the Project Site due to the reduced proposed density of the alternative. Moreover, the City has stated its vision for the Project Site in several documents, which indicate that the Project Site should contain high density uses to maximize density on redevelopment sites located adjacent to transit and within the transit core areas identified in the City's planning and policy documents. The reduced density associated with the Alternative conflicts with the City's planning goals and is undesirable from a policy standpoint.

Furthermore, regarding social and other considerations, the Project Site is located in an area of the City that is undergoing rapid change and densification. The existing conditions and development trends immediately surrounding the Project Site are maximizing density because the area is transit rich, located adjacent to the Los Angeles Convention Center and regional entertainment venues, and will one of the centers of Olympic activity during the 2028 Olympic Games. Thus, there are several social and other considerations that warrant maximizing the density of development on the Project Site to implement a hotel project that can deliver the amount and type of hotel rooms and amenities desired by the City to support hotel room demand caused by convention business, regional entertainment venues, domestic and international tourism, and the forthcoming Olympic Games. Finally, the AXIS Site Plan Alternative is not economically feasible. The Final EIR contains an Economic Feasibility Report prepared by CBRE that concludes the alternative is not viable.

Alternatives Analyzed in the Draft and Final EIR: To be comprehensive, the City restates its findings of infeasibility provided regarding each of the Alternative discussed above including Alternatives 1-4, which were analyzed in detail in the Draft EIR; and the AXIS Site Plan, which was analyzed and found infeasible in the Final EIR as a response to comment.

In conclusion, the City rejects the alternatives above as being infeasible, due either to not meeting the project objectives, potentially generating greater impacts than would the project, not being economically feasible, and/or not reducing significant impacts associated with the project, and based on specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, that make infeasible the these project alternatives.

VIII. FINDINGS REGARDING GENERAL IMPACT CATEGORIES

Significant Irreversible Environmental Changes

As stated in CEQA Guidelines Section 15126.2(c), "[u]ses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified."

The Project would necessarily consume limited, slowly renewable and non-renewable resources. This consumption would occur during the construction phase of the Project and would continue throughout its operational lifetime. Project development would require a commitment of resources that would include: (1) building materials, (2) fuel and operational materials/resources, and (3) the transportation of goods and people to and from the Project Site. Project construction would require the consumption of resources that are non-replenishable or may renew so slowly as to be considered non-renewable. These resources would include the following construction supplies: certain types of lumber and other forest products; aggregate materials used in concrete and asphalt such as sand, gravel and stone; metals such as steel, copper, and lead; petrochemical construction materials such as plastics; and water. Furthermore, nonrenewable fossil fuels such as gasoline and oil would also be consumed in the use of construction vehicles and equipment, as well as the transportation of goods and people to and from the Project Site.

Project operation would continue to expend nonrenewable resources that are currently consumed within the City. These include energy resources such as electricity and natural gas, petroleum-based fuels required for vehicle-trips, fossil fuels, and water. Fossil fuels would represent the primary energy source associated with both construction and ongoing operation of the Project, and the existing, finite supplies of these natural resources would be incrementally reduced.

At the same time, the Project would contribute to a land use pattern that would reduce reliance on private automobiles and the consumption of non-renewable resources when considered in a larger context. Most notably, the Project would provide hotel and commercial uses in the Downtown Los Angeles area in close proximity to cultural and entertainment, commercial, restaurant, and office activities. The Project Site is located within a High Quality Transit Area, an area identified as preferred for high-density development to reduce vehicle miles traveled and related consumption of renewable resources, among other goals. Given its location, the Project would support pedestrian access to a considerable range of entertainment, employment, and commercial activities. The Project also provides access to the regional transportation system as the Project Site is located immediately west of the Metro Blue Line Pico Station across S. Flower Street and 0.7 mile southwest of the 7th Street/Metro Center Station. These factors would contribute to a land use pattern that is considered to reduce the consumption of non-renewable resources.

Furthermore, the Project would be designed to comply with the State and City green building standards. The Project would also comply with the Los Angeles Green Building Code, which builds upon and sets higher standards than those incorporated in the 2016 California Green Building Standard Code, or CALGreen. The Project would be constructed in compliance with the 2016 Title 24 California Green Building Standards that went into effect on January 1, 2017, and

incorporate various sustainability features, including but not limited to low-flow plumbing fixtures in guestrooms and common areas, and landscaping that incorporates a plant palette of native and drought-tolerant plantings and uses low-flow irrigation. The Project would achieve several objectives of the City of Los Angeles General Plan Framework Element, Southern California Association of Governments Regional Transportation Plan, and South Coast Air Quality Management District Air Quality Management Plan for establishing a regional land use pattern that promotes sustainability.

The Project would support pedestrian activity in the downtown area and contribute to a land use pattern that reduces vehicle trips and air pollution by locating employment opportunities, restaurants and entertainment within walking distance and proximity to public transit. Further, the Project's inclusion of bicycle parking, would encourage the use of alternative modes of transportation. Continued use of such non-renewable resources would be on a relatively small scale and consistent with regional and local growth forecasts in the area, as well as State and local goals for reductions in the consumption of such resources. The Project Site contains no energy resources that would be precluded from future use through Project implementation. The Project's irreversible changes to the environment related to the consumption of nonrenewable resources would not be significant.

Growth-Inducing Impacts

Section 15126.2(d) of the CEQA Guidelines requires that growth-inducing impacts of a project be considered in a Draft EIR. Growth-inducing impacts are characteristics of a project that could directly or indirectly foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. According to the CEQA Guidelines, such projects include those that would remove obstacles to population growth (e.g., a major expansion of a waste water treatment plant that, for example, may allow for more construction in service areas). In addition, as set forth in the CEQA Guidelines, increases in the population may tax existing community service facilities, thus requiring construction of new facilities that could cause significant environmental effects. The CEQA Guidelines also require a discussion of the characteristics of projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. Finally, the CEQA Guidelines state that it must not be assumed that growth in an area is necessarily beneficial, detrimental, or of little significance to the environment.

The Project would develop up to approximately 506,682 square feet of floor area within two hotel towers that would contain retail establishments, restaurants, and hotel lobby facilities that activate the pedestrian experience and adjoining street frontages. The Project would also contain rooftop uses designed to enhance the indoor-outdoor experience for hotel guests and visitors. Overall, the Project would provide up to 1,162 hotel rooms within two modern towers. The mixed-use Project would provide new employment and commercial opportunities within the Downtown Center, an area targeted for employment centers.

Since there are no proposed residential uses, the Project would only contribute to increasing employment opportunities. The Project would provide 594 new permanent employment positions. During construction, there would be a maximum of 218 temporary employees per day for all components of building (i.e., framing, plumbing, elevators, inspections, finishing). However, as stated in Attachment B of the Initial Study, provided in Appendix A-2 of the Draft EIR, the Project would not have indirect effects on growth through such mechanisms as the extension of roads and infrastructure, since the infill Project would use the existing transportation and utility infrastructure to serve the Project. The Project would include a mix of uses that would be compatible with adjacent uses and would be representative of the type of

high-density and mixed-use hotel and retail development in the vicinity. The Project's increases in employment would provide a small contribution to anticipated growth for the Central City Community Plan area and the City as a whole.

The Project Site is located in an urbanized area that is served by current infrastructure (e.g., roads and utilities), and community service facilities. As stated in Section 4.11.1, Water Supply, of the Draft EIR, the Project would require construction of new, on-site water distribution lines to serve the new buildings. Installation of new water infrastructure would be limited to on-site water distribution and minor off-site work associated with connections to the public main. No upgrades to public water mains are anticipated. The Project would not require the construction of off-site infrastructure that would provide additional infrastructure capacity for other future development. It would not open inaccessible sites to new development other than existing opportunities for development that are already available.

Therefore, the Project would not spur additional growth other than that already anticipated and would not eliminate impediments to growth. Consequently, the Project would not foster growth-inducing impacts.

IX. OTHER CEQA CONSIDERATIONS

1. The City, acting through the Department of City Planning, is the "Lead Agency" for the project evaluated in the EIR. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the EIR for the project, that the Draft EIR which was circulated for public review reflected its independent judgment and that the Final EIR reflects the independent judgment of the City.

2. The EIR evaluated the following potential project and cumulative environmental impacts: aesthetics, air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, transportation and traffic, utilities and service systems, energy, tribal cultural resources, alternatives, and other CEQA considerations. Additionally, the EIR considered, in separate sections, Significant Irreversible Environmental Changes and Growth Inducing Impacts. The significant environmental impacts of the project and the alternatives were identified in the EIR.

3. The City finds that the EIR provides objective information to assist the decision makers and the public at large in their consideration of the environmental consequences of the project. The public review periods provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review periods and responds to comments made during the public review periods.

4. The Department of City Planning evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the Department of City Planning prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned responses to the comments. The Department of City Planning reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR. The Lead Agency has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings,

concerning the environmental impacts identified and analyzed in the EIR.

5. The Final EIR documents changes to the Draft EIR. Having reviewed the information contained in the Draft EIR, the Final EIR, and the administrative record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the City finds that there is no new significant impact, substantial increase in the severity of a previously disclosed impact, significant new information in the record of proceedings or other criteria under CEQA that would require additional recirculation of the Draft EIR, or that would require preparation of a supplemental or subsequent EIR. Specifically, the City finds that:

   - The Responses to Comments contained in the Final EIR fully considered and responded to comments claiming that the project would have significant impacts or more severe impacts not disclosed in the Draft EIR and include substantial evidence that none of these comments provided substantial evidence that the project would result in changed circumstances, significant new information, considerably different mitigation measures, or new or more severe significant impacts than were discussed in the Draft EIR.

   - The City has thoroughly reviewed the public comments received regarding the project and the Final EIR as it relates to the project to determine whether under the requirements of CEQA, any of the public comments provide substantial evidence that would require recirculation of the EIR prior to its adoption and has determined that recirculation of the EIR is not required.

   - None of the information submitted after publication of the Final EIR, including testimony at the public hearings on the project, constitutes significant new information or otherwise requires preparation of a supplemental or subsequent EIR. The City does not find this information and testimony to be credible evidence of a significant impact, a substantial increase in the severity of an impact disclosed in the Final EIR, or a feasible mitigation measure or alternative not included in the Final EIR.

6. The mitigation measures identified for the project were included in the Draft EIR and Final EIR. As revised, the final mitigation measures for the project are described in the Mitigation Monitoring Program (MMP). Each of the mitigation measures identified in the MMP is incorporated into the project. The City finds that the impacts of the project have been mitigated to the extent feasible by the mitigation measures identified in the MMP.

7. CEQA requires the Lead Agency approving a project to adopt a MMP or the changes to the project which it has adopted or made a condition of project approval in order to ensure compliance with the mitigation measures during project implementation. The mitigation measures included in the EIR as certified by the City and revised in the MMP as adopted by the City serve that function. The MMP includes all of the mitigation measures and project design features adopted by the City in connection with the approval of the project and has been designed to ensure compliance with such measures during implementation of the project. In accordance with CEQA, the MMP provides the means to ensure that the mitigation measures are fully enforceable. In accordance with the requirements of Public Resources Code Section 21081.6, the City hereby adopts the MMP.

8. In accordance with the requirements of Public Resources Code Section 21081.6, the City hereby adopts each of the mitigation measures expressly set forth herein as conditions of approval for the project.

9. The custodian of the documents or other materials which constitute the record of proceedings upon which the City decision is based is the City of Los Angeles, Department of City Planning.

10. The City finds and declares that substantial evidence for each and every finding made herein is contained in the EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.

11. The City is certifying an EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the EIR as comprising the project.

12. The EIR is a project EIR for purposes of environmental analysis of the project. A project EIR examines the environmental effects of a specific project. The EIR serves as the primary environmental compliance document for entitlement decisions regarding the project by the City and the other regulatory jurisdictions.

X. STATEMENT OF OVERRIDING CONSIDERATIONS

The EIR identifies unavoidable significant impacts that would result from implementation of the project. Section 21081 of the California Public Resources Code and Section 15093(b) of the CEQA Guidelines provide that when a decision of a public agency allows the occurrence of significant impacts that are identified in the EIR, but are not at least substantially mitigated to an insignificant level or eliminated, the lead agency must state in writing the reasons to support its action based on the EIR and/or other information in the record. The State CEQA Guidelines require, pursuant to CEQA Guidelines Section 15093(b), that the decision-maker adopt a Statement of Overriding Considerations at the time of approval of a project if it finds that significant adverse environmental effects have been identified in the EIR that cannot be substantially mitigated to an insignificant level or be eliminated. These findings and the Statement of Overriding Considerations are based on the documents and materials that constitute the record of proceedings, including, but not limited to, the Final EIR and all technical appendices attached thereto.

Based on the analysis provided in Section IV, Environmental Impact Analysis, of the Draft EIR, implementation of the Project would result in significant impacts that cannot be feasibly mitigated with respect to: Noise (project-specific and cumulative construction noise that would exceed applicable standards) and Traffic and Transportation (project-specific and cumulative construction and operational traffic impacts that would conflict with the applicable measures of effectiveness for performance of the circulation system).

Accordingly, the City adopts the following Statement of Overriding Considerations. The City recognizes that significant and unavoidable impacts would result from implementation of the project. Having (i) adopted all feasible mitigation measures, (ii) rejected as infeasible the alternatives to the project discussed above, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the project against the project's significant and unavoidable impacts, the City hereby finds that each of the project's benefits, as listed below, outweigh and override the significant unavoidable impacts relating to construction noise and construction and operational traffic.

The below stated reasons summarize the benefits, goals and objectives of the Project, and provide the detailed rationale for the benefits of the Project. These overriding considerations of economic, social, aesthetic, and environmental benefits for the Project justify adoption of the Project and certification of the completed EIR. Each of the following overriding consideration

separately and independently (i) outweighs the adverse environmental impacts of the Project, and (ii) justifies adoption of the Project and certification of the completed EIR. In particular, achieving the underlying purpose for the Project would be sufficient to override the significant environmental impacts of the Project.

- **Site Redevelopment**. The Project would substantially improve the existing conditions on the Project Site, by transforming the site into a mixed-use hotel complex offering multiple hotel brands, incorporating a pedestrian-oriented building design, providing a substantially improved streetscape, increasing onsite landscaping, improving security and building lighting, and including vibrant signage that would enhance the aesthetic and character of the Project Site. In this respect, the Project is an opportunity to implement a redevelopment project strategically positioned adjacent to mass transit and with direct synergy with the Los Angeles Convention Center and the regional entertainment venues in the South Park district of the City.

- **Supports City's Hotel Goals.** The City has an established mandate to develop 8,000 hotel rooms within walking distance to the Los Angeles Convention Center, and the Project provides a material benefit to the City accomplishing this goal by contributing approximately 1,000 hotel rooms located directly across the street from the Los Angeles Convention Center. Hence, the Project is a substantial benefit for the City to become more competitive with other cities that attract large conventions and the related direct and indirect economic benefits.

- **Employment and Tax Revenue.** According to the City's Chief Legislative Analyst's reports, the Project would provide numerous construction and permanent jobs that would not exist under existing conditions. In addition, the Applicant has agreed to provide as part of the Project, a card check neutrality agreement with local unions to provide high-quality operational jobs on the Project Site, provide a living wage consistent with applicable policies for employees, enter into a project labor agreement with local trades groups for construction jobs, and provide room blocks agreements to the City for key events at the Los Angeles Convention Center and during the 2028 Olympic and Paralympic Games. Moreover, the Project would provide substantial economic benefits for the City as it would generate $14 million in its first year of operation (as compared to $174,000 annually) of public revenues. In addition, the Project would result in the generation of $158 million net present value of net new City revenues, such as transit occupancy taxes, sales tax, property tax and business tax revenues. Therefore, the Project has compelling and substantial financial and community benefits.

- **Smart Growth.** The Project is consistent with the City's current and long-term planning visions for the Project Site. The City desires to locate density near mass transit to reduce environmental impacts and implement smart growth planning decisions. This strategy is particularly relevant to reduce traffic, air quality, greenhouse gas, and health impacts that are caused by vehicular travel. The Project is adjacent to the Metro Pico Station, serving the Blue Line and Expo Line, and in the core of downtown Los Angeles. In these respects, the Project is consistent with planning goals and policies to improve the urban center, and results in a beneficial reduction in Vehicle Miles Travelled and related environmental and land use impacts.

PUBLIC HEARING AND COMMUNICATIONS

Public Hearing

A joint public hearing was held at City Hall for the proposed project entitlements and subdivision on February 7, 2018 and was attended by approximately 20 individuals. At the public hearing, testimony was provided by the project applicant and ten speakers representing the following groups: City of Los Angeles Department of Convention and Tourism Development, Central City Association, South Park Business Improvement District, LA/OC Building and Construction Trades Council, CREED LA, IBEW Local 11, Iron Workers Local 416 and 433, Local 709, Smart Local 105, and Unite Here Local 11.

Summary of Public Hearing Testimony

At the hearing, the project applicant presented the project features, the City's history of trying to redevelop the site, and the project's compatibility with the City's goals for economic development, tourism, and land use. In addition, the applicant requested changes to the right-of-way dedication and improvement conditions, primarily regarding clarifications and adjustments to the sidewalk easement requirements along Figueroa Street and Flower Street. These were granted by the Advisory Agency and incorporated into the Tract Map conditions of approval.

Unanimous support for the project was received from all the groups identified above, and centered on the following points:

Support
- The project benefits the downtown community and the Los Angeles Convention Center.
- It will stimulate economic growth and provide permanent jobs in South Park district.
- The project will provide local skilled workers with living wage jobs.
- The hotel and commercial uses will support tourism, as well as the 2028 Olympic Games.
- The project is compatible with adjacent uses and developments.
- It will enhance the vibrancy of the South Park district.
- The project will create a strong sense of arrival from the Metro Station.

Communications Received

Ten letters of support were received for the project, including letters from the Department of Convention and Tourism Development, the Downtown Los Angeles Neighborhood Council, Mack Urban LLC, and seven individuals. Supporting statements echoed the same points presented during the public hearing, with the following added points of support and some concerns. Comments are summarized below:

Additional Support
- There is support for signage along Pico Boulevard and Flower Street.

Concerns
- Public sidewalk access should be maintained during construction.
- Building plans should incorporate a more integrated design for signage.
- The curb cut along Figueroa is very close to the adjacent property's curb cut.
- There should be greater emphasis on pedestrian access across the site, the current design

currently caters more to vehicles on the ground floor.

Additional public comments regarding the Draft Environmental Impact Report (EIR) for the project are addressed in the Final EIR:
https://planning.lacity.org/eir/FigPico/FigPico_CoverPg.html

FIG+PICO CONFERENCE CENTER HOTELS PROJECT

1240-1260 S. FIGUEROA ST. & 601 W. PICO BLVD.
LOS ANGELES, CA 90015

EXHIBIT A - PROJECT PLANS
MARCH 8, 2018
CASE NUMBERS:
CPC-2016-4219-GPA-ZC
CPC-2016-2595-DA-CU-MCUP-CUX-SPR

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Los Angeles, CA 90013
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01. PROJECT INFO.

PLOT PLAN	A0.002
BICYCLE ACCESS	A0.003

02. DRAWINGS

FLOOR PLAN - LEVEL B1	A1.00B1
FLOOR PLAN - LEVEL 01	A1.001
FLOOR PLAN - TYPICAL PARKING LEVEL	A1.002
FLOOR PLAN - LEVEL 07 - MEETING LEVEL	A1.007
FLOOR PLAN - LEVEL 08 - POOL / F&B LEVEL	A1.008
FLOOR PLAN - LEVEL 09 - FITNESS / MECHANICAL LEVEL	A1.009
FLOOR PLAN - TYPICAL HOTEL LEVEL	A1.015
FLOOR PLAN - LEVEL 35 - SKY LOBBY	A1.035
FLOOR PLAN - LEVEL 37 - F&B	A1.036
ELEVATION - WEST (FIGUEROA ST.)	A2.001
ELEVATION - SOUTH (PICO BLVD.)	A2.002
SECTION - NORTH SOUTH	A3.001
SECTION - EAST WEST	A3.002

03. RENDERINGS

PICO LOOKING NORTH	A4.001
PICO AND FIG CORNER	A4.002
AERIAL	A4.003
FIG LOOKING SOUTH	A4.004

04. LANDSCAPE

GROUND LEVEL LANDSCAPE PLAN	L101
4TH LEVEL PODIUM LANDSCAPE PLAN	L102
8TH LEVEL PODIUM LANDSCAPE PLAN	L103
9TH LEVEL PODIUM LANDSCAPE PLAN	L104
TOWER C ROOF LEVEL LANDSCAPE PLAN	L105
35TH LEVEL SKY LOBBY LANDSCAPE PLAN	L106
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PLANTING PALETTE FOR MOXY HOTEL	L108
PLANTING PALETTE FOR MOXY HOTEL	L109
PLANTING PALETTE FOR AC HOTEL	L110
PLANTING PALETTE FOR AC HOTEL	L111

LIGHTSTONE DTLA LLC
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Gensler

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United States

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△	Date	Description
1	03/08/18	EXHIBIT A - PROJECT PLAN CASE NUMBERS CPC-2016-4219-GPA-ZC CPC-2016-2595-DA-CU-MCUP-CUX-SPR

Seal/Signature

Project Name

FIG+PICO CONFERENCE CENTER HOTELS PROJECT

Project Number

05.9909.000

Description

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Scale

A0.001

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PRELIMINARY REPORT Chicago Title Company
YOUR REFERENCE: 00022031-MH ORDER NO.: 00022047-994-X49
CLTA Preliminary Report Form – Effective Date: May 20, 2016
Page 3

EXHIBIT A
LEGAL DESCRIPTION
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

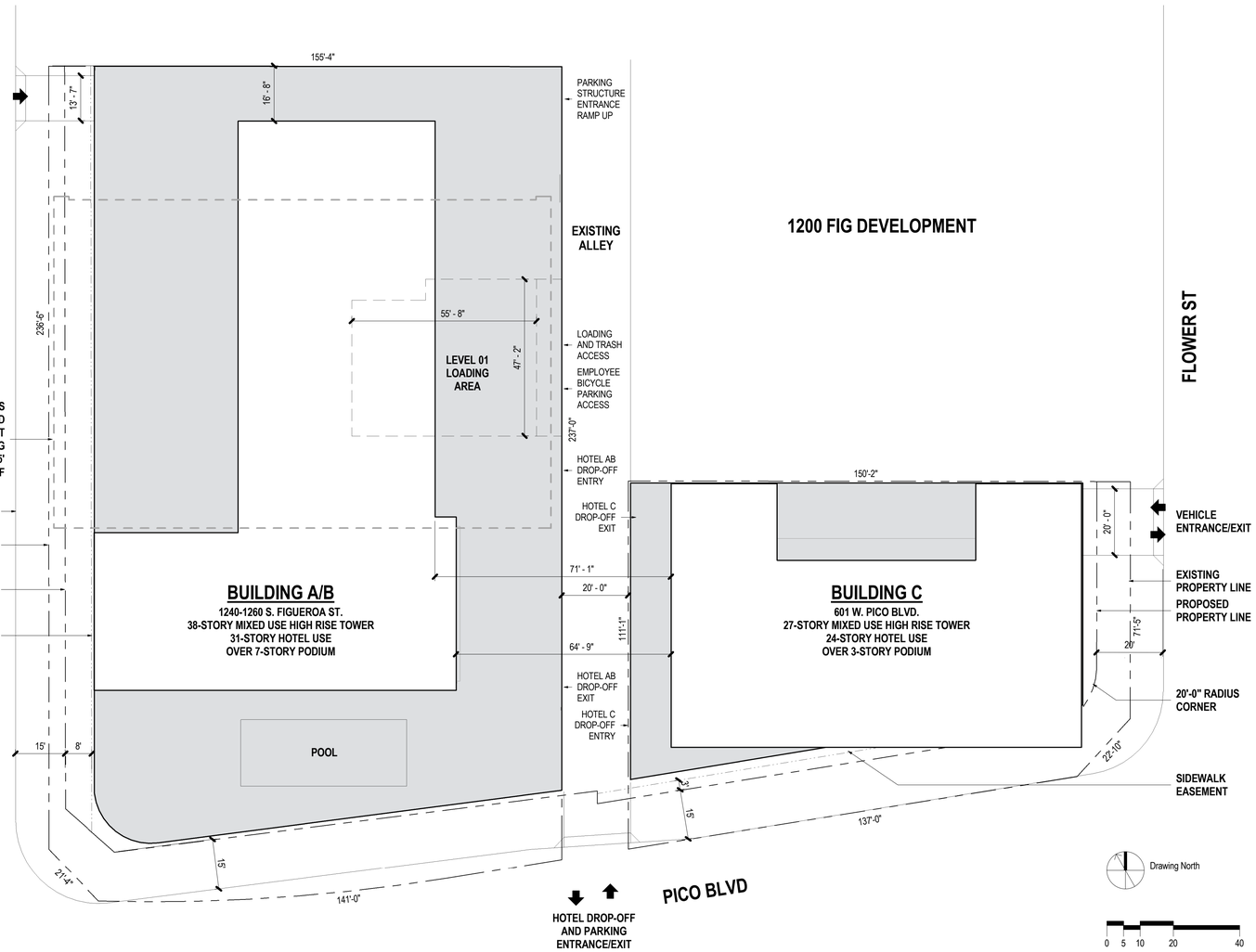
PARCEL 1:
THOSE PORTIONS OF LOTS 9, 10 AND 11 OF CARSON AND CURRIER'S SUBDIVISION OF BLOCK 89 OF ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 55 PAGE 3 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT IN THE NORTHWESTERLY LINE OF SAID LOT 9, DISTANT SOUTHWESTERLY THEREON 29 FEET FROM THE NORTHWEST CORNER OF SAID LOT; THENCE SOUTH 37 DEGREES 45 MINUTES 30 SECONDS WEST ALONG THE NORTHWESTERLY LINES OF LOTS 9, 10 AND 11, 100.98 FEET, MORE OR LESS, TO THE MOST NORTHERLY CORNER OF THE LAND DESCRIBED AS PARCEL 1 IN THE DEED TO MAURICE E. LIPSON, ET AL., RECORDED DECEMBER 18, 1943 IN BOOK 20508 PAGE 259, OFFICIAL RECORDS OF SAID COUNTY; THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY LINE OF SAID LAND OF LIPSON AND ALONG THE NORTHEASTERLY LINE OF THE LAND DESCRIBED AS PARCEL 1 IN THE DEED TO HORTON AND CONVERSE, RECORDED SEPTEMBER 23, 1941 IN BOOK 18780 PAGE 93, OFFICIAL RECORDS OF SAID COUNTY, TO THE SOUTHEASTERLY LINE OF SAID LOT 11; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINES OF SAID LOTS 11, 10 AND 9, 100.90 FEET, MORE OR LESS, TO A POINT IN THE SOUTHEASTERLY LINE OF SAID LOT 9, DISTANT SOUTHWESTERLY HEREON 29 FEET FROM THE NORTHEAST CORNER OF SAID LOT 9; THENCE NORTHWESTERLY IN A DIRECT LINE TO THE POINT OF BEGINNING.

PARCEL 2:
LOT 14 AND THE SOUTHERLY 25 FEET OF LOT 15 OF CARSON AND CURRIER'S SUBDIVISION OF BLOCK 89, ORD'S SURVEY, IN HE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, IN BOOK 55 PAGE 3 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. EXCEPT FROM SAID LOT 14 THE SOUTHWESTERLY 14 FEET, EXCEPTING THEREFROM THAT PORTION INCLUDED WITHIN THE SOUTHEASTERLY 5 FEET OF SAID LOT. ALSO EXCEPT THAT PORTION OF SAID LOT 14, BOUNDED AND DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE NORTHEASTERLY LINE OF SAID SOUTHWESTERLY 14 FEET OF SAID LOT WITH THE NORTHWESTERLY LINE OF THE SOUTHEASTERLY 5 FEET OF SAID LOT; THENCE NORTHEASTERLY ALONG SAID NORTHWESTERLY LINE 15 FEET; THENCE WESTERLY IN A DIRECT LINE TO A POINT IN SAID NORTHEASTERLY LINE DISTANT 15 FEET NORTHWESTERLY, MEASURED ALONG SAID NORTHEASTERLY LINE, FROM THE POINT OF BEGINNING; THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY LINE 15 FEET TO THE POINT OF BEGINNING, AS GRANTED TO THE CITY OF LOS ANGELES IN DEED RECORDED NOVEMBER 15, 1968 AS INSTRUMENT NO. 527. ALSO EXCEPTING THOSE PORTIONS LYING WITHIN PUBLIC STREETS. ALSO EXCEPTING THEREFROM THAT PORTION OF SAID LOT 14 BOUNDED AND DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE NORTHWESTERLY LINE OF THE SOUTHEASTERLY 5 FEET OF SAID LOT WITH THE NORTHEASTERLY 20 FEET OF THE SOUTHWESTERLY 34 FEET OF SAID LOT; THENCE NORTH 61° 23' 30" WEST ALONG SAID NORTHEASTERLY LINE A DISTANCE OF 20.26 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 35 FEET, A RADIAL LINE TO SAID BEGINNING OF CURVE BEARS NORTH 16° 03' 26" WEST; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 40° 12' 24" AN ARC DISTANCE OF 24.56 FEET TO A POINT IN SAID NORTHWESTERLY LINE DISTANT 10.13 FEET NORTHEASTERLY MEASURED ALONG SAID NORTHWESTERLY LINE FROM THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY LINE TO THE POINT OF BEGINNING. ALSO EXCEPT ALL MINERALS, GAS, OIL AND HYDROCARBON SUBSTANCES LYING IN AND UNDER SAID LAND AND THAT MAY BE PRODUCED FROM SAID LAND, AS TO ALL OF THAT PORTION OF SAID LAND LYING BELOW A DEPTH OF 500 FEET FROM THE SURFACE OF SAID LAND WITHOUT THE RIGHT OF SURFACE ENTRY AS RESERVED IN DEED RECORDED MAY 18, 1990 AS INSTRUMENT NO. 90-910940.

PARCEL 3:
THE NORTHEASTERLY 29 FEET OF LOT 9 OF CARSON AND CURRIER'S SUBDIVISION OF BLOCK 89 OF ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 55 PAGE 3 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

PARCEL 4:
THOSE PORTIONS OF LOTS 11, 12 AND 13 OF CARSON AND CURRIER'S SUBDIVISION OF BLOCK 89 OF ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 55, PAGE 3, MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BOUNDED AND DESCRIBED AS FOLLOWS:
BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID LOT 13; THENCE NORTH 37 DEGREES 46 MINUTES 20 SECONDS EAST ALONG THE SOUTHEASTERLY LINE OF SAID LOTS A DISTANCE OF 123.23 FEET TO THE SOUTHEASTERLY PROLONGATION OF THE SOUTHERLY FACE OF THE SOUTH WALL OF A TWO-STORY BUILDING ON PROPERTY ADJOINING ON THE NORTH, THENCE NORTH 52 DEGREES 13 MINUTES 10 SECONDS WEST ALONG SAID SOUTHEASTERLY PROLONGATION AND ALONG SAID SOUTHERLY FACE AND ITS NORTHWESTERLY PROLONGATION TO THE NORTHWESTERLY LINE OF SAID LOT 11; THENCE SOUTH 37 DEGREES 45 MINUTES 10 SECONDS WEST ALONG THE NORTHWESTERLY LINES OF SAID LOTS A DISTANCE OF 148.30 FEET TO THE MOST WESTERLY CORNER OF SAID LOT 13; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT 13 TO THE POINT OF BEGINNING. EXCEPTING THEREFROM, THAT PORTION OF SAID LOT 13 CONDEMNED FOR PUBLIC STREET PURPOSES, AND DESCRIBED AS PARCEL NO. 126A (PUBLIC STREET IN FEE SIMPLE) IN THAT CERTAIN JUDGMENT AND FINAL ORDER OF CONDEMNATION, A CERTIFIED COPY OF WHICH WAS RECORDED MAY 29, 1969 AS INSTRUMENT NO. 3936. ALSO EXCEPTING AND RESERVING THEREFROM ALL CRUDE OIL, PETROLEUM, GAS, ASPHALTUM AND ALL KINDRED SUBSTANCES AND OTHER MINERALS OF WHATEVER NATURE IN, UNDER AND RECOVERABLE FROM SAID LAND, WITHOUT THE RIGHT TO ENTER, DRILL OR PENETRATE IN OR UPON THE SURFACE OF SAID LAND OR WITHIN 500 FEET THEREOF, AS SET FORTH IN THAT CERTAIN JUDGMENT AND FINAL ORDER OF CONDEMNATION, A CERTIFIED COPY OF WHICH WAS RECORDED MAY 29, 1969 AS INSTRUMENT NO. 3936.

PARCEL 5:
THE NORTHEASTERLY 20 FEET OF THE SOUTHWESTERLY 34 FEET OF LOT 14, CARSON AND CURRIER'S SUBDIVISION OF BLOCK 89 OF ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 55, PAGE 3, MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY. EXCEPTING THEREFROM THOSE PORTIONS WITHIN PUBLIC STREET. ALSO, THAT PORTION OF SAID LOT 14 BOUNDED AND DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE NORTHWESTERLY LINE OF THE SOUTHEASTERLY 5 FEET OF SAID LOT WITH THE NORTHEASTERLY 20 FEET OF THE SOUTHWESTERLY 34 FEET OF SAID LOT; THENCE NORTH 61° 23' 30" WEST ALONG SAID NORTHEASTERLY LINE A DISTANCE OF 20.26 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 35 FEET, A RADIAL LINE TO SAID BEGINNING OF CURVE BEARS NORTH 16° 03' 26" WEST, THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 40° 12' 24" AN ARC DISTANCE OF 24.56 FEET TO A POINT IN SAID NORTHWESTERLY LINE DISTANT 10.13 FEET NORTHEASTERLY MEASURED ALONG SAID NORTHWESTERLY LINE FROM THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY LINE TO THE POINT OF BEGINNING.



SUMMARY TABLE

APPLICANT: **Lightstone DTLA LLC**
460 Park Avenue
13th Floor
New York, NY 10022
212-324-0210

PROJECT ADDRESS: **1240-1260 S. Figueroa St. (Building A/B) and 601 W. Pico Blvd. (Building C) Los Angeles, CA 90015**

LOT AREAS: **1240-1260 S. Figueroa St. (Building A/B) - 38,260 SF, 0.89 Acres**

-36,336 SF, 0.83 Acres (Net area with consideration for 8' setback on Figueroa St.)

601 W. Pico Blvd. (Building C) - 14,688 SF, 0.34 Acres

LEGAL DESCRIPTIONS: **SEE ABOVE**

	BUILDING A/B	BUILDING C
GROSS AREA:	PODIUM - 243,400 SF TOWER - 365,330 SF TOTAL - 608,730 SF	PODIUM - 43,230 SF TOWER - 201,890 SF TOTAL - 245,120 SF
FLOOR AREA:	TOTAL - 332,385 SF	TOTAL -172,950 SF
ACTUAL FAR:	9.3:1 (AVERAGED ACROSS PROJECT SITE)	
	9.6:1 (AVERAGED ACROSS PROJECT SITE W/ EXCLUSION OF 8' SETBACK ON FIGUEROA ST.	
RETAIL AREA:	PODIUM - 11,000 SF	PODIUM - 2,145 SF

**MAXIMUM BUILDING PARAMETERS AS ANALYZED IN EIR:

MAXIMUM BULDING HEIGHT	-	529' - 0"
MAXIMUM FLOOR AREA RATIO	-	9.9:1
MAXIMUM FLOOR AREA	-	506,682 SF

	BUILDING A/B	BUILDING C
BUILDLING HEIGHT:	PODIUM - 89'-6" TOWER - 364'-6" TOTAL - 465'-0"	PODIUM - 66'-6" TOWER - 283'-0" TOTAL - 349'-6"
	TOTAL - 332,385 SF	TOTAL - 172,950 SF
NUMBER OF STORIES:	PODIUM - 7 TOWER - 31 TOTAL - 38	PODIUM - 3 TOWER - 24 TOTAL - 27
NUMBER OF GUESTROOMS:	775	378
VEH. PRKG REQUIRED:	262	68
PROVIDED:	330	0

*ELECTRIC VEHICLE PARKING (EVP) TO BE PROVIDED AT 6% OF TOTAL PROVIDED PARKING SPACES. EVP STALLS TO BE IDENTIFIED AT A LATER DATE. 2016 CALIFORNIA GREEN BUILDLING STANDARD CODE SECTION 5.106.5.3.3.

	BUILDING A/B		BUILDING C	
	SHORT TERM	LONG TERM	SHORT TERM	LONG TERM
BIKE PRKG REQUIRED:	60	60	22	22
PROVIDED:	60	60	22	22

PROPOSED LANDSCAPE SPACE:	LANDSCAPE (PLANTED) AREA (SF)	POOL AREA (SF)	HARDSCAPE AREA (SF)	TOTAL OPEN SPACE (SF)
GROUND LEVEL	1,950	0	9,395	10,400
BUILDING C PODIUM	1,260	0	0	1,260
LEVEL 08	850	1,000	8,285	10,135
LEVEL 09	7,500	0	2,050	9,550
LEVEL 24 (TOWER C ROOF)	375	760	3,660	4,795
LEVEL 35 (SKY LOBBY)	775	0	2,580	3,355
LEVEL 37 (F&B)	64	0	688	752
TOTAL	*12,774*	*1,000*	*26,658*	*40,247*

NOTES:
1. GROUND LEVEL LANDSCAPE (PLANTED) AREA (1,895 SQFT)= PLANTED AREA IN THE OPEN SPACE (570 SQFT) + PLANTED AREA IN PUBLIC RIGHT OF WAY (112 SQFT) + PLANTED AREA UNDERCOVER (1,213 SQFT)
2. GROUND LEVEL TOTAL OPEN SPACE (8,626 SQFT)= HARDSCAPE AREA (8,056 SQFT) + PLANTED AREA IN THE OPEN SPACE (570 SQFT)
3. LEVEL 8 LANDSCAPE (PLANTED) AREA (3,927 SQFT)= PLANTED AREA IN THE OPEN SPACE (3,775 SQFT) + PLANTED AREA UNDERCOVER (152 SQFT)
4. LEVEL 8 TOTAL OPEN SPACE (14,344 SQFT)= HARDSCAPE AREA (9,069 SQFT) + PLANTED AREA IN THE OPEN SPACE (3,775 SQFT) + POOL AREA (1,500 SQFT)

PROPOSED OPEN SPACE: **40,427 SF**

OPEN AREA OCCUPANCY:
BUILDING A/B
LVL 08 - 10,315 SQFT. / 588 INDIVIDUALS
LVL 09 - 9,550 SQFT. / 12 INDIVIDUALS
LVL 36 - 3,355 SQFT. / 350 INDIVIDUALS
LVL 37 - 752 SQFT. / 50 INDIVIDUALS

BUILDING C
LVL 26 - 4,795 SQFT. / 260 INDIVIDUALS

SITE RESTRICTIONS WITH PROPOSED ENTITLEMENTS:	BUILDING A/B	BUILDING C
	REQUIRED SETBACK:	REQUIRED SETBACK:
	PICO - 15' SIDEWALK	PICO - 15' SIDEWALK WITH ADDITIONAL 3' SIDEWALK EASEMENT EAST OF ALLEY
	FIGUEROA -5' DEDICATION AND 8' AVERAGE SIDEWALK EASEMENT	FLOWER - 10' DEDICATION (20' SIDEWALK) WITH 20' RADIUS CORNER AND LIMITED DEDICATION UP TO 48'-0" ABOVE SIDEWALK
	REAR - NONE	REAR - NONE
	HEIGHT - UNLIMITED	HEIGHT - UNLIMITED
	ZONE - (T)(Q)C2-4D-O-SN	ZONE - (T)(Q)C2-4D-O-SN
EXISTING ZONING:	C2-4D-O	[Q]R5-4D-O

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United States

△	Date	Description
1	03/08/18	EXHIBIT A - PROJECT PLAN CASE NUMBERS: CPC-2016-4219-GPA-ZC CPC-2016-2595-DA-CU-MCUP-CUX-SPR

Seal/Signature

Project Name
FIG+PICO CONFERENCE CENTER HOTELS PROJECT

Project Number
05.9909.000

Description
PLOT PLAN

Scale
1" = 20'-0"

A0.002

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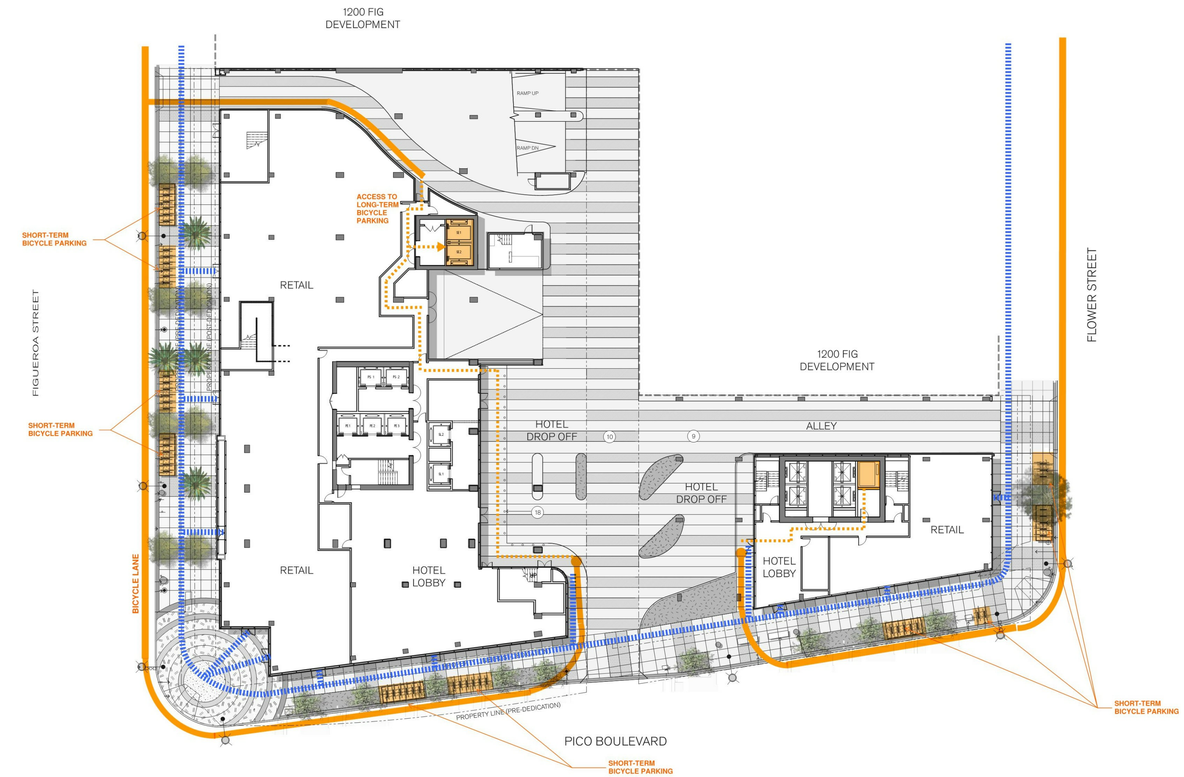
LEVEL B1



LEVEL 01

PEDESTRIAN ACCESS

BICYCLE ACCESS

LIGHTSTONE DTLA LLC
1240-1260 S. FIGUEROA ST. & 601 W. PICO BLVD.
LOS ANGELES, CA 90015

Gensler

500 South Figueroa Street Tel 213.327.3600
Los Angeles, California 90071 Fax 213.327.3601
United States

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Seal/Signature

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FIG+PICO CONFERENCE CENTER HOTELS PROJECT

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05.9909.000

Description

PEDESTRIAN AND BICYCLE ACCESS

Scale

A0.003

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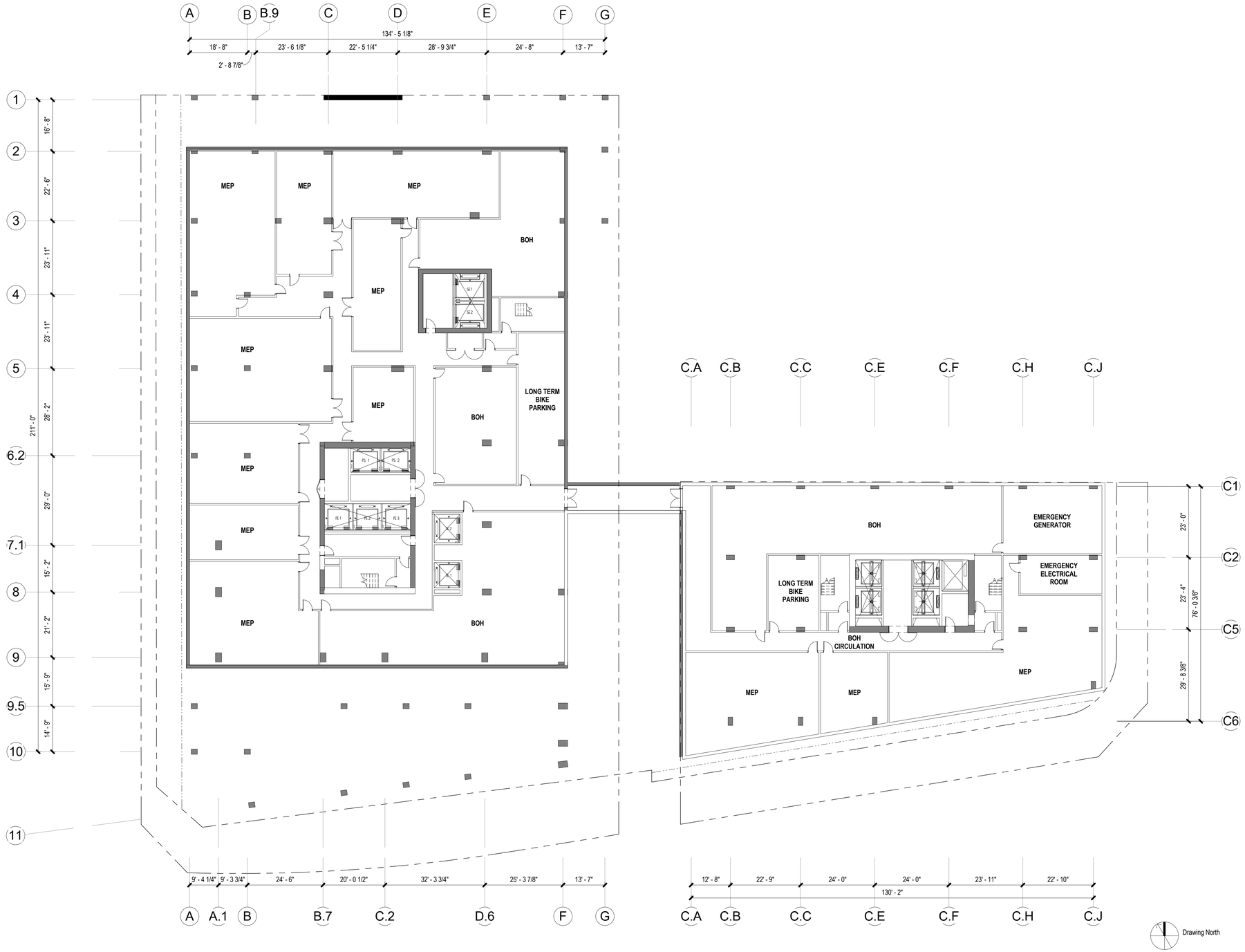

1 FLOOR PLAN - LEVEL B1

SCALE: 1/16" = 1'-0"

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LOS ANGELES, CA 90015

Gensler

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Los Angeles, California 90071
United States

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Fax 213.327.3601

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Seal/Signature

Project Name

FIG+PICO CONFERENCE CENTER HOTELS PROJECT

Project Number

05.9909.000

Description

FLOOR PLAN - LEVEL B1

Scale

1/16" = 1'-0"

A1.00B1

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1 FLOOR PLAN - LEVEL 01
SCALE: 1/16" = 1'-0"

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FIG+PICO CONFERENCE CENTER HOTELS PROJECT

Project Number
05.9909.000

Description
FLOOR PLAN - LEVEL 01

Scale
1/16" = 1'-0"

A1.001

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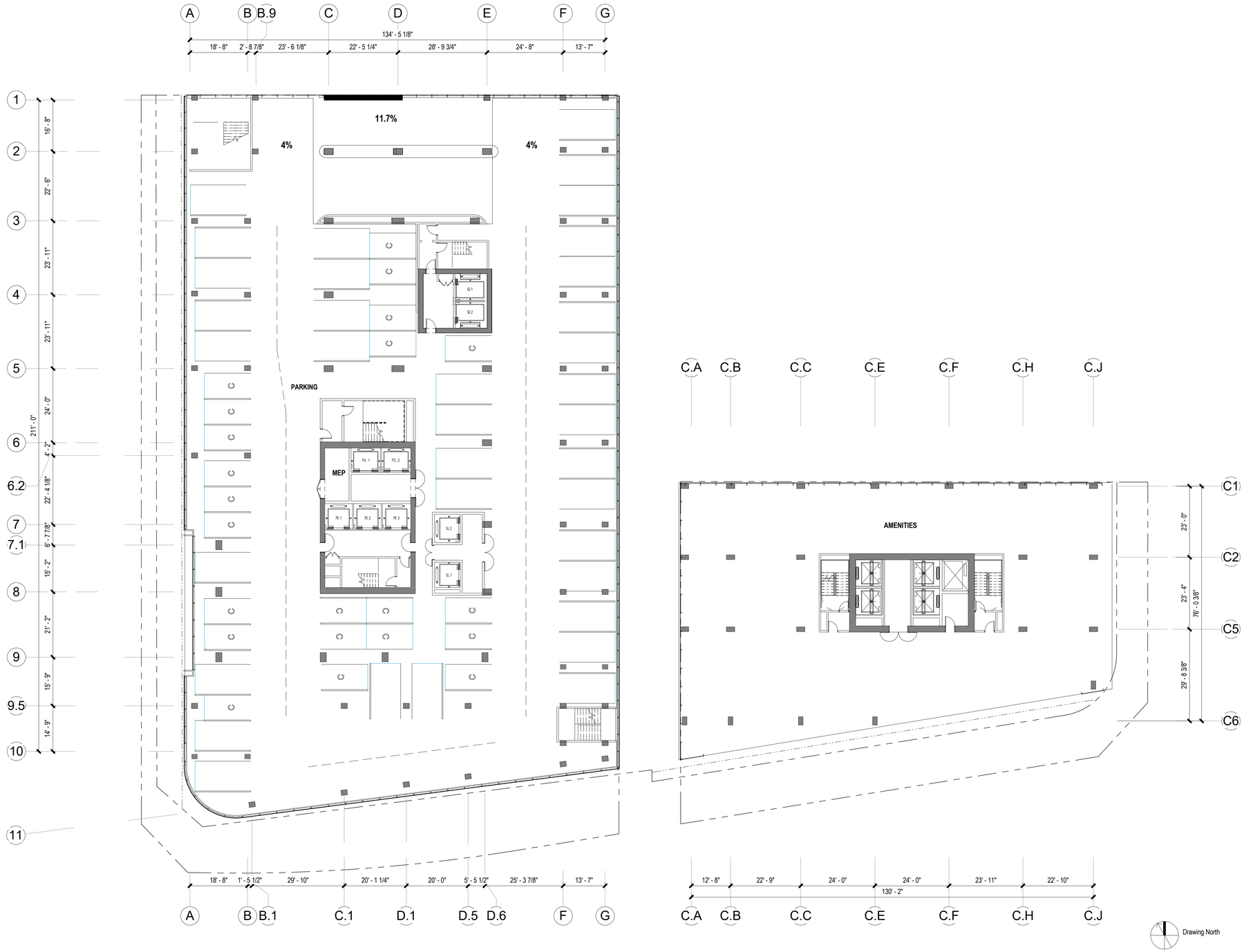

1 FLOOR PLAN - LEVEL 05 - TYPICAL PARKING LEVEL PLAN

SCALE: 1/16" = 1'-0"

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Project Name

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Project Number

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Description

FLOOR PLAN - TYPICAL PARKING PLAN & TOWER C LEVEL 02

Scale

1/16" = 1'-0"

A1.002

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1 FLOOR PLAN - LEVEL 07 - MEETING

SCALE: 1/16" = 1'-0"

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Seal/Signature

Project Name

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Project Number

05.9909.000

Description

FLOOR PLAN - LEVEL 07 - MEETING & TOWER C TYP. HOTEL LEVEL

Scale

1/16" = 1'-0"

A1.007

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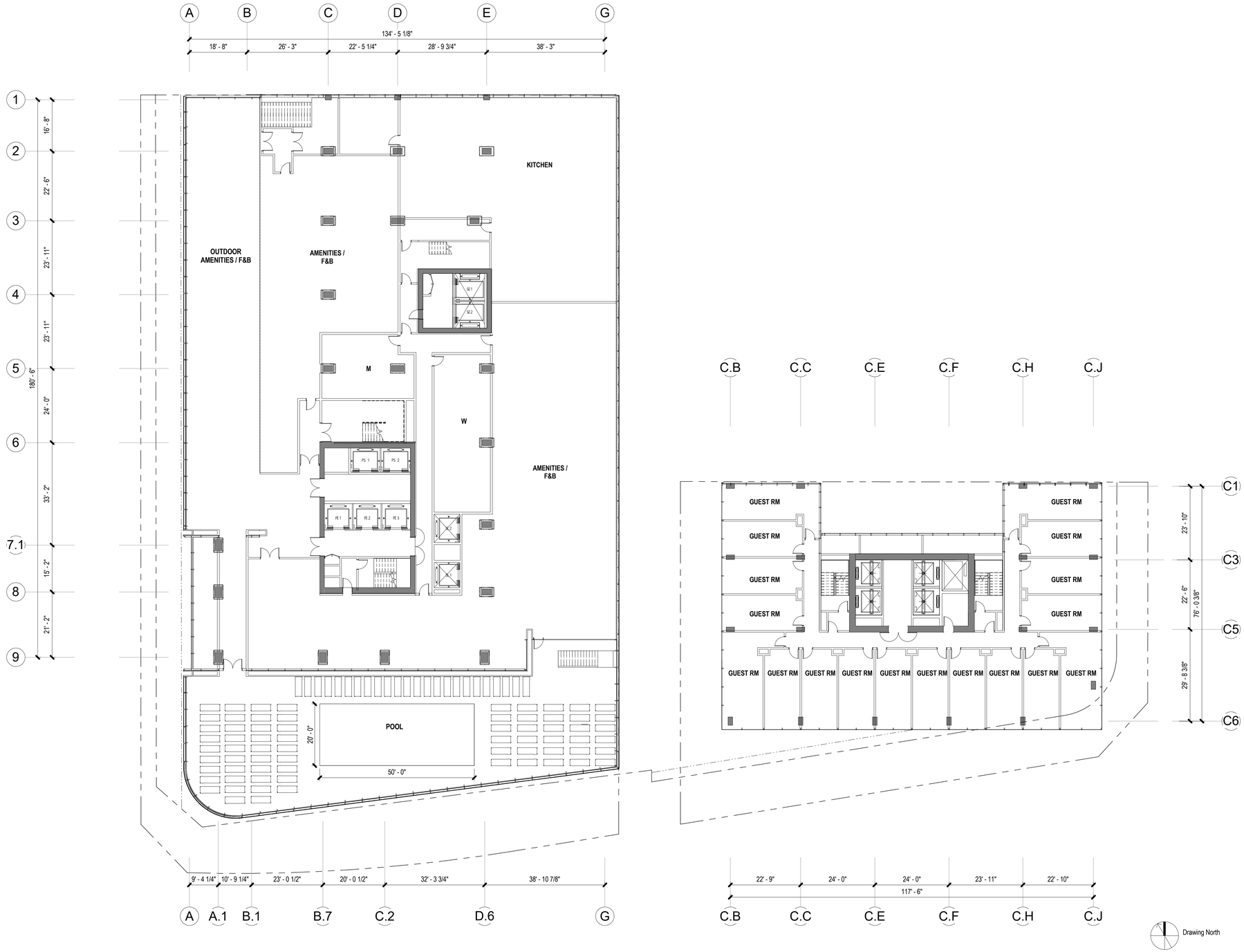

1 FLOOR PLAN - LEVEL 08 - POOL / F&B

SCALE: 1/16" = 1'-0"

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Project Name

FIG+PICO CONFERENCE CENTER HOTELS PROJECT

Project Number

05.9909.000

Description

FLOOR PLAN - LEVEL 08 - POOL / F&B & TOWER C TYPICAL HOTEL LEVEL

Scale

1/16" = 1'-0"

A1.008

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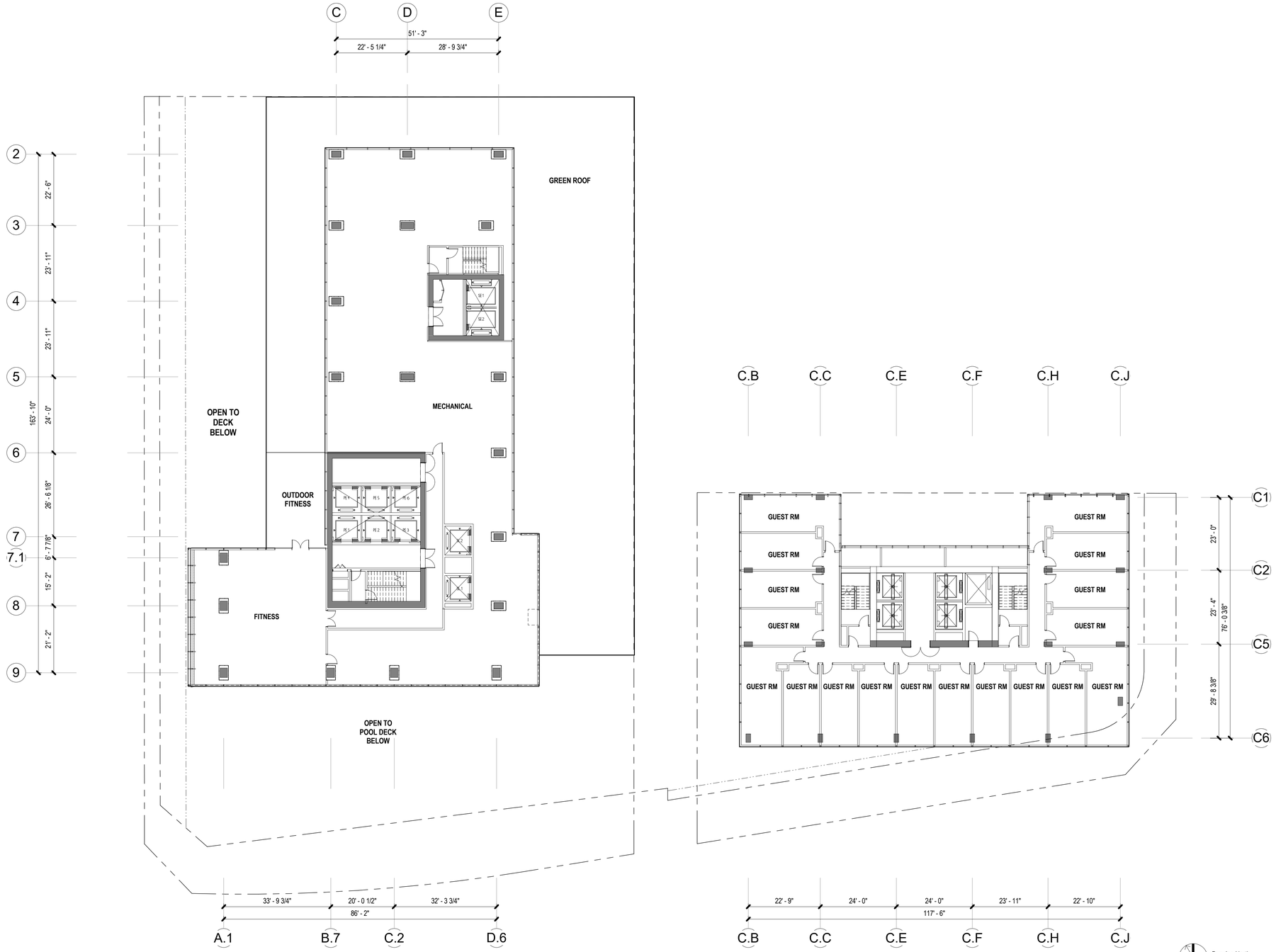

1 FLOOR PLAN - LEVEL 09 - FITNESS / MECHANICAL

SCALE: 1/16" = 1'-0"

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1	03/08/18	EXHIBIT A - PROJECT PLAN CASE NUMBERS CPC-2016-4219-GPA-ZC CPC-2016-2595-DA-CU-MCUP-CUX-SPR

Seal/Signature

Project Name

FIG+PICO CONFERENCE CENTER HOTELS PROJECT

Project Number

05.9909.000

Description

FLOOR PLAN - LEVEL 9 - FITNESS / MECHANICAL & TOWER C TYPICAL HOTEL LEVEL

Scale

1/16" = 1'-0"

A1.009

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1 FLOOR PLAN - LEVEL 15 - TYPICAL TOWER LEVEL PLAN

SCALE: 1/16" = 1'-0"

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1	03/08/18	EXHIBIT A - PROJECT PLAN CASE NUMBERS CPC-2016-4219-GPA-ZC CPC-2016-2595-DA-CU-MCUP-CUX-SPR

Seal/Signature

Project Name

FIG+PICO CONFERENCE CENTER HOTELS PROJECT

Project Number

05.9909.000

Description

FLOOR PLAN - TYPICAL HOTEL LEVEL

Scale

1/16" = 1'-0"

A1.015

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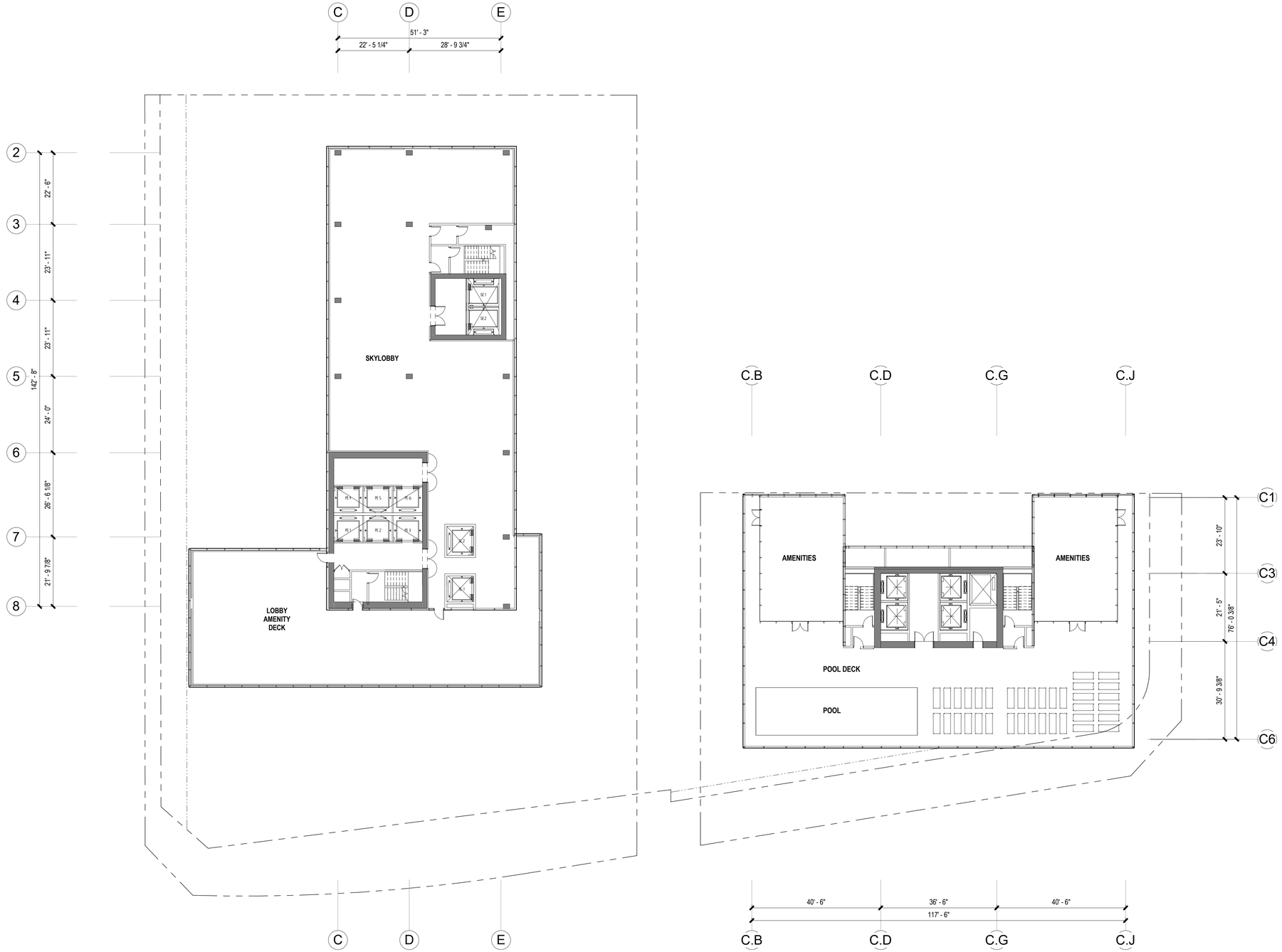

1 FLOOR PLAN - LEVEL 35 - SKY LOBBY / DECK

SCALE: 1/16" = 1'-0"

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Project Name

FIG+PICO CONFERENCE CENTER HOTELS PROJECT

Project Number

05.9909.000

Description

FLOOR PLAN - LEVEL 35 SKY LOBBY & TOWER C ROOF TOP AMENITIES

Scale

1/16" = 1'-0"

A1.035

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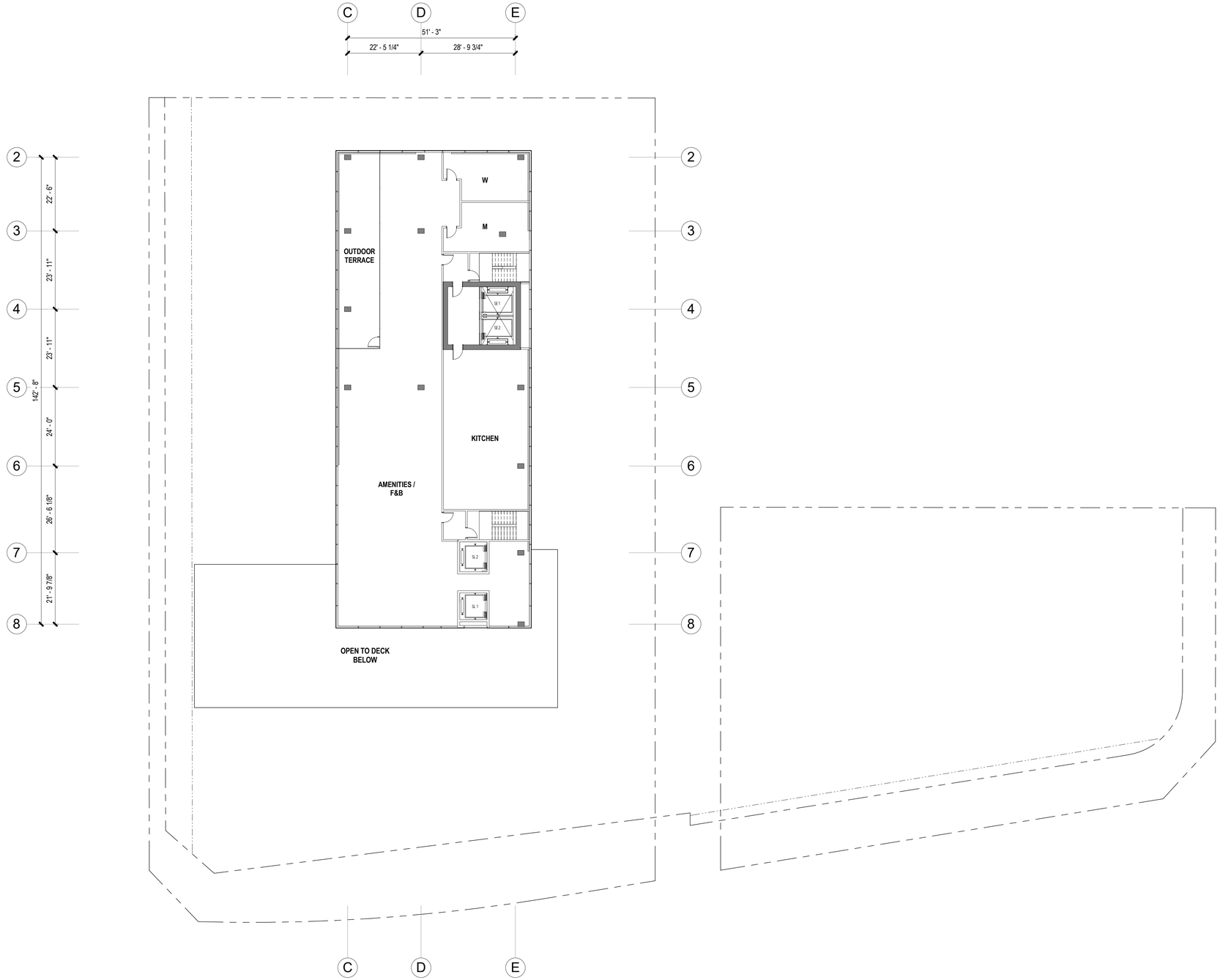

1 FLOOR PLAN - LEVEL 37 - F&B

SCALE: 1/16" = 1'-0"

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1	03/08/18	EXHIBIT A - PROJECT PLAN CASE NUMBERS CPC-2016-4219-GPA-ZC CPC-2016-2595-DA-CU-MCUP-CUX-SPR

Seal/Signature

Project Name
FIG+PICO CONFERENCE CENTER HOTELS PROJECT

Project Number
05.9909.000

Description
FLOOR PLAN - LEVEL 37 F&B

Scale
1/16" = 1'-0"

A1.037

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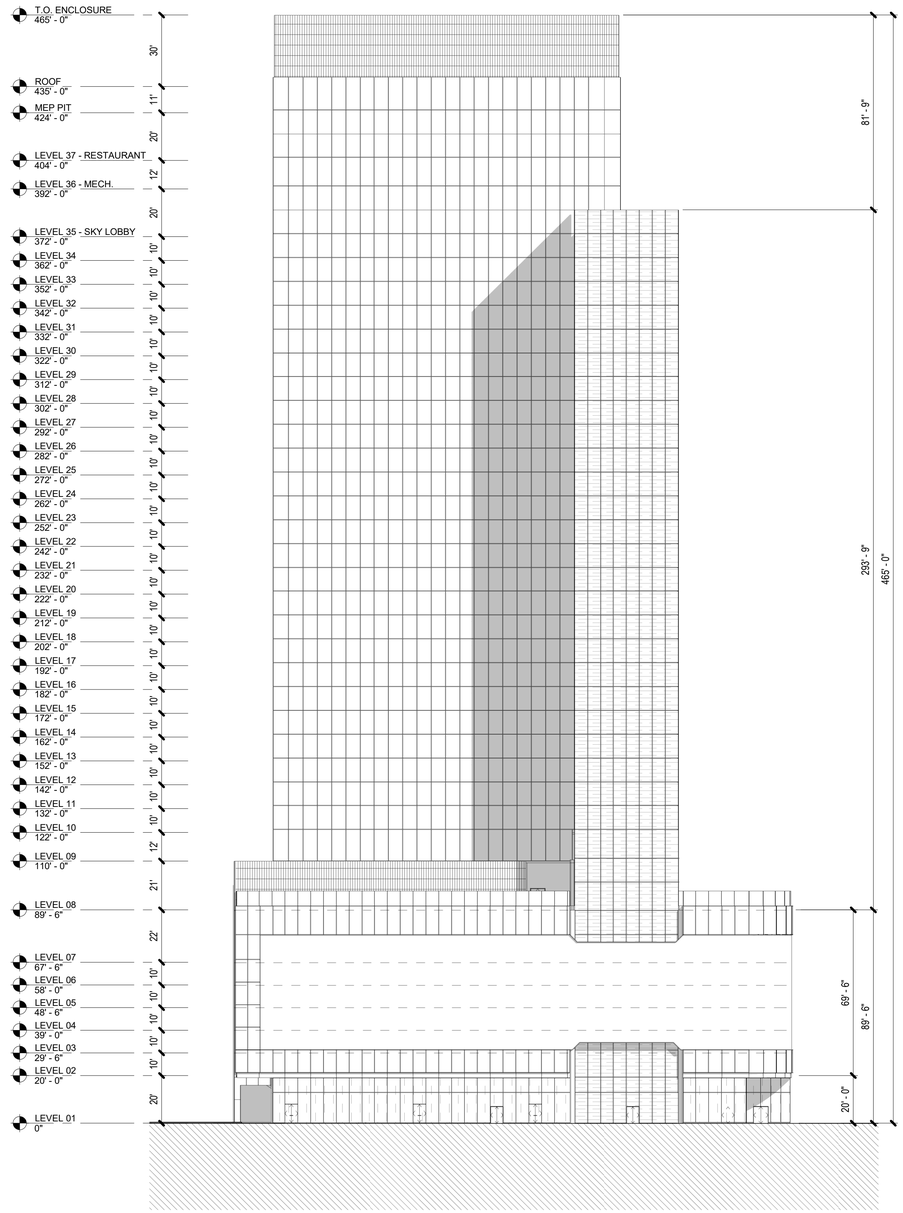

1 ELEVATION - WEST (FIGUEROA ST.)

SCALE: 1" = 30'-0"

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Project Name

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Project Number

05.9909.000

Description

ELEVATION - WEST (FIGUEROA ST.)

Scale

1" = 30'-0"

A2.001.

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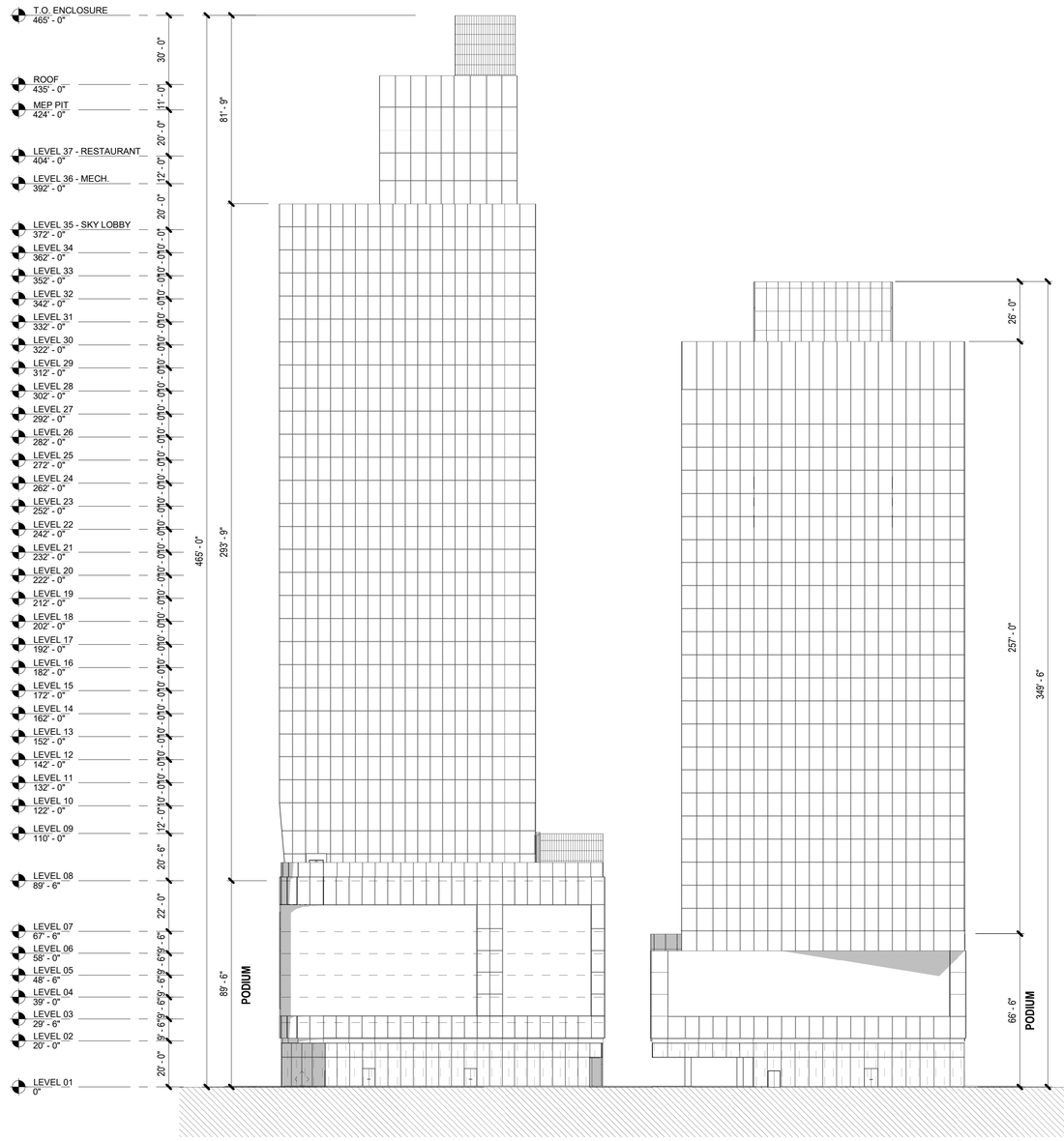

1 ELEVATION - SOUTH (PICO BLVD)
SCALE: 1" = 30'-0"

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Seal/Signature

Project Name
FIG+PICO CONFERENCE CENTER HOTELS PROJECT

Project Number
05.9909.000

Description
ELEVATION - SOUTH (PICO BLVD)

Scale
1" = 30'-0"

A2.002.

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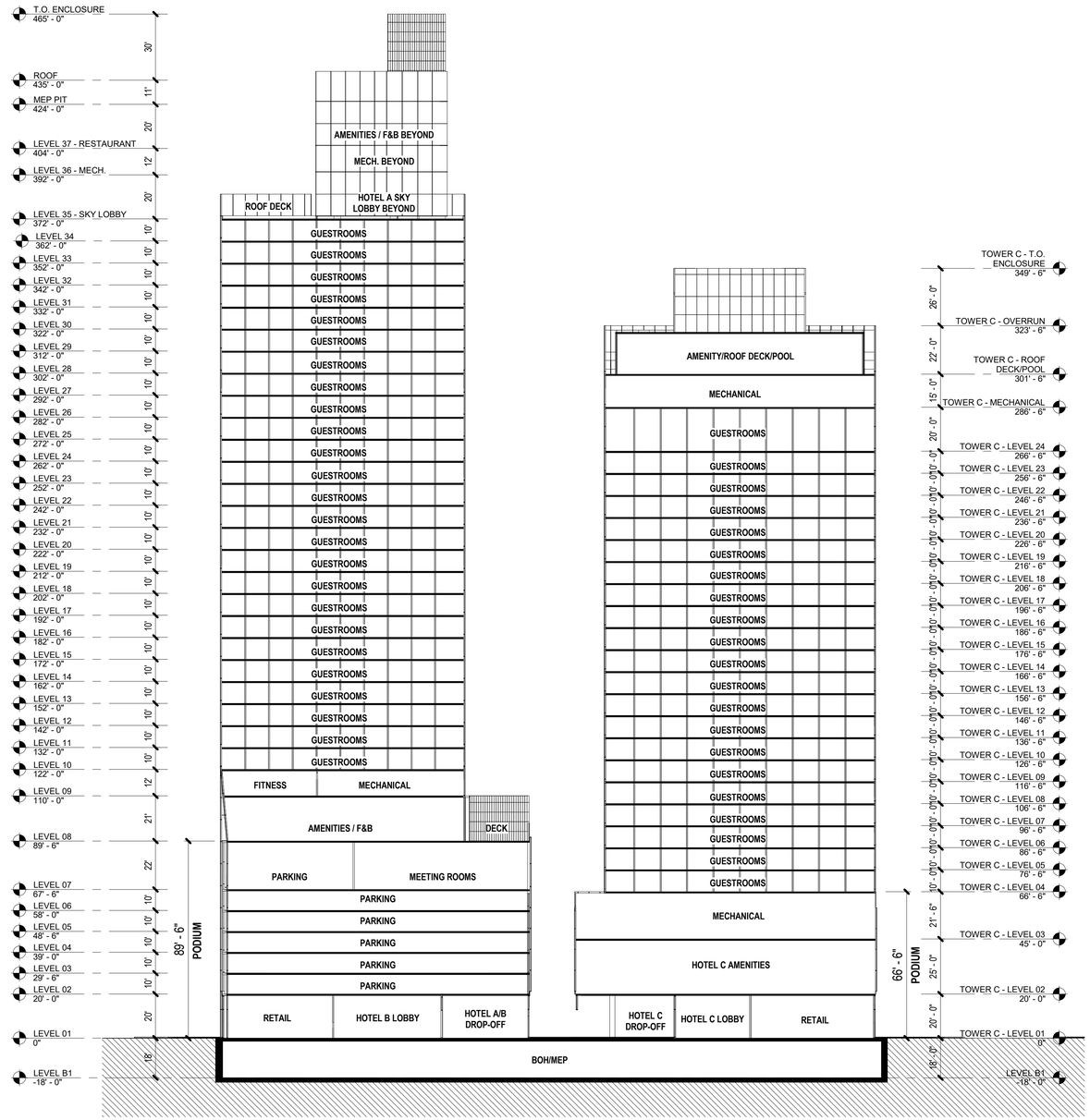

1 SECTION - NORTH SOUTH

SCALE: 1" = 30'-0"

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Seal/Signature

Project Name

FIG+PICO CONFERENCE CENTER HOTELS PROJECT

Project Number

05.9909.000

Description

SECTION

Scale

1" = 30'-0"

A3.001

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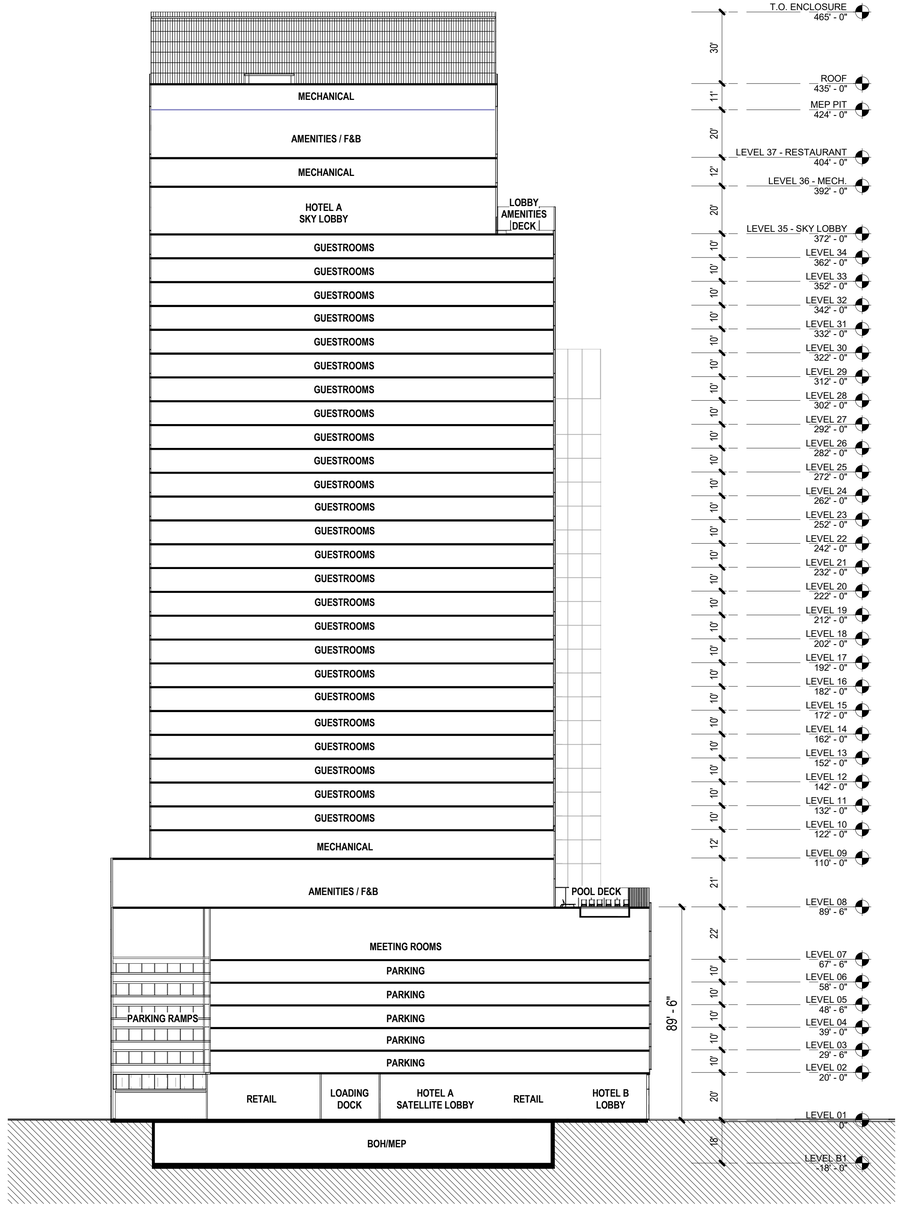

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Seal/Signature

Project Name

FIG+PICO CONFERENCE CENTER HOTELS PROJECT

Project Number

05.9909.000

Description

SECTION

Scale

1" = 30'-0"

A3.002

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1 COLOR RENDERING - PICO LOOKING NORTH
SCALE: 1 1/2" = 1'-0"

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Seal/Signature

Project Name
FIG+PICO CONFERENCE CENTER HOTELS PROJECT

Project Number
05.9909.000

Description
COLOR RENDERINGS

Scale
NOT TO SCALE

A4.001

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Spandrel Glass 2

Glazing 3 (Hotel C)

Glazing 2 (Hotel B)

Glazing 1 (Hotel A)

Podium Spandrel Glass

Digital and Static Signage System

Clear Storefront System

1 COLOR RENDERING - PICO AND FIG CORNER
SCALE: 1 1/2" = 1'-0"

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Project Name
FIG+PICO CONFERENCE CENTER HOTELS PROJECT

Project Number
05.9909.000

Description
COLOR RENDERINGS

Scale
NOT TO SCALE

A4.002

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1 COLOR RENDERING - AERIAL
SCALE: 1 1/2" = 1'-0"

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Seal/Signature

Project Name
FIG+PICO CONFERENCE CENTER HOTELS PROJECT

Project Number
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Description
COLOR RENDERINGS

Scale
NOT TO SCALE

A4.003.

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1 COLOR RENDERING - FIG LOOKING SOUTH
SCALE: 1 1/2" = 1'-0"

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Seal/Signature

Project Name
FIG+PICO CONFERENCE CENTER HOTELS PROJECT

Project Number
05.9909.000

Description
COLOR RENDERINGS

Scale
1 1/2" = 1'-0"

A4.004

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1 COLOR RENDERING - FIG STREET LEVEL
SCALE: 1/2" = 1'-0"

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Seal/Signature

Project Name
FIG+PICO CONFERENCE CENTER HOTELS PROJECT

Project Number
05.9909.000

Description
COLOR RENDERING - FIG STREET LEVEL

Scale
1/2" = 1'-0"

A4.005

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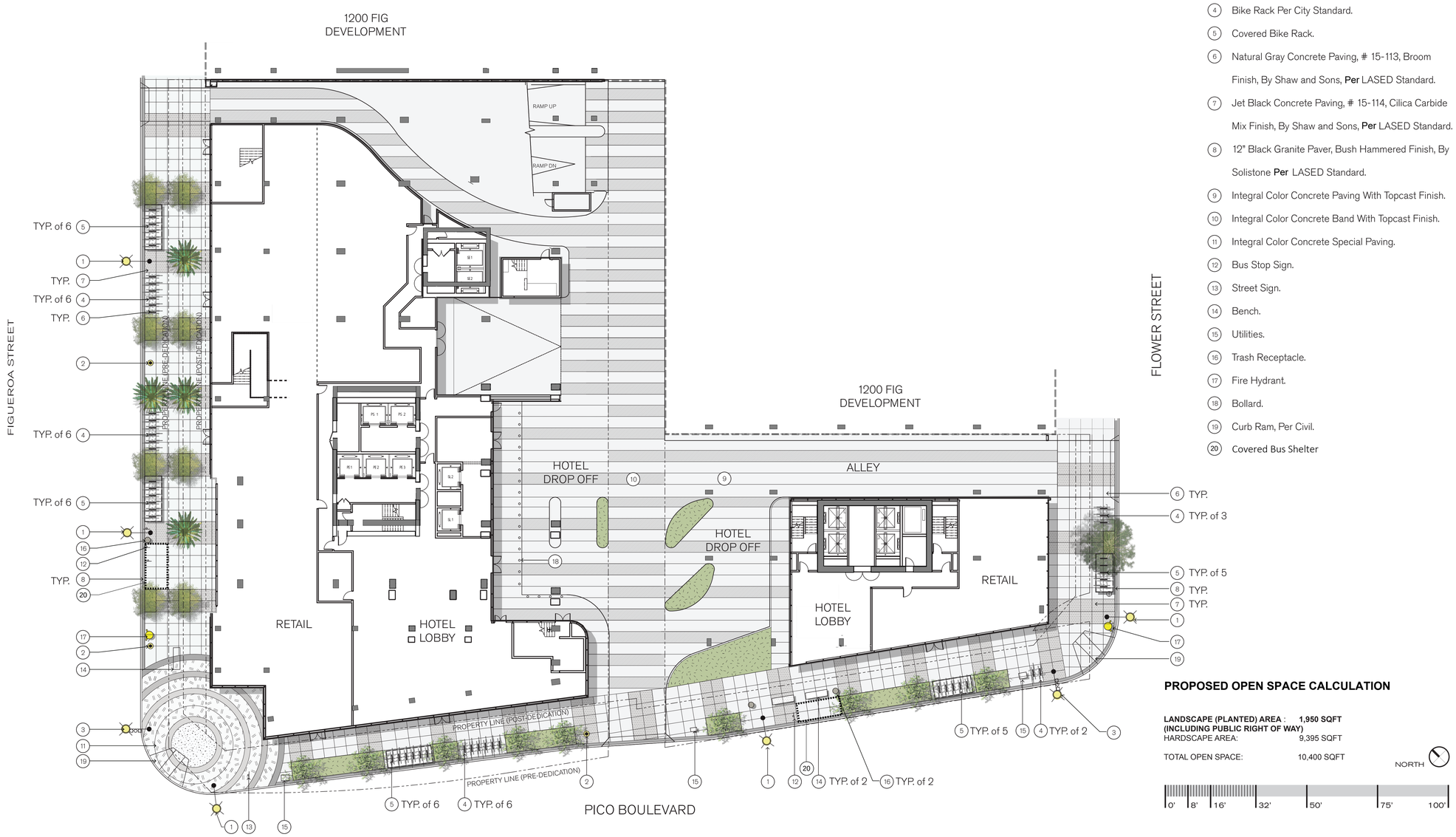


1. Street Light Per City Standard.
2. Pedestrian Light Per City Standard.
3. Traffic Light.
4. Bike Rack Per City Standard.
5. Covered Bike Rack.
6. Natural Gray Concrete Paving, # 15-113, Broom Finish, By Shaw and Sons, Per LASED Standard.
7. Jet Black Concrete Paving, # 15-114, Cilica Carbide Mix Finish, By Shaw and Sons, Per LASED Standard.
8. 12" Black Granite Paver, Bush Hammered Finish, By Solistone Per LASED Standard.
9. Integral Color Concrete Paving With Topcast Finish.
10. Integral Color Concrete Band With Topcast Finish.
11. Integral Color Concrete Special Paving.
12. Bus Stop Sign.
13. Street Sign.
14. Bench.
15. Utilities.
16. Trash Receptacle.
17. Fire Hydrant.
18. Bollard.
19. Curb Ram, Per Civil.
20. Covered Bus Shelter

PROPOSED OPEN SPACE CALCULATION

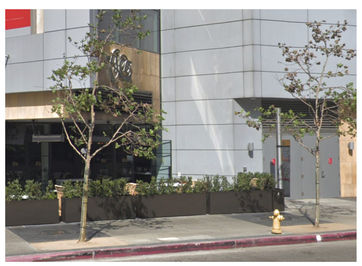
LANDSCAPE (PLANTED) AREA : 1,950 SQFT
(INCLUDING PUBLIC RIGHT OF WAY)
HARDSCAPE AREA: 9,395 SQFT

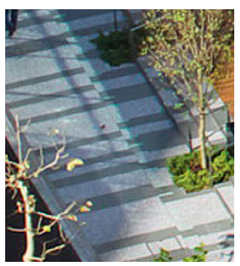
TOTAL OPEN SPACE: 10,400 SQFT

NORTH

0' 8' 16' 32' 50' 75' 100'

REFERENCE IMAGES

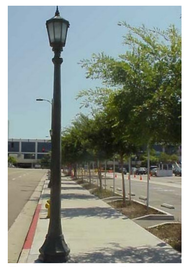

Sidewalk Paving Per City Standard


Enhanced Driveway Paving

Covered Bike Parking

Bike Rack Per City Standard

Parkway Planting


Pedestrian Light Per City

LIGHTSTONE
DTLA LLC

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AHBE
LANDSCAPE ARCHITECTS
617 WEST SEVENTH STREET
SUITE 304
LOS ANGELES, CA 90017
T: 213.694.3800 F: 213.694.3801

	Date	Description
1	03/08/18	EXHIBIT A - PROJECT PLAN CASE NUMBERS: CPC-2016-4219-GPA-ZC CPC-2016-2595-DA-CU-MCUP-CUX-SPR

Seal / Signature

Project Name
FIG+PICO CONFERENCE CENTER HOTELS

Project Number
05.9909.000

Scale
As Shown

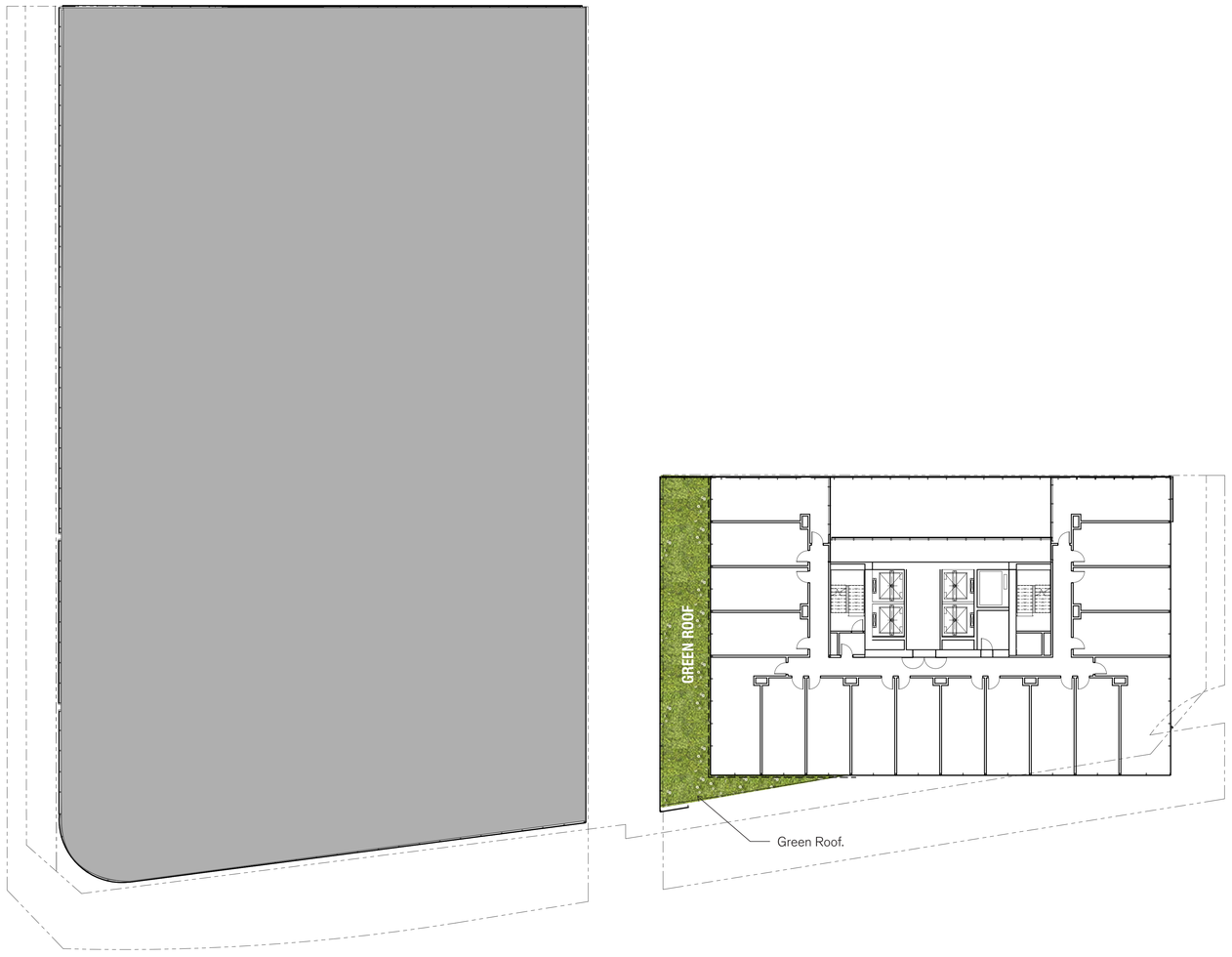
Description
GROUND LEVEL
LANDSCAPE PLAN

L101

© 2014 Gensler

PROPOSED OPEN SPACE CALCULATION

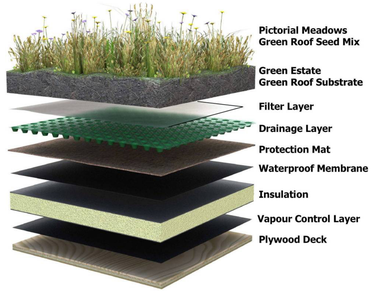
LANDSCAPE (PLANTED) AREA :	**1,260 SQFT**
HARDSCAPE AREA:	0 SQFT
TOTAL OPEN SPACE:	1,260 SQFT



NORTH

0' 8' 16' 32' 50' 75' 100'

REFERENCE IMAGES



Green Roof

Green Roof

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Project Name
FIG+PICO CONFERENCE CENTER HOTELS

Project Number
05.5909.000

Scale
As Shown

Description
4TH LEVEL PODIUM
LANDSCAPE PLAN

L102

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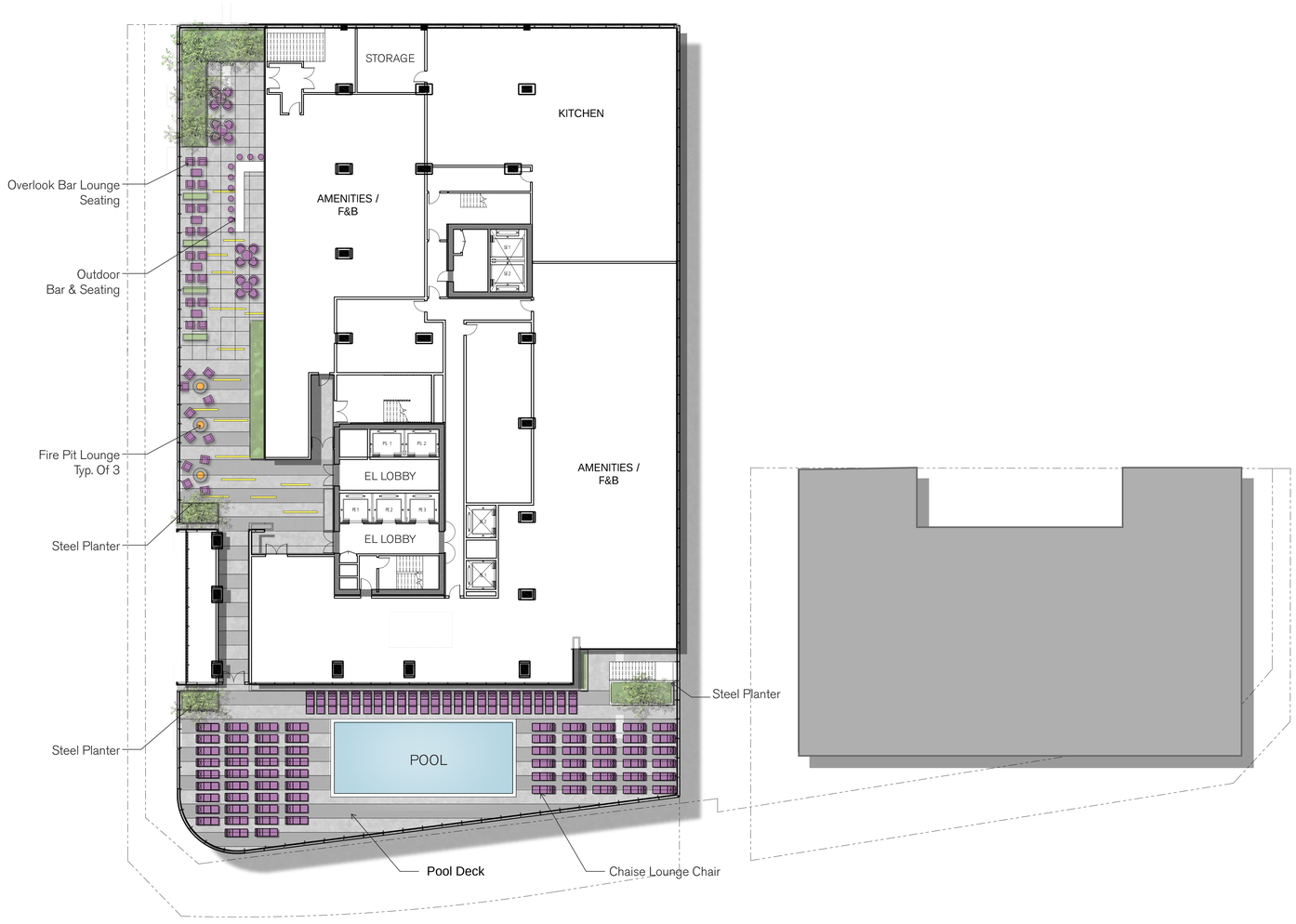
PROPOSED OPEN SPACE CALCULATION

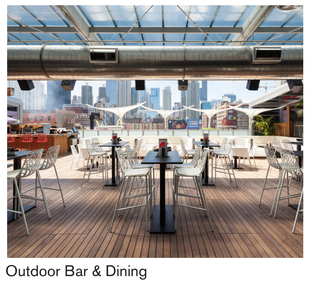
LANDSCAPE (PLANTED) AREA :	**850 SQFT**
POOL AREA:	1,000 SQFT
HARDSCAPE AREA:	8,285 SQFT
TOTAL OPEN SPACE:	10,135 SQFT

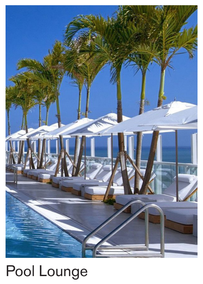


NORTH

0' 8' 16' 32' 50' 75' 100'

REFERENCE IMAGES


Outdoor Bar & Dining


Pool Lounge

Social Space

Outdoor Fire Pit

Outdoor Lounge

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Project Number
05.9909.000

Scale
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Description
8TH LEVEL PODIUM LANDSCAPE PLAN

L103

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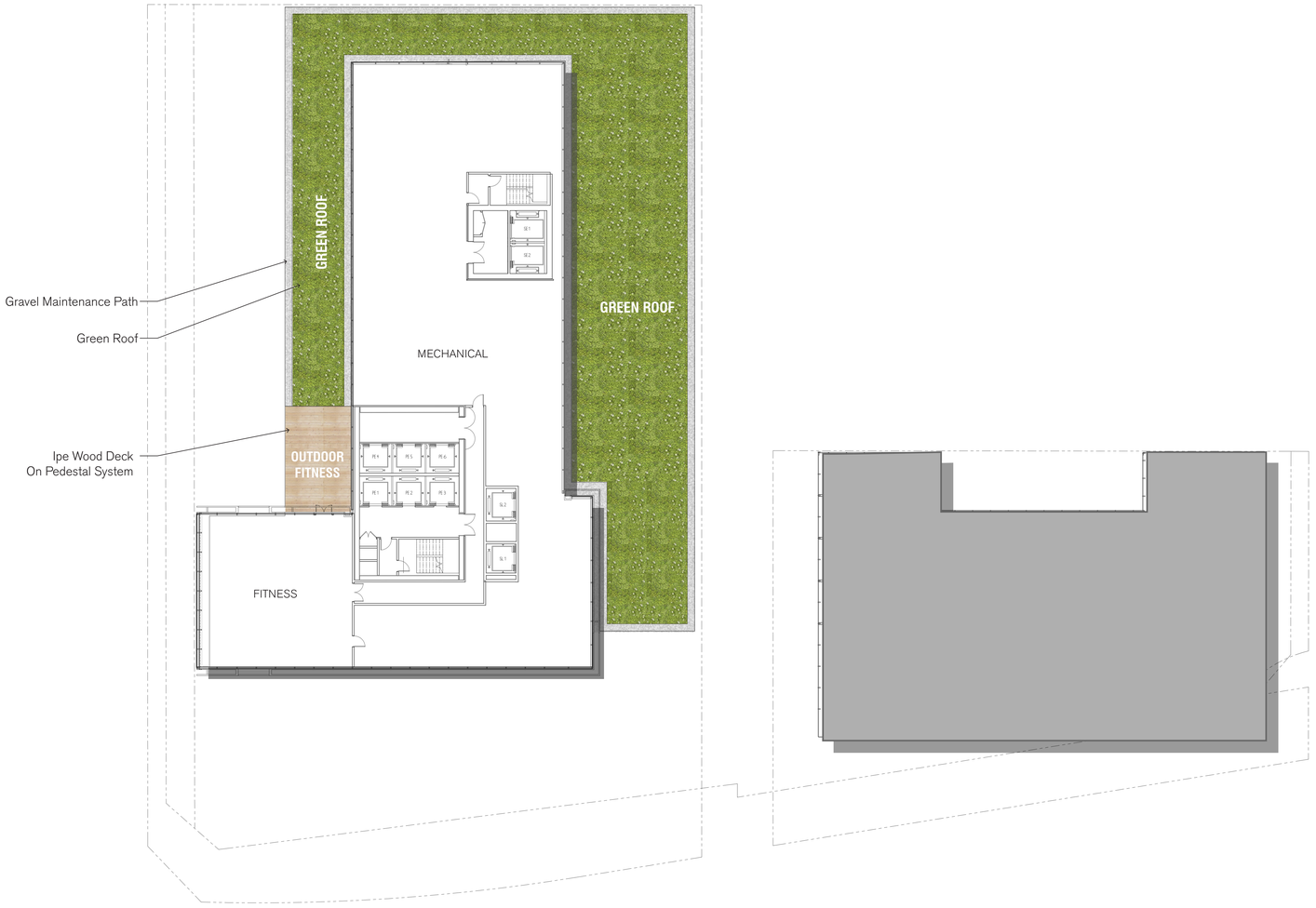
PROPOSED OPEN SPACE CALCULATION

LANDSCAPE (PLANTED) AREA : **7,500SQFT**
HARDSCAPE AREA: 2.050 SQFT

TOTAL OPEN SPACE: 9,550 SQFT



REFERENCE IMAGES

Outdoor Fitness Deck

Green Roof

Green Roof

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FIG+PICO CONFERENCE CENTER HOTELS

Project Number
05.9909.000

Scale
As Shown

Description
9TH LEVEL PODIUM
LANDSCAPE PLAN

L104

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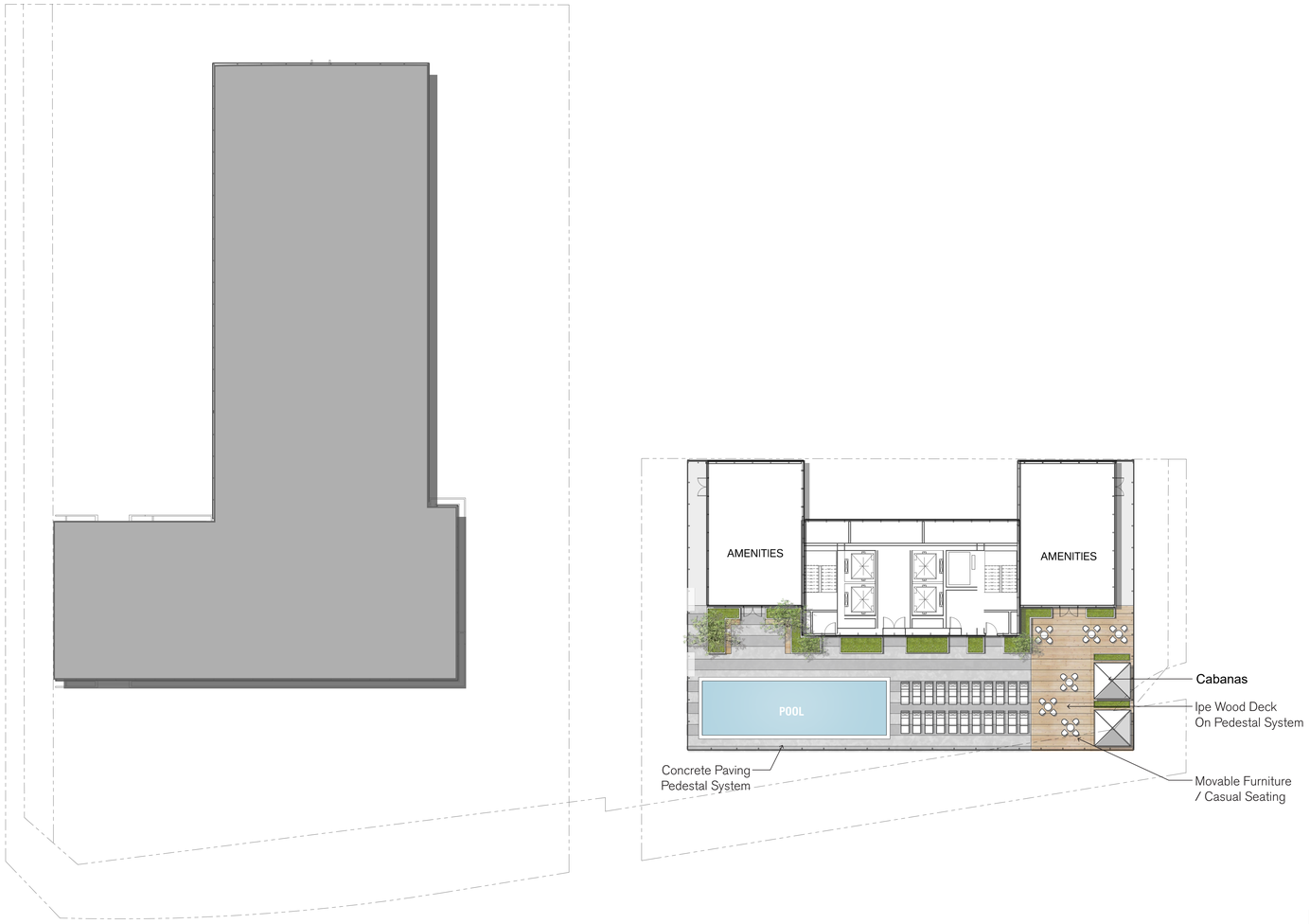
PROPOSED OPEN SPACE CALCULATION

LANDSCAPE (PLANTED) AREA :	**375 SQFT**
POOL AREA:	760 SQFT
HARDSCAPE AREA:	3,660 SQFT
TOTAL OPEN SPACE:	4,795 SQFT



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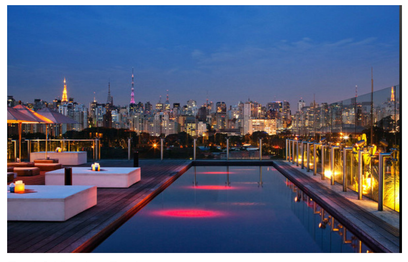
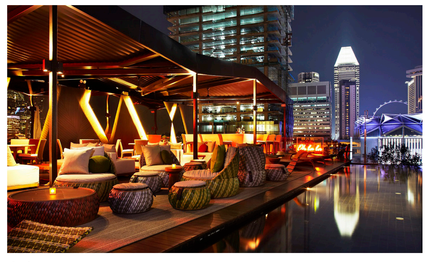

Pool & Viewing Deck


Cabanas

Outdoor Furniture

Outdoor Lounge

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Project Name
FIG+PICO CONFERENCE CENTER HOTELS

Project Number
05.9909.000

Scale
As Shown

Description
TOWER C ROOF LEVEL
LANDSCAPE PLAN

L105

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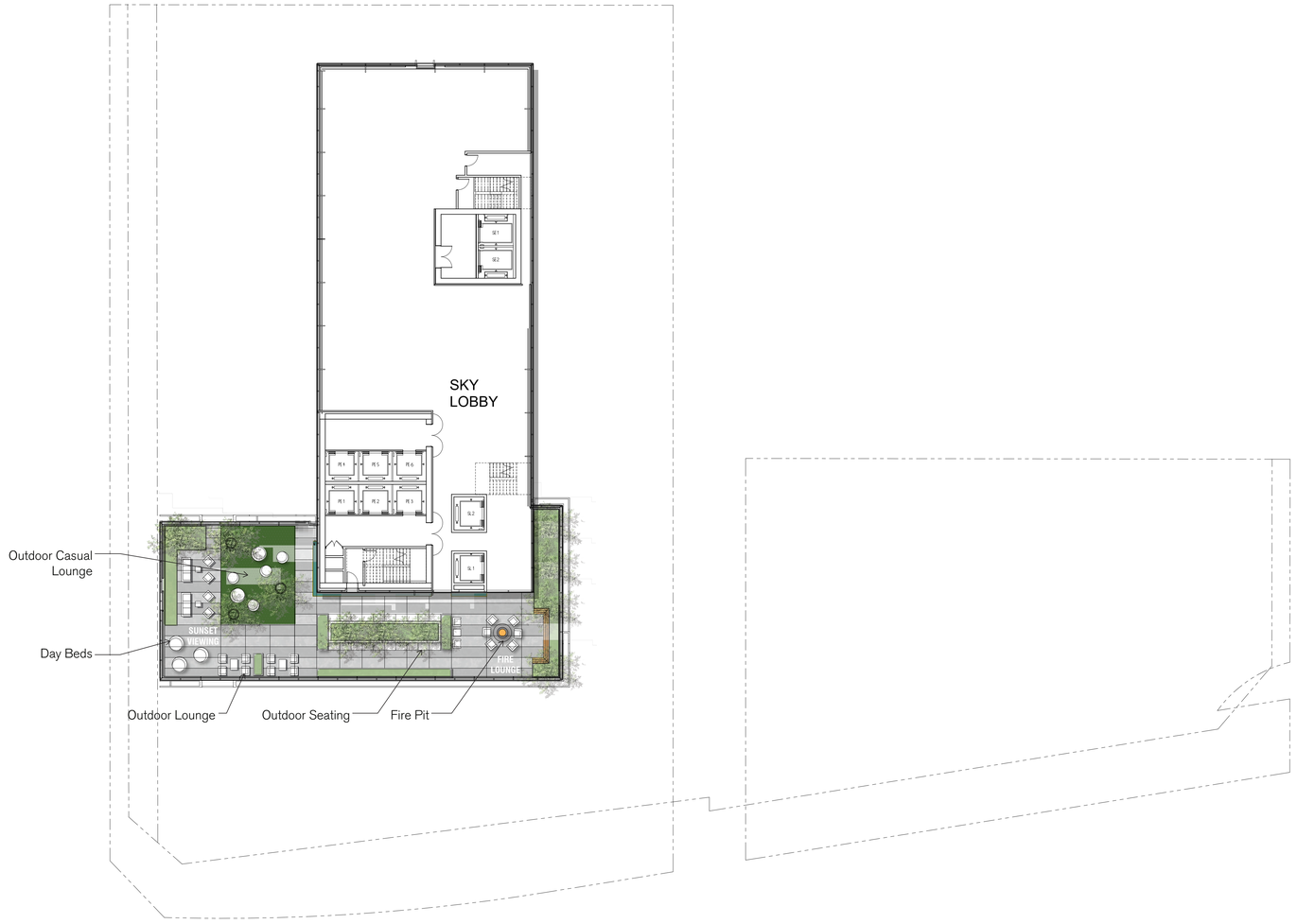
PROPOSED OPEN SPACE CALCULATION

LANDSCAPE (PLANTED) AREA : **775 SQFT**
HARDSCAPE AREA: 2,580 SQFT

TOTAL OPEN SPACE: 3,355 SQFT



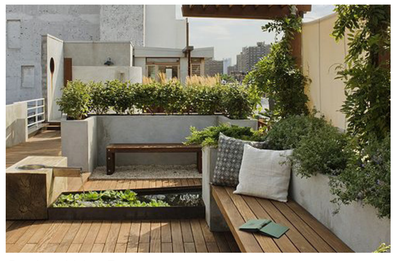
NORTH

0' 8' 16' 32' 50' 75' 100'

REFERENCE IMAGES

Outdoor Fire Lounge

Social Lawn


Outdoor Living Room

Outdoor Lounge

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Project Name
FIG+PICO CONFERENCE CENTER HOTELS

Project Number
05.9909.000

Scale
As Shown

Description
35TH LEVEL SKY LOBBY
LANDSCAPE PLAN

L106

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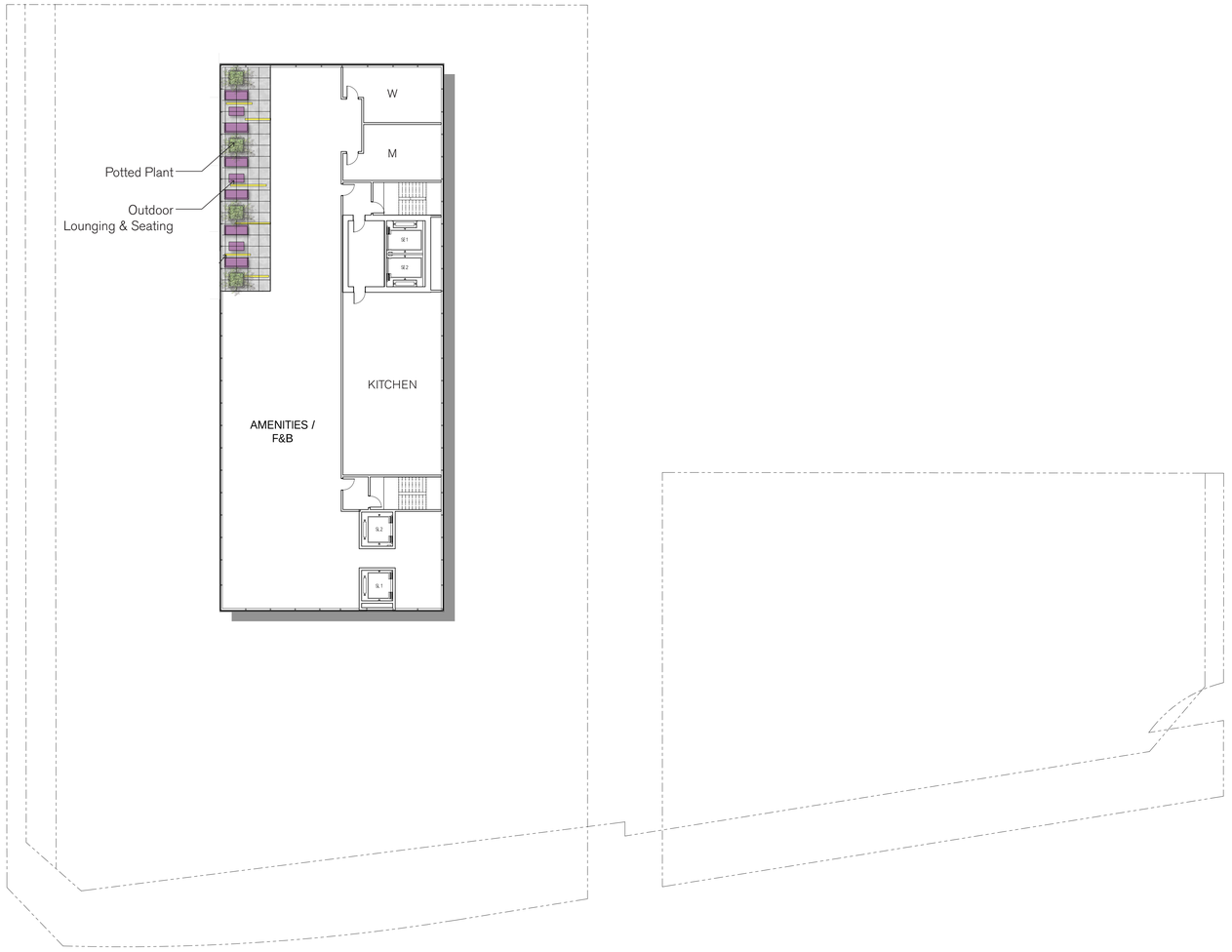
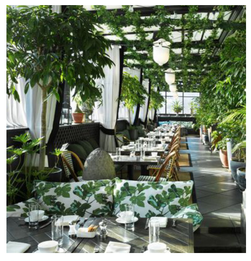
PROPOSED OPEN SPACE CALCULATION

LANDSCAPE (PLANTED) AREA :	**64 SQFT**
HARDSCAPE AREA:	688 SQFT
TOTAL OPEN SPACE:	752 SQFT



REFERENCE IMAGES

Outdoor Dining Terrace


Outdoor Dining Terrace

Outdoor Dining Terrace

Outdoor Dining Terrace

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Project Name
FIG+PICO CONFERENCE CENTER HOTELS

Project Number
05.9909.000

Scale
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Description
37TH LEVEL POOL DECK
LANDSCAPE PLAN

L107

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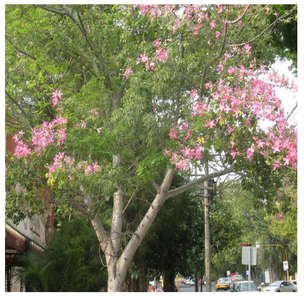
Agonis flexuosa'After Dark'
After Dark Peppermint Willow

Cassia splendida 'Golden'
Golden Senna

Chamaerops humilis
Mediterrean Fan Palm



Chorisia speciosa 'Majestic Beauty(R)
Majestic Beauty Silk Floss Tree

Citrus Kumquat 'Nagami'
Nagami umquat

Citrus 'Meyer Lemon Improved'
Improved Meyer Lemon

Jatropha integerrima 'Compacta' - Patio Tree
Compact Spicy Jatropha

Platanus acerifolia 'Columbia' *(Platanus x hispanica)*
Columbia London Planetree

Solanum rantonnetii 'Royal Robe' - Patio Tree
Paraquay Nightshade

Washingtonia robusta
Mexican Fan Palm

Aloe barbarae
Tree Aloe

Agave vilmoriniana 'Stained Glass'
Stained Glass Octopus Agave

Bougainvillea Golden Jackpot(R)
Golden Jackpot Bougainvillea

Campsis radicans Balboa Sunset(R)
Balboa Sunset Trumpet Creeper

Cordyline 'Electric Pink'
Electric Pink Cordyline

Cordyline australis 'Red Star'
Red Star Cordyline

Nandina domestica 'Firepower'
Firepower Dwarf Heavenly Bamboo

Salvia chiapensis
Chiapas Sage

Cordyline australis 'Torbay Dazzler'
Torbay Dazzler Cabbage Palm

Eugenia Lemon Swirl(R)
Lemon Swirl Australian Brush Cherry

Lagerstroemia Pecos
Pecos Crape Myrtle

Laurus nobilis Emerald Wave(R)
Emerald Wave Bay Laurel

Metrosideros excelsa 'Gala'
Variegated New Zealand Christmas Tree

Strelitzia nicholii
Giant Bird of Paradise

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Project Name
FIG+PICO CONFERENCE CENTER HOTELS

Project Number
05.5909.000

Scale
As Shown

Description
PLANTING PALETTE

L108

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Strelitizia reginae
Bird of Paradise

Acacia 'Cousin Itt'
Little River Wattle

Aloe maculata
Soap Aloe

Arbutus undeo 'Compacta'
Dwarf Strawberry Tree

Beschorneria yuccoides 'Flamingo Glow'
Variegated Amole

Buxus 'Faulkner'
Faulkner Boxwood

Caesalpinia gillesii
Yellow Bird of Paradise

Crocrosmia 'Emberglow'
Emberglow Crocosmia

Escallonia 'Compakta'
Dwarf Escallonia

Hesperaloe 'Brakelights(TM) '
Brakelights Red Yucca

Hibiscus moscheutos 'Dave Fleming'
Dave Fleming Rose Mallow

Loropetalum 'Ever Red'
Ever Red Chinese Fringe Flower

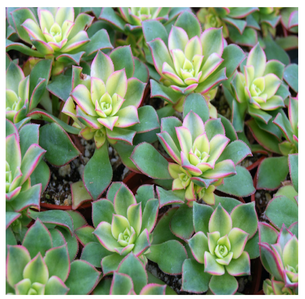
Philodendron 'Xanadu'
Xanadu Philodendron

Pittosporum tenuifolium 'Golf Ball'
Golf Ball Kohuhu

Pittosporum crassifolium 'Compactum'
Dwarf Karo

Salvia 'Love and Wishes'
Love and Wishes Salvia

Acacia millefolium 'Island Pink'
Little River Wattle



Aeonium 'Kiwi
Kiwi Aeonium

Aeonium 'Tip Top'
Tip Top Aeonium

Aloe 'Johnson's Hybrid'
Johnson's Hybrid Aloe

Uncus effusus
Common Rush

Kniphofia 'Flamenco'
Flamenco Red Hot Poker

Sedum 'Angelonia'
Angelonia Sedum

Sedum Sunsparkler(R) Lime Zinger
Sunsparkler Lime Zinger Stonecrop

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Project Name
FIG+PICO CONFERENCE CENTER HOTELS

Project Number
05.9909.000

Scale
As Shown

Description
PLANTING PALETTE

L109

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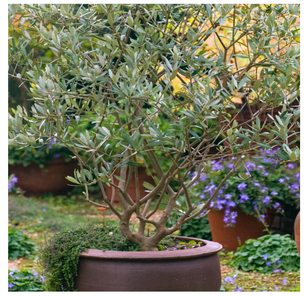
Acacia baileyana 'Purpurea'
Purple Acacia

Alyogyne huegelii 'Santa Cruz'
Lilac HIbiscus - Patio Tree

Olea europaea 'Sevillano'
Sevillano Fruiting Olive

Olea europaea 'Swan Hill'
Swan Hill Fruitless Olive



Olea europaea Majestic Beauty(R)
Sevillano Fruiting Olive

Platanus mexicana
Mexican Sycamore

Alyogyne huegelii 'White Swan'
White Swan Lilac Hibiscus

Bougainvillea 'Blueberry Ice'
Blueberry Ice Bougainvillea

Cestrum noctornum
Night Blooming Jasmine

Clytostoma callistegiodes
Lavender Trumpet Vine

Cotinus 'Grace'
Grace Smoke Tree

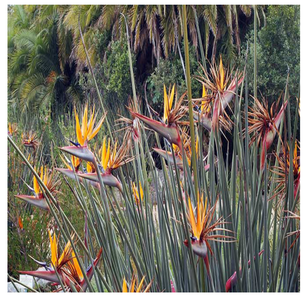
Eugenia myrtifolia 'Monterey Bay'
Monterey Bay Australian Brush Cherry

Ilex Emerald Colonnade(R)
Emerald Colonnade Holly

Jasminum nitidum
Angel Wing Jasmine

Laurus nobilis Emerald Wave(R)
Emerald Wave Sweet Bay

Mandevilla Sun Parasol(R) White
Sun Parasol White Mandevilla



Strelitzia juncea
Leafless Bird of Paradise

Acacia cognata 'Cousin Itt'
Prostrate River Wattle

Baptista 'Twilite Prairie Blues'
Twilite Wild Indigo

Beschorneria yuccoides
Amole

Buxus 'Faulkner'
Faulkner Boxwood

Dietes Katrina(R)
Katrina African Iris

Ilex vomitoria 'Stokes Dwarf'
Stokes Dwarf Yaupon Holly

Jasminum sambac
Arabian Jasminum

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Project Name
FIG+PICO CONFERENCE CENTER HOTELS

Project Number
05.5909.000

Scale
As Shown

Description
PLANTING PALETTE

L110

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Olea Little Ollie(TM)
Little Ollie Dwarf Olive

Rhapiolepis Southern Moon(R)
Southern Moon Yedda Hawthorn

Teucrium fruticans 'Compactum'
Compact Bush Germander

Agapanthus Baby Pete(TM)
Baby Pete Dwarf Lily of the Nile

Aeonium canariense
Giant Velvet Rose

Anemone sylvestris
Snowdrop Anemone

Artemisia schmidtiana 'Nana'
Silver Mound Artemisia

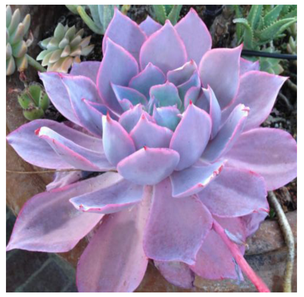
Asparagus densiflorus 'Myers'
Foxtail Fern

Bougainvillea Bambino(TM) 'Lauren'
Lauren Bougainvillea

Buddleia Lo & Behold(R) 'Ice Chip'
Ice Chip Dwarf Butterfly Bush

Carex divulsa
Berkley Sedge

Carex oshimensis EverColor(R) Sedge
Everest Evercolor Sedge



Echeveria 'Afterglow'
Afterglow Echeveria

Echeveria agavoides 'Lipstick'
Lipstick Echeveria

Festuca 'Boulder Blue'
Silver Mound Artemisia

Lomandra longifolia Breeze(TM)
Breeze Lomandra

Ophiopogon formosanum
Taiwan Mondo Grass

Penstemon 'Margarita Bop'
Margarita Bop Penstemon

Sedum 'John Creech'
John Creech Stonecrop

Lavandula With Love(TM)
With Love Lavender

Sempervivum 'Black'
Black Hens and Chicks

Senecio serpens
Dwarf Blue Chalksticks

Stachys 'Big Ears'
Big Ears Lamb's Ear

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Project Name
FIG+PICO CONFERENCE CENTER HOTELS

Project Number
05.9909.000

Scale
As Shown

Description
PLANTING PALETTE

L111

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FIG + PICO CONFERENCE CENTER HOTELS
Mitigation Monitoring Program

1. Introduction

This Mitigation Monitoring Program (MMP) has been prepared pursuant to Public Resources Code Section 21081.6, which requires a Lead Agency to adopt a "reporting or monitoring program for changes to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment." In addition, Section 15097(a) of the State California Environmental Quality Act (CEQA) Guidelines requires that a public agency adopt a program for monitoring or reporting mitigation measures and project revisions, which it has required to mitigate or avoid significant environmental effects. This 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 (City) is the Lead Agency for the Project and therefore is responsible for administering and implementing the MMP. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity that accepts the delegation; however, until mitigation measures have been completed, the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.

An Environmental Impact Report (EIR) has been prepared to address the potential environmental impacts of the Project. The evaluation of the Project's impacts in the EIR takes into consideration the project design features, which were voluntarily incorporated into the project description, and applies mitigation measures needed to avoid or reduce potentially significant environmental impacts. This MMP is designed to monitor implementation of the project design features and mitigation measures identified for the Project.

2. Organization

As shown on the following pages, each project design feature and mitigation measure for the Project is listed and categorized by impact area, with an accompanying identification of the following:

- Enforcement Agency: The agency with the power to enforce the project design feature or mitigation measure;
- Monitoring Agency: The agency to which reports involving feasibility, compliance, implementation and development are made;
- Monitoring Phase: The phase of the Project during which the project design feature or mitigation measure shall be monitored;

- Monitoring Frequency: The frequency at which the project design feature or mitigation measure shall be monitored; and
- Action Indicating Compliance: The action of which the Enforcement or Monitoring Agency indicates that compliance with the required project design feature or mitigation measure has been implemented.

3. Administrative Procedures and Enforcement

This MMP shall be enforced throughout all phases of the Project. The Applicant shall be responsible for implementing each project design feature and mitigation measure and shall be obligated to provide verification, as identified below, to the appropriate monitoring and enforcement agencies that each project design feature and mitigation measure has been implemented. The Applicant shall maintain records demonstrating compliance with each project design feature and mitigation measure listed below. Such records shall be made available to the City upon request.

During the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant, the election of which is in the sole discretion of the Applicant), approved by the City of Los Angeles Department of City Planning which approval shall not be reasonably withheld, who shall be responsible for monitoring implementation of project design features and mitigation measures during construction activities consistent with the monitoring phase and frequency set forth in this MMP.

The Construction Monitor shall also prepare documentation of the Applicant's compliance with the project design features and mitigation measures during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be included as part of the Applicant's Compliance Report. The Construction Monitor shall be obligated to report to the Enforcement Agency any non-compliance with mitigation measures and project design features within two businesses days if the Applicant does not correct the non-compliance within a reasonable time of written notification to the Applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

4. Program Modification

The project shall be in substantial conformance with the project design features and mitigation measures contained in this Mitigation Monitoring Program. The enforcing departments or agencies may determine substantial conformance with project design features and mitigation measures in the MMP in their reasonable discretion. If the department or agency cannot find substantial conformance, a project design feature or mitigation measure may be modified or deleted as follows: the enforcing department or agency, or the decision maker for a subsequent discretionary project related approval, complies with CEQA Guidelines, Sections 15162 and 15164, including by preparing an addendum or subsequent environmental clearance to analyze the impacts from the modifications to or deletion of the project design features or mitigation measures. Any addendum or subsequent CEQA clearance shall explain why the project design feature or mitigation measure is no longer needed, not feasible, or the other basis for modifying or deleting the project design feature or mitigation measure. Under this process, the modification or deletion of a project design feature or mitigation measure shall not require a modification to any project

discretionary approval unless the Director of Planning also finds that the change to the project design features or mitigation measures results in a substantial change to the Project or the non-environmental conditions of approval.

5. Project Design Features, Mitigation Measures, and Implementation

Aesthetics

Project Design Features

PDF AES-1: Construction Fencing: During construction of the Project, a construction fence for safety and to screen views to the Project Site shall be installed. The fence shall be located along the north, south, east and west perimeters of the Project Site with a minimum height of 8 feet.

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; Compliance certification report by Project contractor

PDF AES-2: Screening of Utilities and Loading Areas: All utilities associated with the Project shall be screened from public view. All loading areas shall be located interior to the buildings or screened from public view.

Enforcement Agency:	Los Angeles Department of Building and Safety
Monitoring Agency:	Los Angeles Department of Building and Safety
Monitoring Phase:	Construction
Monitoring Frequency:	Once at Project plan check; Once during field inspection
Action Indicating Compliance:	Field inspection sign-off; Compliance certification report by Project contractor

PDF AES-3: Glare: Glass and other building materials used in exterior façades shall be low reflective and/or treated with a non-reflective coating in order to minimize glare. Prior to issuance of a building permit, the Department of Building and Safety shall review the exterior building materials to confirm that they do not exceed the reflectivity of standard building materials permitted by the applicable building codes, and shall not cause significant glare impacts on motorists or nearby residential uses. Glass with coatings required to meet the California Energy Code requirements shall be permitted, consistent with

applicable energy and building code requirements, including Section 140.3 of the California Energy Code as may be amended.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

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

Action Indicating Compliance: Plan approval and issuance of applicable building permit; Issuance of Certificate of Occupancy

PDF AES-4: Light sources associated with Project construction shall be shielded and/or aimed so that no direct beam illumination is provided outside of the Project Site boundary.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Prior to occupancy; Post-occupancy

Monitoring Frequency: Once at Project plan check; Once during field inspection following construction

Action Indicating Compliance: Plan approval and issuance of applicable building permit; Issuance of Certificate of Occupancy

Air Quality

Project Design Features

PDF AQ-1: Green Building Measures: The Project shall be designed and operated to include energy and resource efficient features that exceed regulatory requirements, which shall include the following:

- The Project shall include easily accessible recycling areas dedicated to the collection and storage of non-hazardous materials such as paper, corrugated cardboard, glass, plastics, metals, and landscaping debris (trimmings).
- The Project shall install energy efficient appliances that meet the 2017 ENERGY STAR® rating standards or equivalent for both hotel and restaurant land uses.
- The Project shall include efficient heating, ventilation, and air conditioning (HVAC) systems (2017 ENERGY STAR® rating standards or equivalent).
- The parking structure shall be designed with occupancy-sensor controlled lighting that places lighting fixtures in a low power state in unoccupied zones.
- To encourage carpooling and the use of electric vehicles by Project employees, guests, and visitors, the Project shall designate a minimum of 5 percent of on-site parking for carpool and/or alternative-

fueled vehicles, and the Project design shall provide for the installation of the conduit and panel capacity to accommodate future electric vehicle charging stations into 10 percent of the parking spaces.

Enforcement Agency: Los Angeles Department of City Planning; Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of City Planning; Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction; Operation

Monitoring Frequency: Once at plan check prior to issuance of grading permit; Once within 180 days of receipt of Certificate of Occupancy

Action Indicating Compliance: Plan approval and issuance of applicable building permit

PDF AQ-2: Construction Features: Construction equipment operating at the Project Site will be subject to a number of requirements. These requirements shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. Construction measures shall include the following:

- The Project shall utilize off-road diesel-powered construction equipment that meets or exceeds the CARB and USEPA Tier 4 interim off-road emissions standards for equipment rated at 50 horsepower (hp) or greater during Project construction. All equipment shall be outfitted with Best Available Control Technology (BACT) devices including a CARB certified Level 3 Diesel Particulate Filter or equivalent. A copy of each unit's certified tier specification or model year specification and CARB or SCAQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment.
- Equipment such as tower cranes and welders shall be electric or alternative fueled (i.e., non-diesel). Pole power shall be made available for use with electric tools, equipment, lighting, etc.
- Alternative-fueled generators shall be used when commercial models that have the power supply requirements to meet the construction needs of the Project are readily available from local suppliers/vendors.
- All on-road heavy-duty diesel trucks with a gross vehicle weight rating of 19,500 pounds or greater used at the Project Site shall be engine model year 2012 or later or shall comply with the USEPA 2007 on-road emissions standards.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Continuous field inspections during construction, with quarterly reporting

Action Indicating Compliance: Field inspection sign-off; Compliance certification report by Project contractor

PDF-AQ-3: Control of VOCs: The Project shall utilize low-emitting materials pursuant to the requirements of the California Green Building Standards (CALGreen) Code. Indoor coatings shall be limited to 50 grams per liter of VOCs or less.

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; Compliance certification report by Project contractor

Cultural Resources

Mitigation Measures

MM CULT-1: Prior to the issuance of any grading, excavation, or ground disturbance permit, the applicant shall execute a covenant acknowledging and agreeing to comply with all the terms and conditions established herein which shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Department of City Planning for retention in the administrative record for Case No. ENV 2016-2594-EIR.

a. All initial grading and all excavation activities shall be monitored by a Project archaeologist. The Project archaeologist shall be present full-time during the initial disturbances of matrix with potential to contain cultural deposits and will document activity.

b. The services of an archaeologist, qualified for historic resource evaluation, as defined in CEQA and Office of Historic Preservation (OHP) Guidelines, shall be secured to implement the archaeological monitoring program. The qualified archaeologist shall be listed, or be eligible for listing, in the Register of Professional Archaeologist (RPA). Recommendations may be obtained by contacting the South Central Coastal Information Center (657-278-5395) located at California State University Fullerton.

c. In the event of a discovery, or when requested by the Project archaeologist, the contractor shall divert, direct, or temporarily halt ground disturbing activities in an area in order to evaluate potentially significant archaeological resources.

    i. It shall be the responsibility of the Project archaeologist to: determine the scope and significance of the find; determine the appropriate documentation, preservation, conservation, and/or relocation of the find; and determine when grading/excavation activities may resume in the area of the find.

ii. Determining the significance of the find shall be guided by California Public Resources Code Division 13, Chapter 1, Section 21083.2, subdivision (g) and (h). If the find is determined to be a "unique archaeological resource", then the applicant, in conjunction with the recommendation of the Project archaeologist, shall comply with Section 21083.2, subdivisions (b) though (f).

iii. If at any time the Project Site, or a portion of the Project Site, is determined to be a "historical resource" as defined in California Code of Regulations Chapter 3, Article 1, Section 15064.5, subdivision (a), the Project archaeologist shall prepare and issue a mitigation plan in conformance with Section 15126.4, subdivision (b).

iv. If the Project archaeologist determines that continuation of the Project or Project-related activities will result in an adverse impact on a discovered historic resource which cannot be mitigated, all further activities resulting in the impact shall immediately cease, and the Lead Agency shall be contacted for further evaluation and direction.

v. The applicant shall comply with the recommendations of the Project archaeologist with respect to the documentation, preservation, conservation, and/or relocation of finds.

d. Monitoring activities may cease when:

i. Initial grading and all excavation activities have concluded; or

ii. By written consent of the Project archaeologist agreeing that no further monitoring is necessary. In this case, a signed and dated copy of such agreement shall be submitted to the Dept. of City Planning for retention in the administrative record for Case No. ENV 2016-2594-EIR.

e. At the conclusion of monitoring activities, and only if archaeological materials were encountered, the Project archaeologist shall prepare and submit a report of the findings to the South Central Coastal Information Center.

f. At the conclusion of monitoring activities, the Project archaeologist shall prepare a signed statement indicating the first and last date monitoring activities took place, and submit it to the Dept. of City Planning, for retention in the administrative file for Case No**.** ENV 2016-2594-EIR.

Enforcement Agency:	Los Angeles Department of City Planning; Los Angeles Department of Building and Safety
Monitoring Agency:	Los Angeles Department of City Planning; Los Angeles Department of Building and Safety
Monitoring Phase:	Construction
Monitoring Frequency:	At time of resource discovery, should it occur
Action Indicating Compliance:	Compliance report by qualified archaeologist

MM CULT-2: If any paleontological materials are encountered during the course of Project development, all further development activity shall halt and the following shall be undertaken:

a. The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology-USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum-who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.

b. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.

c. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.

d. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.

e. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, paleontological reports have been submitted, or a statement indicating that no material was discovered.

f. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: At time of resource discovery, should it occur

Action Indicating Compliance: Compliance report by qualified paleontologist

Geology and Soils

Project Design Features

PDF GEO-1: A qualified geotechnical engineer shall be present on the Project Site during excavation, grading, and general Project Site preparation activities to monitor implementation of the recommendations specified in the geotechnical reports.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Present throughout excavation, grading, and Site preparation activities

Action Indicating Compliance: Geotechnical Engineer's Site visit reports as needed

Greenhouse Gas Emissions

Project Design Features

See Project Design Features PDF AQ-1, PDF AQ-2, and PDF TRAF-1.

Hazards and Hazardous Materials

Mitigation Measures

MM-HAZ-1: Prior to the issuance of a grading permit, the construction contractor shall demonstrate that they have retained a qualified environmental professional to prepare and implement a site-specific Health and Safety Plan in accordance with the performance standards and implementation requirements of the federal OSHA regulations (29 CFR 1910.120) and Cal/OSHA regulations (8 CCR Title 8, Section 5192). The Health and Safety Plan shall be submitted to the City for review and approval. The Health and Safety Plan shall include all required measures to protect construction workers and the general public potentially exposed to hazardous materials by including engineering controls, monitoring, and security measures to prevent unauthorized entry to the construction area and to reduce hazards outside of the construction area. If prescribed contaminant exposure levels or the performance standards in the Health and Safety Plan are exceeded, personal protective equipment shall be required for workers, and remedial actions taken, in accordance with state and federal regulations. The plan shall include designated personnel responsible for implementation of the Health and Safety Plan. Submittal of the Health and Safety Plan to the City shall not be construed as approval of the adequacy of the contractor's health and safety professional, the contractor's plan, or any safety measure taken in or near the construction site. The contractor shall be solely and fully responsible for compliance with all laws, rules, and regulations applicable to health and safety during the performance of the construction work.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction

Monitoring Frequency: Once prior to issuance of grading permit; Ongoing with periodic field inspections during construction for Health and Safety Plan implementation

Action Indicating Compliance: Issuance of grading permit; Approval of Health and Safety Plan; Written compliance report by Project contractor

MM-HAZ-2: The construction contractor shall retain and consult a qualified environmental professional if contaminated soil is identified during construction activities. The construction contractor shall comply with and enforce the applicable provisions of the Health and Safety Plan to determine the proper handling, storage, and disposal procedures for any contaminated soils or materials discovered during construction.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction; Construction

Monitoring Frequency: Once prior to issuance of grading permit; Ongoing with periodic field inspections during construction

Action Indicating Compliance: Issuance of grading permit; Written compliance report by Project contractor

Noise

Project Design Features

PDF NOISE-1: Prohibition of Idling: The Project shall not allow delivery truck idling of main engines in the loading area pursuant to applicable City and State standards. Signs shall be posted prohibiting idling.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction; Operation

Monitoring Frequency: Periodic field inspections

Action Indicating Compliance: The General Contractor shall provide orientation training to all subcontractors regarding implementation of this measure; Field inspection sign-off; Compliance certification report submitted by Project contractor

Mitigation Measures

MM-NOISE-1: The Project shall provide a temporary 15-foot-tall construction fence equipped with noise blankets rated to achieve sound level reductions of at least 10 dBA between the Project construction site and the Gilbert Lindsay Plaza (receptor R2) to the west and between the Project construction on-site and residential uses at the Circa project (receptor R5) to the north. Temporary noise barriers shall be used to block the ground level line-of-sight between the construction equipment and the noise sensitive receptors during early Project construction phases (up to the start of framing) when the use of heavy equipment is prevalent.

Enforcement Agency: Los Angeles Department of City Planning; Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of City Planning; Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Periodic field inspections

Action Indicating Compliance: Field inspection sign-off; Compliance certification report submitted by Project contractor

MM-NOISE-2: The Project contractor(s) shall employ state-of-the-art noise minimization strategies when using mechanized construction equipment capable of achieving at least a 2 dBA noise reduction. The contractor(s) shall limit unnecessary idling of equipment on or near the site in compliance with the California Air Resources Board Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling (Title 13 California Code of Regulations, Section 2485). The contractor(s) shall place noisy construction equipment as far from the Project Site edges as practicable taking into consideration closeness to sensitive receptors and the location of the construction activity on the Project Site. The Project contractor(s) shall equip all construction equipment, fixed or mobile, with properly operating and maintained noise mufflers, consistent with manufacturers' standards that achieve at least a 2 dBA reduction in equipment engine noise levels as compared to the same equipment without noise mufflers. Absorptive mufflers capable of achieving at least a 2 dBA noise reduction are considered commercially available and state-of-the-art noise reduction for heavy duty equipment.

Enforcement Agency: Los Angeles Department of City Planning; Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of City Planning; Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Periodic field inspections

Action Indicating Compliance: The General Contractor shall provide orientation training to all subcontractors regarding implementation of this measure; Field inspection sign-off; Compliance certification report submitted by Project contractor

MM-NOISE-3: Heavy equipment, such as use of a large bulldozer (greater than 300 horsepower), and other similarly large vibration-generating equipment shall not be used within 80 feet of the neighboring residential structures. If such proximate construction is required, alternative equipment and methods such as small bulldozers (less than 300 horsepower), shall be used to ensure that vibration effects on adjacent residential uses would result in maximum vibration levels of less than 72 VdB at the Circa project (receptor R5) north of the Project Site.

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

Action Indicating Compliance:	The General Contractor shall provide orientation training to all subcontractors prior to initiation of earthmoving activities regarding implementation of this measure; Field inspection sign-off; Compliance certification report submitted by Project contractor

MM-NOISE-4: Perimeter railing with solid wall panels (glass, metal, masonry or similar) shall be installed along the outer edge of the pool deck areas on the 8th floor landscaped pool deck and the 41st floor rooftop pool deck on the Hotel A/B Tower. The railing shall be a minimum of 42 inches high and have no gaps between each panel or between the panel and floor, unless required by building code, wind load resistance standards, or other applicable standards. In such cases, gaps shall be kept to the minimum necessary to meet applicable code and standards.

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 construction; Once after construction of specified areas
Action Indicating Compliance:	Submittal of design plan indicating compliance; Compliance report provided by contractor

MM-NOISE-5: Prior to operating outdoor amplified music and entertainment speakers on the 8th floor landscaped pool deck of the Hotel A/B Tower, an acoustical design plan shall be submitted to the City, shown to result in a pool deck composite noise level at the south end perimeter rail of no more than 98 dBA Leq and at the north end of the perimeter rail of no more than 65 dBA Leq. The pool deck composite noise level is defined as the sound level resulting from the amplification of recorded or live music combined with simultaneous spoken word (i.e., D.J.) emanating from all speakers in use, and excluding noise from guests and the normal operation of the amenities lounge, food and beverage service. To achieve this performance level, the acoustical design plan may rely on, among other strategies and technologies the following:

- Directional speakers or arrays of smaller speakers shall be used so as to maximize on-site sound levels while minimizing the spread of sound beyond the pool deck perimeter. For example, within the pool area southwest of the amenities lounge, speakers placed around the pool should be directed towards the pool. Speakers located southwest of the pool shall be angled towards the pool or amenities lounge. Sound from all speakers shall be directed below the top of the railing (if necessary, downward tilted at an appropriate angle). All ceiling-mounted speakers shall be oriented directly downward towards the floor.
- Within the outdoor seating areas northeast of the amenities lounge, speakers shall be generally directed towards the interior of the property. Sound from all speakers shall be directed below the top of the railing (if necessary, downward tilted at an appropriate angle). All ceiling-mounted speakers shall be oriented directly downward towards the floor.

- The areas shall be designed with the strategic use of materials with high sound absorption properties within the pool deck area and shall avoid using highly sound-reflective surfaces, to the extent possible, at the amenities lounge.
- The use of amplified speakers for recorded or live music performances shall be limited to up to 2:00 A.M.
- All disc jockeys (DJs) and musicians shall utilize the on-site sound system. The DJs and musicians shall use speakers set at or below pre□approved settings and in predetermined speaker locations and directions.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Operation

Monitoring Frequency: Periodic field inspections prior to events at specified areas

Action Indicating Compliance: Compliance verification (acoustical design plan) submitted by technical noise expert

MM-NOISE-6: Prior to operating outdoor amplified music and entertainment speakers on the 37th floor rooftop deck of the Hotel A/B Tower, an acoustical design plan shall be submitted to the City, shown to result in a rooftop deck composite noise level of no more than 90 dBA Leq at the perimeter rail. The rooftop deck composite noise level is defined as the sound level resulting from the amplification of recorded or live music combined with simultaneous spoken word (i.e., DJ) emanating from all speakers in use, and excluding noise from guests and the normal operation of the amenities lounge, food and beverage service. To achieve this performance level, the acoustical design plan may rely on, among other strategies and technologies the following:

- The use of directional speakers or arrays of smaller speakers so as to maximize on-site sound levels while minimizing the spread of sound beyond the rooftop deck perimeter. For example, speakers placed around the rooftop area should be directed towards the interior of the space. Sound from all speakers shall be directed below the top of the railing (if necessary, downward tilted at an appropriate angle). All ceiling-mounted speakers shall be oriented directly downward towards the floor.
- The area shall be designed with the strategic use of materials with high sound absorption properties within the pool deck area and shall avoid using highly sound-reflective surfaces, to the extent possible, at the bar, restroom, and elevator/stairwell walls.
- The use of amplified speakers for recorded or live music performances shall be limited to up to 2:00 A.M.
- All disc jockeys (DJs) and musicians shall utilize the on-site sound system. The DJs and musicians shall use speakers set at or below pre□approved settings and in predetermined speaker locations and directions.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Operation

Monitoring Frequency: Periodic field inspections prior to events at specified areas

Action Indicating Compliance: Compliance verification (acoustical design plan) submitted by technical noise expert

Fire Protection

Project Design Features

See Project Design Feature PDF TRAF-1.

Police Protection

Project Design Features

PDF POL-1: On-Site Construction Security Measures: During construction, on-site security measures shall include:

- Private security personnel shall monitor vehicle and pedestrian access to the construction areas and the Project Site; and
- Construction fencing with gated and locked entry shall be installed around the perimeter of the construction site

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

Action Indicating Compliance: Field inspection sign-off; Compliance certification report submitted by Project contractor

PDF POL-2: Provision of Project Diagrams to LAPD: Prior to the issuance of a building permit, the Project shall provide the LAPD Central Area Commanding Officer with a diagram of each portion of the Project Site, including access routes, gate access codes, and additional information, as required, to facilitate potential LAPD responses.

Enforcement Agency: Los Angeles Police Department

Monitoring Agency: Los Angeles Police Department

Monitoring Phase: Construction

Monitoring Frequency: Once prior to Certificate of Occupancy

Action Indicating Compliance: Sign-off on Los Angeles Police Department reviewed diagrams; Certificate of Occupancy

PDF POL-3: On-Site Operational Security Measures: The Project shall provide an extensive security program to ensure the safety of hotel guests, employees and other visitors to the Project Site. On-site security measures during Project operation shall include:

- Comprehensive coverage and monitoring of key areas through Close Circuit Television (CCTV) systems;
- Access to non-public areas of the Project shall be restricted by electronically controlled locking and access cards;
- Full time 24-hour security shall be provided, including security in each hotel tower along with roving patrols

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

Monitoring Agency: Los Angeles Department of City Planning, Los Angeles Department of building and Safety

Monitoring Phase: Post-occupancy

Monitoring Frequency: Once at Project plan check; Once during field inspection following construction

Action Indicating Compliance: Plan approval and issuance of applicable building permit; Issuance of Certificate of Occupancy

See Project Design Feature PDF TRAF-1.

Transportation and Traffic

Project Design Features

PDF TRAF-1: Construction Management Plan: A detailed Construction Management Plan shall be submitted to the City's Department of Transportation (LADOT) for review and approval prior to the start of any construction work. The Construction Management Plan shall show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs, and access to abutting properties. The Construction Management Plan shall formalize how construction shall be carried out and identify specific actions that shall be required to reduce effects on the surrounding community. The Construction Management Plan shall be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site, and shall include, but not be limited to, the following mandatory elements:

- Advance, bilingual notification of adjacent property owners and occupants of upcoming construction activities, including durations and daily hours of operation.
- Prohibition of construction worker or equipment parking on adjacent streets.

- Temporary pedestrian, bicycle, and vehicular traffic controls during all construction activities adjacent to Figueroa Street, Flower Street, and Pico Boulevard, to ensure traffic safety on public rights of way. These controls shall include, but not be limited to, flag people trained in pedestrian and bicycle safety at the Project Site's Figueroa Street, Flower Street and Pico Boulevard driveways.
- Temporary traffic control during all construction activities adjacent to public rights-of-way to improve traffic flow on public roadways (e.g., flag men).
- Scheduling of construction activities to reduce the effect on traffic flow on surrounding arterial streets.
- Sequencing construction activity to reduce the amount of construction-related traffic on arterial streets.
- Contain construction activity within the Project Site boundaries.
- Coordination with LADOT to address any overlapping of construction with the MyFigueroa project.
- Coordination with Metro to address any construction near the railroad right of way.
- Safety precautions for pedestrians and bicyclists through alternate routing and protection barriers/fencing that shall be implemented.
- Scheduling of construction-related deliveries and haul trips so as to occur outside the commuter peak hours.

Enforcement Agency:	Los Angeles Department of Transportation
Monitoring Agency:	Los Angeles Department of Transportation
Monitoring Phase:	Pre-construction; Construction
Monitoring Frequency:	Once prior to issuance of Building Permit; Continuous field inspections during construction, with quarterly reporting
Action Indicating Compliance:	Approval of Construction Management Plan from the Los Angeles Department of Transportation prior to issuance of Building Permit; Compliance certification report submitted by Project contractor

Mitigation Measures

MM-TRAF-1 (Transportation Demand Management Program): A Transportation Design Management (TDM) program shall be prepared to reduce the use of single occupant vehicles (SOV) during commute hours by increasing the number of trips by walking, bicycle, carpool, vanpool and transit.

A preliminary TDM program shall be prepared and provided for LADOT review prior to the issuance of the first building permit for this Project and a final TDM program approved by LADOT is required prior to issuance of the first certificate of occupancy for the Project. As recommended by the transportation study, the TDM program shall include, but is not limited to, the following:

- Provide a transportation information center and on-site TDM coordinator to educate employers, employees, hotel guests, and customers of surrounding transportation options
- Promote bicycling and walking through amenity upgrades such as exclusive access points, secured bicycle parking, sidewalk pavement improvements, wayfinding signage, etc. around the Project Site
- Promote and support carpool/vanpool/rideshare use through parking incentives and administrative support
- Incorporate incentives for using alternative travel modes
- Support existing and/or future efforts by LADOT for Mobility Hubs by providing amenities such as bicycle parking, rentals, shared vehicle rentals, transit information, etc. at the Project Site (subject to design feasibility)
- Make a one-time fixed-fee financial contribution of $100,000 to the City's Bicycle Plan Trust Fund to implement bicycle improvements in the general Downtown Los Angeles area of the Project

Enforcement Agency:	Los Angeles Department of Transportation
Monitoring Agency:	Los Angeles Department of Transportation
Monitoring Phase:	Prior to occupancy; Post-occupancy
Monitoring Frequency:	Once prior to issuance of final Certificate of Occupancy
Action Indicating Compliance:	Los Angeles Department of Transportation approval of TDM program; Annual consistency review

MM-TRAF-2 (Transportation Systems Management Improvements): The Project shall contribute up to $30,000 toward Transportation Systems Management (TSM) improvements that would better accommodate intersection operations and increase intersection capacity throughout the study area. LADOT's ATSAC Section has identified the following upgrades as part of the TSM improvements:

- Fiber optic upgrades along South Figueroa Street from Pico Boulevard to Olympic Boulevard for ($20,000)
- Two CCTV camera upgrades at Pico Boulevard and Figueroa St, and LA Live Way and Pico Boulevard ($10,000)

These upgrades would improve the network capacity for real-time video monitoring of intersection, corridor, transit, and pedestrian operations in Downtown Los Angeles by reducing delays experienced by motorists at study intersections.

A final determination on how to implement these CCTV installations will be made by LADOT prior to the issuance of the first building permit. These installations will be implemented either by the Applicant through the B-Permit process of the Bureau of Engineering (BOE), or through payment of a one-time fixed fee of $30,000 to LADOT to fund the cost of the upgrades. If LADOT selects the payment option, then a required payment of $30,000 shall be provided to LADOT, and LADOT shall design and construct the upgrades.

If the installations are implemented by the Applicant through the B-Permit process, then these improvements must be guaranteed prior to the issuance of any building permit and completed prior to the issuance of any certificate of occupancy. Temporary certificates of occupancy may be granted in the events of any delay through no fault of the Applicant, provided that, in each case, the Applicant has demonstrated reasonable efforts and due diligence to the satisfaction of LADOT.

Enforcement Agency:	Los Angeles Department of Transportation
Monitoring Agency:	Los Angeles Department of Transportation; Los Angeles Bureau of Engineering
Monitoring Phase:	Prior to occupancy; Post-occupancy
Monitoring Frequency:	Once prior to issuance of final Certificate of Occupancy
Action Indicating Compliance:	Los Angeles Department of Transportation approval of TSM improvements; Annual consistency review

Water Supply

PDF-WS-1: Water Conservation Features: The Project shall provide the following specific water efficiency features:

- High efficiency waterless hybrid type urinals
- High efficiency water closet with flush volume of 1.1 gallons of water per flush
- ENERGY STAR® certified light commercial clothes washers – water factor of 4.2 or less, with a capacity of 4.5 cubic feet or smaller
- Domestic water heating system located close proximity to point(s) of use
- Cooling tower conductivity controllers or cooling tower pH conductivity controllers
- Water-saving pool filter
- Pool/spa recirculating filtration equipment
- Pool splash troughs around the perimeter that drain back into the pool
- Install a meter on the pool make-up line so water use can be monitored and leaks can be identified and repaired
- Reuse pool backwash water for irrigation
- Leak detection system for swimming pools and spas
- Drip/subsurface irrigation (micro-irrigation)
- Micro-spray
- Proper hydro-zoning/zoned Irrigation (groups plants with similar water requirements together)
- Landscaping contouring to minimize precipitation runoff
- Drought tolerant plants – 70 percent of total landscaping

Enforcement Agency:	Los Angeles Department of City Planning; Los Angeles Department of Building and Safety
Monitoring Agency:	Los Angeles Department of City Planning; Los Angeles Department of Building and Safety
Monitoring Phase:	Construction
Monitoring Frequency:	Once prior to issuance of final Certificate of Occupancy
Action Indicating Compliance:	Issuance of final Certificate of Occupancy

Energy

Project Design Features

See Project Design Features PDF AQ-1, PDF AQ-2, and PDF TRAF-1.

ORDINANCE NO. _____

An Ordinance establishing the Figueroa and Pico Sign District (Sign District) pursuant to the provisions of Section 13.11 of the Los Angeles Municipal Code (Code).

WHEREAS, the Figueroa and Pico Sign District will be located in the Downtown Center, where the General Plan Framework calls for the continuation and expansion of commercial, residential, transportation, entertainment, and visitor-serving functions that distinguish and uniquely identify the Downtown Center;

WHEREAS, the Sign District is located directly across Figueroa Street from the Los Angeles Convention Center, near the Staples Center and LA Live, adjacent to rail transit, and in proximity to several hotels and entertainment venues where unique sign regulations are required to accommodate the convention, entertainment, community, and business character of the properties in and around the District;

WHEREAS, the Sign District is adjacent to the existing Los Angeles Sports and Entertainment District (LASED) Specific Plan, which includes creative and extensive signage rights for properties within the LASED, and development within the LASED has served as a catalyst for investment in the Central City as a key destination for business, entertainment, and cultural activities;

WHEREAS, additional urban infill and redevelopment, including hotels, convention center, multi-family residential, commercial and retail uses, and infrastructure projects on and around Figueroa Street continue to transform the South Park neighborhood into a vibrant area comprised of world-class entertainment venues, creative signage, expanded convention facilities, regional attractions, and residential uses with a distinct demographic and aesthetic identity;

WHEREAS, the Sign District will foster a vibrant urban environment with a unified aesthetic and sense of identity, by setting standards for uniform signage design, providing well-planned placement of signage with consideration for surrounding uses, while also providing functional way-finding and building identification along streets, thereby connecting regional transit, entertainment, and Convention Center areas.

WHEREAS, the District includes the Fig+Pico Conference Center Hotels, which are designed to serve the Los Angeles Convention Center and the hotel needs of the City, and require unique and vibrant signage to be consistent with the adjacent LASED and further evolve the physical and aesthetic identity of the area for residents, visitors, and businesses in the Central City area and to further promote the entertainment character of the District and surrounding areas;

WHEREAS, the permitting of off-site signs and digital displays at the Fig+Pico Conference Center Hotels will directly advance the purposes of improving the aesthetics of the area by carefully regulating the placement and design of such signs; and

WHEREAS, on July 1, 2016 the City Council instructed the Planning Department to initiate a Sign District that creates unique identity between the Los Angeles Convention Center, the Fig+Pico Conference Center Hotels, the South Park community, and the City and private parcels in the area;

NOW, THEREFORE, THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

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FIGURES

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SECTION 1. ESTABLISHMENT OF THE FIGUEROA AND PICO SIGN DISTRICT.

The City Council hereby establishes the Figueroa and Pico Sign District, which shall be applicable to that area of the City shown within the heavy dashed line on Figure 1 – Sign District Map, comprising approximately 4.35 acres, generally located along Figueroa Street, Pico Boulevard, and Flower Street.

SECTION 2. PURPOSES

The Figueroa and Pico Sign District is intended to:

A. Support and enhance the land uses and urban design objectives of the Central City Community Plan and South Park district;

B. Create a unique and recognizable identity through signage elements, to draw visitors to the South Park area to benefit the local economy and reduce lingering blight;

C. Permit a variety of signage elements to allow for creativity and flexibility in design over time;

D. Ensure that new Off-Site signs, Digital Displays, and Supergraphic Signs are responsive to and integrated with the aesthetic character of the structures on which they are located;

E. Protect adjacent residential uses from potential adverse impacts by concentrating signage away from residential areas, and setting standards for signage amounts, size, illumination, and sign motion/animation; and

F. Coordinate the location and display of signs so as to enhance the pedestrian realm, minimize potential traffic hazards, protect public safety, and maintain compatibility with surrounding uses.

SECTION 3. APPLICATION OF SUPPLEMENTAL USE DISTRICT REGULATIONS.

A. This Ordinance regulates signs within the District. The regulations of this Ordinance are in addition to those set forth in the Planning and Zoning provisions of the Los Angeles Municipal Code (Code). These regulations do not convey any rights not otherwise granted under the provisions and procedures contained in the Code or other relevant ordinances, except as specifically provided for in this Ordinance.

B. Wherever this Ordinance contains provisions that establish regulations that are different from, more restrictive than, or more permissive than those contained in the Code or other relevant ordinances, this Ordinance shall prevail.

SECTION 4. DEFINITIONS.

Whenever the following terms are used in this Ordinance, they shall be construed as defined in this Section. Notwithstanding Code Section 13.11, words and phrases not defined here shall be construed as defined in Sections 12.03 and Article 4.4 of the Code.

Can Sign. A wall sign whose text, logos and symbols are placed on the plastic face of an enclosed cabinet.

Captive Balloon Sign. Any object inflated with hot air or lighter-than-air gas that is tethered to the ground or a structure.

Digital Display. A sign face, building face, and/or any building or structural component that displays still images, scrolling images, moving images, or flashing images, including video and animation through the use of grid lights, cathode ray projections, light emitting diode displays, plasma screens, liquid crystal displays, fiber optics, or other electronic media or technology that is either independent of or attached to, integrated into, or projected onto a building or structural component, and that may be changed remotely through electronic means.

Identification Sign. A wall sign that is limited to a company logo, generic type of business, or the name of a business or building.

Integral Large-Scale Architectural Lighting. Large-Scale Architectural Lighting that is attached directly to and made integral with architectural elements on the facade of a building; and contains individual pixels of a digital light source that are embedded into architectural components separated vertically or horizontally from one another, and are of a design that allows outward views from and within the supportive structure. Such a design may include low resolution digital mesh or netting, individual large scale pixels covering a building wall diffused behind translucent material, or horizontal or vertical LED banding integrated into the spandrels or louvers of a building's architecture.

Interior Sign. A sign, having no sign face visible from any public or private right-of-way, that is enclosed by permanent, opaque architectural features on the project site, including building walls, freestanding walls, roofs, or overhangs.

Large-Scale Architectural Lighting. Lighting elements placed on a significant portion of a building's facade to highlight or accentuate vertical, horizontal, or other elements of the structure's architecture.

Monument/Pillar Sign. A freestanding sign, consisting of rectangular sign faces or a sculptural themed shape, which is erected directly upon the existing or artificially created grade and not on any visible poles or posts.

Off-Site Sign. A sign that displays any message directing attention to a business, product, service, profession, commodity, activity, event, person, institution or any other commercial message, which is generally conducted, sold, manufactured, produced, or offered or occurs elsewhere than on the premises where the sign is located. For purposes of the sign regulations in this ordinance, signage located within the Sign District displaying any message for the adjacent City of Los Angeles Convention Center or for Los Angeles County Metropolitan Transportation Authority (Metro) transit information shall not be considered as Off-Site Signs.

On-Site Sign. A sign that is other than an off-site sign.

Projecting Sign. A sign, other than a wall sign, that is attached to a building and projects outward from the building with one or more sign faces approximately perpendicular to the face of the building.

Sandwich Board Signs. A portable sign consisting of two sign faces that connect at the top and extend outward at the bottom of the sign and for which a building permit is required.

Sign, Legally Existing. A sign authorized by all necessary permits.

Supergraphic Sign. A sign, consisting of an image projected onto a wall or printed on vinyl, mesh or other material with or without written text, supported and attached to a wall by an adhesive and/or by using stranded cable and eye-bolts and/or other materials or methods, and which does not comply with the following provisions: *Subsection 8.C. Wall Signs* of this Ordinance and Sections 14.4.10 (Wall Signs), 14.4.16 (Temporary Signs), 14.4.17 (Temporary Signs on Temporary Construction Walls), 14.4.18 (Off-Site Signs), and/or 14.4.20 (Art Murals and Public Art Installations) of the Code.

Wall Sign. Any sign attached to, painted on or erected against the wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the plane of the wall.

Note: Definitions for other signs referenced in this ordinance are provided in the Code: Illuminated Architectural Canopy Sign, Information Sign, Original Art Mural, Pole Sign, Projecting Signs, Public Art Installation, Roof Sign, Sign, Supergraphic Sign, Temporary Sign, Window Sign.

SECTION 5. PROCEDURAL REQUIREMENTS.

A. Building Permits. The Department of Building and Safety (LADBS) shall not issue a permit for a sign, a sign structure, sign illumination, or alteration of an existing sign within the Sign District unless the sign complies with (1) the requirements of this Ordinance as determined by the Director of Planning (Director) and (2) relevant requirements of the Code.

B. Director Sign-Off Required. LADBS may issue a permit for the following types of signs with only a Director sign off on a sign permit application with the Sign District:

1. Identification Signs
2. Monument/Pillar Signs
3. Projecting Signs
4. Wall Signs

The Director shall sign off on the permit application if the sign complies with all of the applicable requirements of this Ordinance and Exhibits and the applicable requirements of the Code. The Director's approval shall also be indicated by stamping the permit plans.

C. Exempt Signs. The following sign types shall be subject to LADBS review and the relevant requirements of the Code, but are exempt from Director's review and do not require a Director's permit sign-off:

1. Information Signs
2. Interior Signs
3. Original Art Murals
4. Public Art Installations
5. Temporary signs
6. Window Signs

D. Project Permit Compliance. LADBS shall not issue a permit for the following signs or lighting unless the Director has issued a Project Permit Compliance approval pursuant to the procedures set forth in Section 11.5.7 of the Code:

1. Digital Displays
2. Integral Large-Scale Architectural Lighting
3. Supergraphic Signs
4. Off-site Signs

E. Request for Deviations from Regulations. The procedures for adjustments, exceptions, amendments and interpretations to this Ordinance shall follow the procedures set forth in Section 11.5.7.E-H of the Los Angeles Municipal Code.

SECTION 6. GENERAL REQUIREMENTS.

A. General Requirements of Code. Unless specified in this Ordinance to the contrary, the general sign requirements set forth in the Code shall apply to this Sign District for permits, plans, design and construction, materials, street address numbers, identification, maintenance, prohibited locations, and sign illumination.

B. Permitted Signs. Except as otherwise prohibited in *Subsection 6.C. Prohibited Signs* below, all signs defined in *Section 8. Standards for Specific Types of Signs* of this Ordinance and all signs otherwise permitted by the Code shall be permitted within the Sign District.

C. Prohibited Signs. The following signs shall be prohibited:

1. Can Sign, or conventional plastic faced box, canister, or cabinet signs (except as permitted in *Subsection 8.C. Wall Signs*)
2. Captive Balloon Sign
3. Digital Displays on Flower Street
4. Illuminated Architectural Canopy Sign
5. Inflatable Device
6. Off-Site Sign (except as permitted in *Subsection 8.D. Supergraphics* and *Subsection 8.E. Digital Displays*)
7. Pole Sign
8. Roof Sign
9. Sandwich Board Sign
10. Any sign not specifically authorized by this Ordinance or by the Code.

D. Interior Signs. Interior Signs may be any sign type, except for prohibited signs listed in *Subsection 6.C. Prohibited Signs*, and shall not be subject to the requirements of this Sign District except for the general brightness limitation set forth in Section 14.4.4 E of the Municipal Code.

E. Illumination. Except for Temporary Signs, which may not be illuminated, all signs within the District may be illuminated by either internal or external means. The illumination regulations set forth in the Code, including but not limited to Section 93.0117, shall apply. Methods of signage illumination may include electric lamps, such as neon tubes; fiber optics; incandescent lamps; LED; LCD; cathode ray tubes exposed directly to view; shielded spot lights and wall wash fixtures. In addition, signage shall be subject to the following regulations:

1. All illuminated signs shall be designed, located or screened so as to minimize to the greatest reasonable extent possible direct light sources onto any exterior wall of a residential unit and

into the window of any commercial building. If signs are to be externally lit, the source of the external illumination shall be shielded from public view.

2. Signage shall not use highly reflective materials such as mirrored glass.

3. All light sources, including illuminated signage, shall comply with CALGreen (Part 11 of Title 24, California Code of Regulations).

4. Each Digital Display shall be fully dimmable, and shall be controlled by a programmable timer so that luminance levels may be adjusted according to the time of day.

5. Light trespass shall not exceed 3 foot-candles, as measured at any adjacent residential use.

F. Sign Illumination Plan. Additionally, the applicant shall submit a signage illumination plan to the Director as part of the Project Permit Review procedure for Digital Displays set forth in Subection 5.D above. The signage illumination plan shall be prepared by a lighting design expert, and those portions of the plan setting forth the wattage draw must be certified and stamped by an electrical engineer certified by the State of California. The plan shall include specifications for all illumination, including maximum luminance levels, and shall provide for the review and monitoring of the displays in order to ensure compliance with the regulations of this section, and with the following additional regulations:

1. **Brightness.** Digital Displays shall have a nighttime brightness no greater than 300 candelas per square meter and a daytime brightness no greater than 5,000 candelas per square meter. The displays shall transition smoothly at a consistent rate from the permitted daytime brightness to the permitted nighttime brightness levels, beginning 45 minutes prior to sunset and concluding 45 minutes after sunset.

2. **Beam Spread.** All light emitting diodes used within a Digital Display shall have a maximum horizontal beam spread of 140 degrees and maximum vertical beam spread of 65 degrees.

3. **Ground Spillage.** When measured at ground level from any location other than the property on which a Digital Display is located, a Digital Display shall not under any circumstance increase the total amount of measurable light more than 2 LUX above the ambient-light level that exists when the Digital Display is extinguished.

4. **Interior Spillage.** When measured from any location within a building on which a Digital Display is located, the Digital Display shall not increase the total amount of measurable light more than 1 LUX above the ambient-light level that exists when the Digital Display is extinguished.

G. Illumination Testing Protocol for Digital Displays. Prior to the operation of any Digital Display, the applicant shall conduct testing to indicate compliance with the illumination regulations of this Ordinance, and provide a copy of the results along with a certification from an LADBS approved testing agency to the Director and to LADBS stating that the testing results demonstrate compliance with the requirements of this Ordinance. The testing shall be at the applicant's expense and shall be conducted as follows:

1. **Testing.** In order to determine whether the illumination complies with the Code and the requirements of this Ordinance, a representative testing site shall be established on or next to those light sensitive receptors, as defined by the City's CEQA Guidelines, which have the greatest exposure to signage lighting on each of the four facades of the Project. A light meter mounted to a tripod at eye level, facing the Project buildings, shall be calibrated and measurements taken to determine ambient light levels with the sign on. An opaque object shall be used to block out the view of the sign and the building from the light meter at a distance of at least four (4) feet away from the tripod. A reading shall then be taken to determine the ambient light levels with the sign off. The difference between the two measurements shall be the amount of light the sign casts onto the sensitive receptor. Alternatively, the applicant may measure light levels by using the same tripod and same light meter, but by turning the signage on and off.

2. **Metering.** The illumination and intensity levels of all Digital Displays shall also be metered from a minimum of four perspectives (i.e., a perspective metering each facade) using the Candela as unit of measurement, and shall indicate conformance with the standards of this Ordinance.

3. **Re-testing.** In addition, if, as a result of a complaint or otherwise, LADBS has cause to believe the Project's signage lighting is not in compliance with this Ordinance, LADBS may request, at the expense of the applicant or its successor, that the testing protocol outlined in this section be implemented to determine compliance. If the testing reveals that the signage is not in compliance with the Code, this Ordinance, or Mitigation Measures set both in the Environmental Clearance that the City certified for this Ordinance, the applicant or its successor shall adjust the signage illumination to bring it into compliance immediately.

H. Refresh Rate. The Refresh Rate is the rate at which a Digital Display may change content. The Refresh Rates shall be as follows:

1. **Controlled Refresh Rate 1.** The Controlled Refresh Rate shall be no more frequent than one refresh event every eight seconds with an instant transition between images. The sign image must remain static between refreshes.

2. **Controlled Refresh Rate 2.** The Controlled Refresh Rate shall be no more frequent than one refresh event every one minute with an instant transition between images. The sign image must remain static between refreshes.

I. Visual Maintenance. All signs shall be maintained to meet the following criteria at all times:

1. The building and ground area around the signs shall be properly maintained. All unused mounting structures, hardware, and wall perforation from any abandoned sign shall be removed and building surfaces shall be restored to their original condition.

2. All signage copy shall be properly maintained and kept free from damage and other unsightly conditions, including graffiti.

3. All sign structures shall be kept in good repair and maintained in a safe and sound condition and in conformance with all applicable codes.

4. Razor wire, barbed wire, concertina wire, or other barriers preventing unauthorized access to any sign, if any, shall be hidden from public view.

5. The signage copy must be repaired or replaced immediately upon tearing, ripping, or peeling, or when marred or damaged by graffiti.

6. No access platform, ladder, or other service appurtenance, visible from the sidewalk, street, or public right-of-way, shall be installed or attached to any sign structure.

7. Existing signs that are no longer serving the current tenants, including support structures, shall be removed and the building façades originally covered by the signs shall be repaired/resurfaced with materials and colors that are compatible with the facades.

8. Multiple temporary signs in the store windows and along the building walls of a façade are not permitted.

J. Hazard Review. Signs that adhere to the regulations outlined in this Ordinance shall be exempted from further Hazard Determination review procedures in Code Section 14.4.5. All signs shall continue to be subject to Caltrans approval, where applicable.

K. Freeway Exposure. Signs that adhere to the regulations outlined in this Ordinance shall be exempted from the Freeway Exposure regulations in Code Section 14.4.6. All signs shall continue to be subject to Caltrans approval, where applicable.

L. Existing Signs. Every existing sign and/or sign support structure constructed under a valid permit and used in conformance with the Code regulations and LADBS approvals in effect at the time of construction shall be allowed to continue to exist under those regulations and approvals even though subsequent adopted regulations and approvals have changed the requirements. All existing non-conforming signs shall be included in computing total sign area. There shall be no increase in sign area or height and no change in the location or orientation of any existing non-conforming sign. Before the issuance of a building permit for a new sign on a lot, LADBS shall verify that there are no open sign enforcement actions on the lot.

M. Alterations, Repairs or Rehabilitation. Any alteration, repair or maintenance work on a legally permitted sign or sign structure shall be governed by the Code.

N. Materials. The materials, construction, application, location and installation of any sign shall be in conformance with the Los Angeles Building Code and the Los Angeles Fire Code.

O. New Technologies. The Director may permit the use of any technology or material which did not exist as of the effective date of this Ordinance, utilizing the Director's Interpretation procedure outlined in Code Section 11.5.7.H, if the Director finds that such technology or material is consistent with the regulations described herein.

SECTION 7. SUBAREAS AND VERTICAL SIGN ZONES.

A. Sign District Subareas. The Sign District is divided into four subareas, as shown in ***Figure 1***. The purpose of the subareas is to address the relationship between sign intensity and the uses surrounding each subarea, with more permissive signage allowed along the Figueroa Street and Pico Boulevard commercial corridors (Subareas A and B), and greater restrictions for the subareas zoned for residential purposes (Subareas C and D).

Figure 1. Sign District Subareas.

Subarea A. Subarea A encompasses parcels with frontage on the east side of Figueroa Street, north side Pico Boulevard, and west side of Flower Street. Signs in Subarea A shall be in constantial conformance with Exhibit 1, except as may be modified to comply with the provisions of this Ordinance.

Subarea B. Subarea B encompasses parcels with frontage on the east side of Figueroa Street, south side Pico Boulevard, and west side of Flower Street.

Subarea C. Subarea C encompasses parcels with frontage on the north side Pico Boulevard and east side of Flower Street, directly adjacent to the Metro Pico Station.

Subarea D. Subarea D encompasses parcels with frontage on the south side Pico Boulevard and east side of Flower Street.

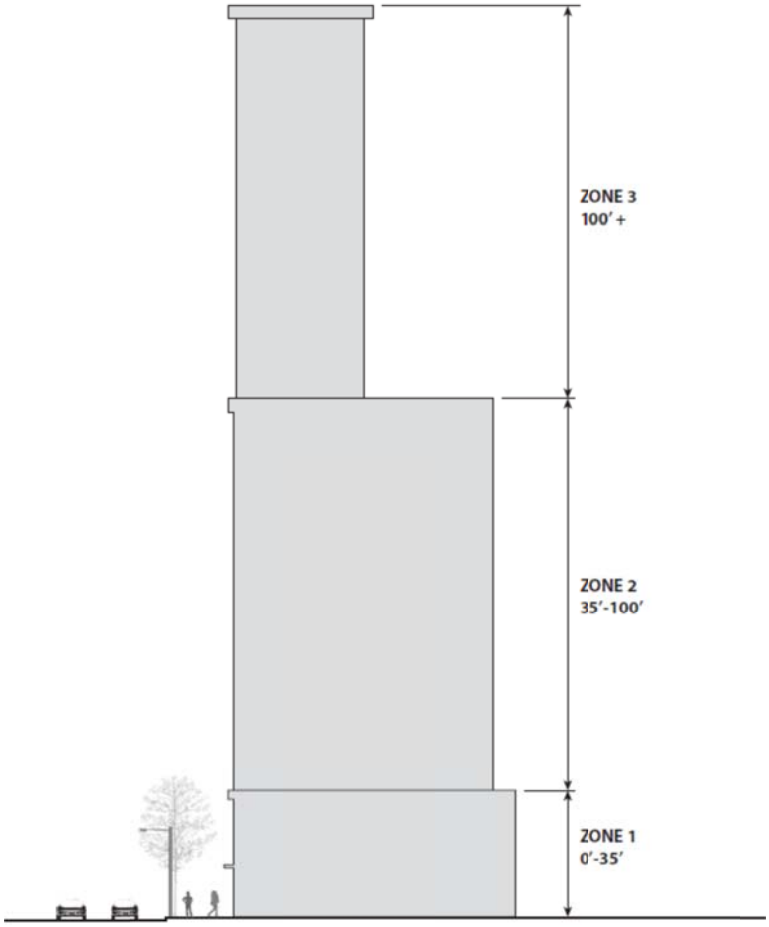
B. Vertical Sign Zones. All Sign District Subareas are divided into three Vertical Sign Zones (VSZ), as shown in ***Figure 2***. The purpose of the Vertical Sign Zones is to address different sign viewing distances, including pedestrian views from street level, pedestrian views from a distance, and views from vehicles.

Zone 1: This zone is applicable to all signs located at street level, defined as 0 feet – 35 feet above grade.

Zone 2: This zone is applicable to all signs located at the podium or mid-level of multi-story buildings, defined as 35 feet – 100 feet above grade.

Zone 3: This zone is applicable to all signs located at the upper levels of mid- to high-rise buildings, defined as 100 feet or more above grade.

Figure 2. Vertical Sign Zones.



C. Signs Within More Than One Subarea or Vertical Sign Zone. Signs may be located in more than one Subarea or Vertical Sign Zone, provided that the requirements contained in this Ordinance are met for each portion of the sign contained each of the Subareas or Vertical Sign Zones. In no event shall the total sign area of an individual sign exceed the maximum permitted area in the most restrictive Subarea or Vertical Sign Zone in which the sign is located.

D. Permitted Sign Types by Location. The location of signage is subject to standards identified in *Section 8. Standards for Specific Types of Signs* of this Ordinance and Code Section 14.4.4.C (Prohibited Locations). In addition, sign types identified in this Ordinance shall be permitted in the following vertical sign zones identified for each subarea, as exhibited in the following table:

	SUBAREAS / VERTICAL SIGN ZONES			
SIGN TYPES	**Subarea A**	**Subarea B**	**Subarea C**	**Subarea D**
Monument/Pillar Signs	1	1	1	1
Projecting Signs	1,2	1,2	1,2	1,2
Wall Signs (*only Identification Signs allowed in Zone 3)	1,3*	1,3*	1,3*	1,3*
Supergraphic Signs	2	Prohibited	Prohibited	Prohibited
Digital Displays	2	Prohibited	Prohibited	Prohibited
Integral Large-Scale Architectural Lighting	1,2,3	1,2,3	1,2,3	1,2,3

No sign shall be placed over the exterior surface of any opening of a building, including its windows, doors, and vents, unless the Los Angeles Fire Department ("LAFD") determines that the sign would not create a hazardous condition.

SECTION 8. STANDARDS FOR SPECIFIC TYPES OF SIGNS.

A. Monument/Pillar Signs.

1. **Sign Area.** The sign area of Monument/Pillar Signs shall not exceed 1.5 square feet per foot of street frontage. Each individual Monument/Pillar Sign shall not exceed a maximum of 75 square feet for the sign face visible to the same direction of traffic. Monument/Pillar Signs may be incorporated with landscape walls and other architectural elements. The individual sign area of a Monument Sign is measured based on the area containing signage, and does not include any adjacent or attached landscape or architectural elements.

2. **Height.** Monument/Pillar Signs shall be limited to a maximum overall height of 10 feet.

3. **Location.** Monument/Pillar Signs shall be located a minimum of 7.5 feet from any interior lot line and a minimum of 15 feet from any other Monument/Pillar Sign or Projecting Sign. The location of the sign shall not interfere with or present a hazard to pedestrian or vehicular traffic.

4. **Design.** Monument/Pillar Signs may be double sided.

B. Projecting Signs.

1. **Sign Area.** The sign area of Projecting Signs shall not exceed 1.5 square feet per foot of street frontage. Each individual sign shall be limited to a maximum sign area of 300 square feet for one face and 600 feet for all faces combined.

2. **Height.** A Projecting Sign shall not be located lower than 8 feet above finished grade directly below the sign face or structure and shall not extend above the top of the wall.

3. **Location.** Projecting Signs shall be located a minimum of 7.5 feet from any interior lot line and a minimum of 3 feet from any other sign. The plane of the sign face of a Projecting Sign shall be within 15 degrees of being perpendicular to the face of the building, except at the corner of the building.

4. **Design.**

    a. A Projecting Sign shall align with major building elements such as cornices, string courses, window banding, or vertical changes in material or texture. Projecting Signs may be double-sided.

    b. The width of the sign face of a Projecting Sign that is perpendicular to the building shall not exceed four feet. This measurement shall not include the dimensions of the sign's supporting structure.

    c. No portion of the Projecting Sign that is parallel to the face of the building shall exceed two feet in width.

    d. No portion of the Projecting Sign that is parallel to the face of the building shall contain any text, message, or logo.

C. Wall Signs. Wall Signs do not include Supergraphic Signs or Digital Displays.

1. **Sign Area.**

    a. ***Vertical Sign Zone 1***: The sign area of Wall Signs shall not exceed 2 square feet per foot of street frontage. Each individual Wall Sign shall not exceed 150 square feet in area.

    b. ***Vertical Sign Zone 2***: No Wall Signs are permitted.

    c. ***Vertical Sign Zone 3:*** Wall Signs located in Sign Zone 3 shall be Identification Signs only. Identification signs shall comprise no more than 80 percent of the width of that portion of the building where the signs are attached. Individual Identification Signs shall be limited to a maximum sign area of 800 square feet.

2. **Height.** Wall Signs shall not extend above the top of the wall of the building.

3. **Location.**

    a. ***Vertical Sign Zone 3***: Each building is permitted one Identification Sign per building elevation. Identification Signs shall be located on a wall and shall not be located on a

roof, including a sloping roof, and shall not obscure views out from the interior of the building.

4**. Design.**

a. ***Vertical Sign Zone 1:*** Wall signs may include one separate custom-shaped Can Sign component for tenant logos, which shall not exceed 30% of the allowable wall sign area per tenant. The component shall not be separately counted against the total maximum number of wall signs for each tenant.

b. ***Vertical Sign Zone 3:*** Identification Signs are encouraged to meet the following guidelines:

i. The use of symbols or logos, rather than names or words, is encouraged.

ii. Identification Signs should be integrated into the architectural design of the building.

iii. Identification Signs should be designed to be easily changed over time, in order to accommodate new tenants.

iv. Identification signs should be designed to preserve outward views

v. Nighttime lighting of Identification Signs, as well as of distinctive building tops, is encouraged and the two should be integrated. Lighting of Identification Signs should include backlighting that creates a "halo" around the Skylight Sign. Backlighting may be combined with other types of lighting.

vi. Identification signs should be designed so as to present internally consistent and internally proportionate sign copy and shall utilize lettering size and styles which are generally uniform, in order that all words or names within the sign are not of a significantly different scale than the rest of the sign copy.

D. Supergraphic Signs.

1. **Sign Area.** The total combined area of Supergraphic Signs in the District shall not exceed 12,200 square feet in area. An individual Supergraphic Sign shall be at least 800 square feet in area, and shall not exceed 4,600 square feet in area. The written message, including logos, shall not exceed 25% of the total area of the sign. Depiction of any logo or text shall be counted as text.

2. **Height.** Supergraphic Signs shall not extend above the top of the wall of a building.

3. **Location.** Supergraphic Signs are prohibited outside of Subarea A and Vertical Sign Zone 2. A maximum of four (4) Supergraphic Signs shall be permitted in Subarea A.

4. **Design.** A Supergraphic Sign that is comprised of vinyl or other material may be attached to a wall with an adhesive approved by the Fire Department or by mechanical means approved by LADBS. The exposed face of a Supergraphic Sign shall be approximately parallel to the plane of the wall upon which it is located.

5. **Building Occupancy.** Supergraphics shall not be installed until such time as a Certificate of Occupancy has been issued for the building on which it is placed. Supergraphics shall not be permitted prior to the development of a minimum of 500,000 square feet of floor area within Subarea A.

6. **Off-Site Signs.** No building permit shall be issued for any Supergraphic Sign displaying off-site content prior to approval of a sign reduction plan and Project Permit Compliance Review, pursuant to the terms and sign reduction ratios of *Section 9, Sign Reduction*.

E. Digital Displays.

1. **Sign Area.** The total combined area of Digital Displays in the District shall not exceed 15,100 square feet in area. An individual Digital Display shall not exceed 10,750 square feet in area. No building permit shall be issued for a new Digital Display prior to approval of a sign reduction plan and Project Permit Compliance Review, pursuant to the terms of *Section 9, Sign Reduction*.

2. **Height.** Digital Displays shall not extend above the top of the wall of a building.

3. **Location.** Digital Displays are prohibited outside of Subarea A and Vertical Sign Zone 2. A maximum of three (3) Digital Displays shall be permitted in Subarea A, and shall be limited to the following locations: along Figueroa Street and along Pico Boulevard west of the mid-block alley between Figueroa Street and Flower Street. No Digital Displays are permitted along Flower Street, unless the Digital Display is exclusively utilized to provide public transit-related information for Metro, DASH, or other public transit agencies.

4. **Design.** Digital Displays shall use grid lights, cathode ray projections, light emitting diode displays, plasma screens, liquid crystal displays, fiber optics, or other electronic media or technology to be developed.

5. **Illumination.** Digital Displays shall be subject to the illumination standards under *Section 6. Standard Regulations* of this Ordinance.

6. **Refresh Rates**

   a. Digital Displays along Figueroa Street shall be subject to the Controlled Refresh Rate 1.

   b. Digital Displays along Pico Boulevard shall be subject to the Controlled Refresh Rate 2.

   c. All Digital Displays shall be non-operational between the hours of midnight and 7:00 a.m.

7. **Building Occupancy.** Digital Displays shall not be operational until such time as a Certificate of Occupancy has been issued for the building on which it is placed. Digital Displays shall not be permitted prior to the development of a minimum of 500,000 square feet of floor area within Subarea A.

8. **Off-Site Signs.** No building permit shall be issued for any Digital Display displaying off-site content prior to approval of a sign reduction plan and Project Permit Compliance Review, pursuant to the terms and sign reduction ratios of *Section 9, Sign Reduction*.

F. Integral Large-Scale Architectural Lighting.

1. **Sign Area.** Integral Large-Scale Architectural Lighting be exempt from sign area. Large-Scale Architectural Lighting that acts to extend a sign image background over a larger architectural area shall be included in the calculation of sign area.

2. **Height.** Integral Large-Scale Architectural Lighting is permitted in all Vertical Sign Zones.

3. **Location.** Integral Large-Scale Architectural Lighting is permitted in all Subareas.

4. **Design.** Integral Large-Scale Architectural Lighting shall contain no text, logos, messages, or images of any kind, and shall serve only to highlight or accentuate vertical, horizontal, or other elements of the structure.

5. **Illumination.** Integral Large-Scale Architectural Lighting may be multi-hued and may gently change hues in a slow, deliberate manner with a slow, drawn-out constant intensity, and may mark special seasons, weather, or events with unique color arrangements. At no time shall Integral Large-Scale Architectural Lighting flash, blink, scroll, move, or stream. Integral Large-Scale Architectural Lighting shall change hue no more than once every ten minutes with no change in intensity and be considered a non-animated lighting element. The Director of Planning shall place limits on illumination intensity and retain the right to impose additional conditions.

SECTION 9. SIGN REDUCTION.

Sign reduction is required for all signs displaying off-site advertising content. An applicant shall seek approval of a sign reduction plan by filing an application with the Director pursuant to Section 11.5.7 of the Code. The application shall demonstrate compliance with the following requirements:

A. Removal of Off-Site Signage. A property owner in this district shall be permitted to install Off-Site Signs only if the property owner demonstrates the removal of existing, legally permitted Off-Site Signs, including nonconforming Off-Site Signs, in existence as of the effective date of the ordinance establishing the Sign District, that are removed from any other property located within the sign impact area (the Central City, Westlake, South East Los Angeles, and South Los Angeles Community Plan areas), based upon the following sign reduction ratios:

1. **Supergraphic:** Each square foot of sign area of a new Supergraphic shall be offset by a reduction of a minimum of one (1) square foot of Off-Site Sign area.

2. **Digital Displays:** Each square foot of sign area of a new Digital Display shall be offset by a reduction of a minimum of two (2) square feet of Off-Site Sign area.

B. Proof of Legal Status, Removal Rights and Indemnification. Sign reduction credits shall not be awarded unless the applicant submits the following with the application form:

1. **Valid Building Permit.** A valid building permit demonstrating that the sign to be removed constitutes a legal use.

2. **Property Owner's Statement.** A written statement from the owner of the property from which the sign(s) will be removed attesting that the owner has the legal right to remove the sign at issue and agrees that if sign credits are issued, then once removed the sign(s) at

issue may not be reinstalled. This written statement must be signed under penalty of perjury and notarized.

3. **Indemnification.** An executed agreement from the applicant promising to defend and indemnify the City against any and all legal challenges filed by a third party relating to the removal of the sign(s).

C. Proof of sign removal. The applicant shall submit a final demolition permit and photographic evidence that the signs in question have been removed prior to the issuance of any new building permit for an Off-Site Sign.

D. Transfer of rights. Sign credits awarded pursuant to this section shall not be used to install signs on any property outside of this District, or in violation of the requirements of this Ordinance. Under no circumstances shall the removal of one sign result in the issuance of more than one credit.

SECTION 10. SEVERABILITY.

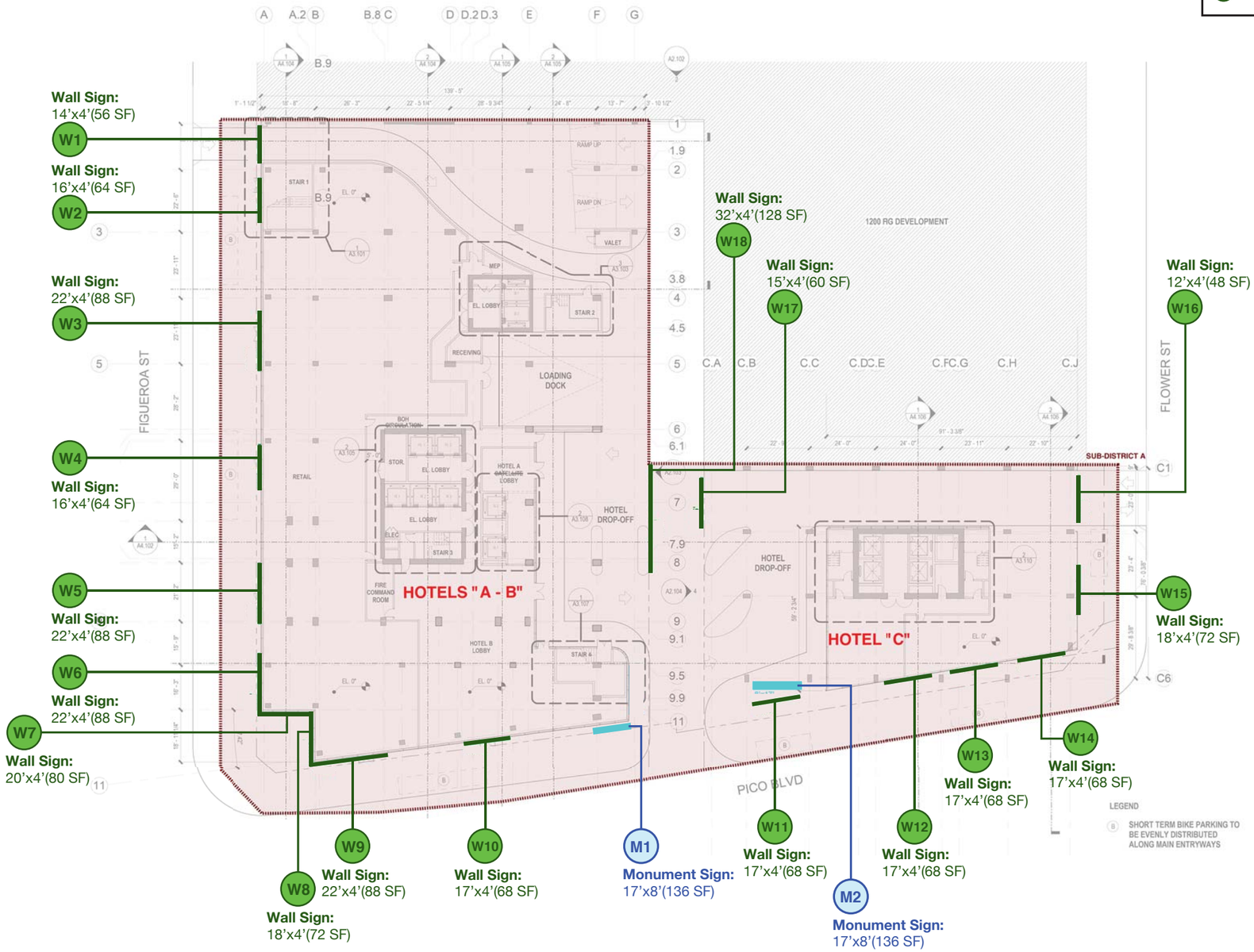
If any provision of this Ordinance or its application to any person or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the invalidity shall not affect other provisions, clauses or applications of said ordinance which can be implemented without the invalid provision, clause or application, and to this end the provisions and clauses of this Ordinance are declared to be severable.

SHEET NOTES

- (I) IDENTIFICATION SIGN
- (P) PROJECTING SIGN
- (M) MONUMENT SIGN
- (D) DIGITAL DISPLAY
- (S) SUPERGRAPHIC
- (W) WALL SIGN

LIGHTSTONE DTLA LLC

1248-1260 S. FIGUEROA ST. &
601 W. PICO BLVD.
LOS ANGELES, CA 90051



1 OVERALL PLAN - LEVEL 01
SCALE: 1/16" = 1'-0"

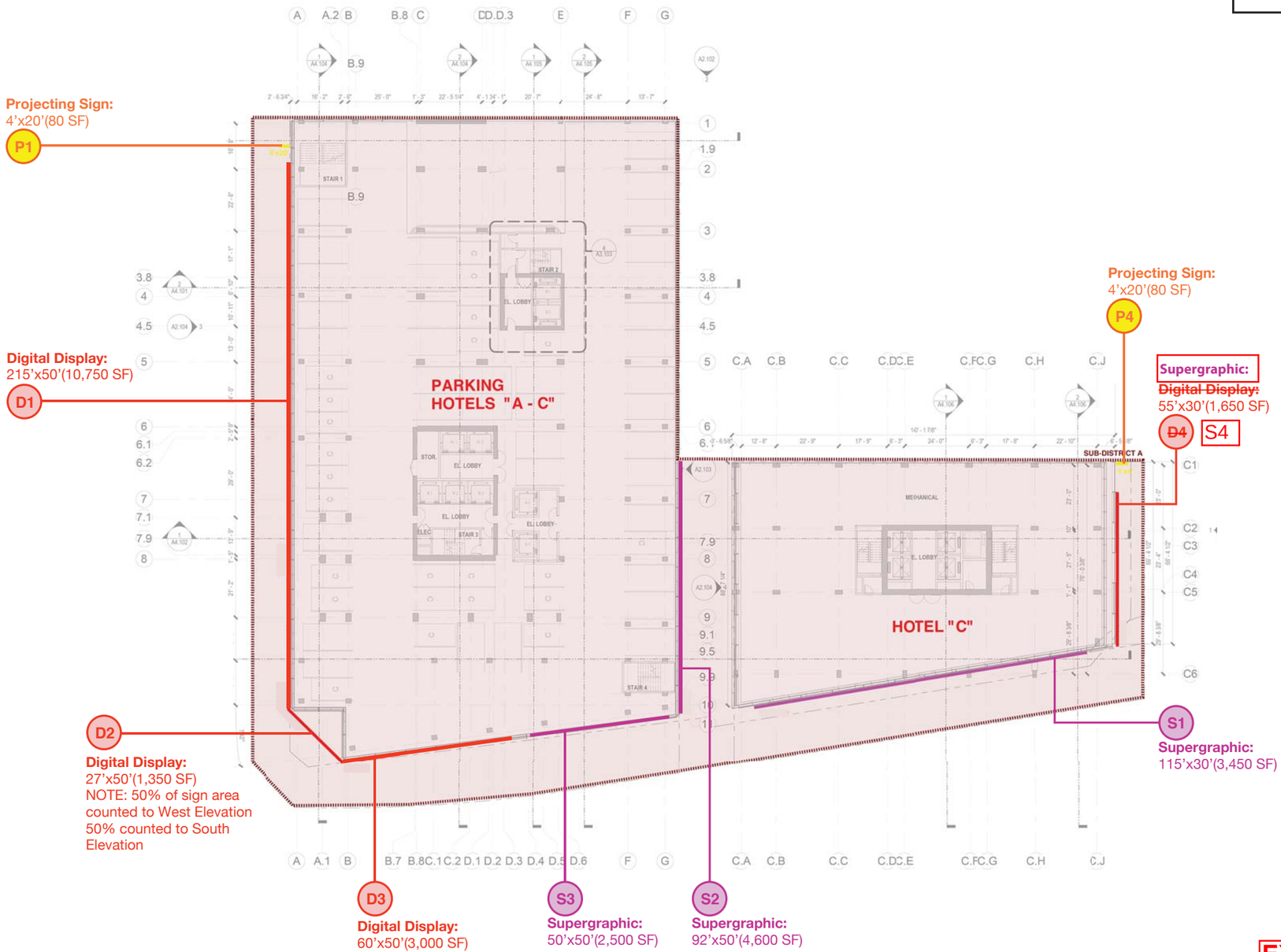
EXHIBIT C: Sign Ordinance
CPC-2016-4220-SN March 8, 2018
Exhibit 1: Subarea Sign Plans

SHEET NOTES

- (I) IDENTIFICATION SIGN
- (P) PROJECTING SIGN
- (M) MONUMENT SIGN
- (D) DIGITAL DISPLAY
- (S) SUPERGRAPHIC
- (W) WALL SIGN

LIGHTSTONE DTLA LLC

1248-1260 S. FIGUEROA ST. &
601 W. PICO BLVD.
LOS ANGELES, CA 90051



1 OVERALL PLAN - LEVEL 03 (TYPICAL PARKING LEVEL)
SCALE: 1/16" = 1'-0"

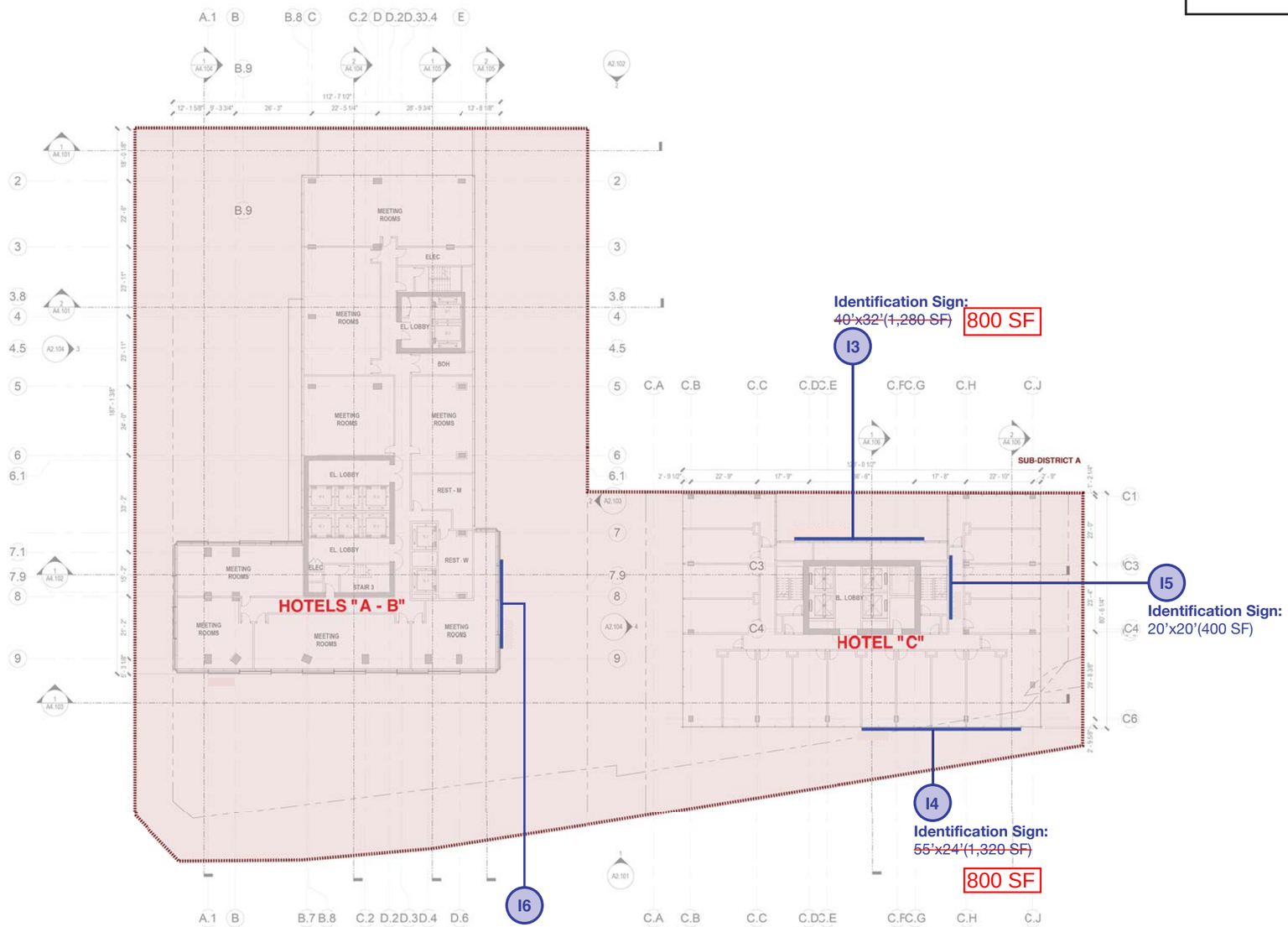
EXHIBIT C: Sign Ordinance
CPC-2016-4220-SN March 8, 2018
Exhibit 1: Subarea Sign Plans

SHEET NOTES

- (I) IDENTIFICATION SIGN
- (P) PROJECTING SIGN
- (M) MONUMENT SIGN
- (D) DIGITAL DISPLAY
- (S) SUPERGRAPHIC
- (W) WALL SIGN

LIGHTSTONE DTLA LLC

1248-1260 S. FIGUEROA ST. & 601 W. PICO BLVD. LOS ANGELES, CA 90051



1 OVERALL PLAN - LEVEL 10 - MEETING ROOMS
SCALE: 1/16" = 1'-0"

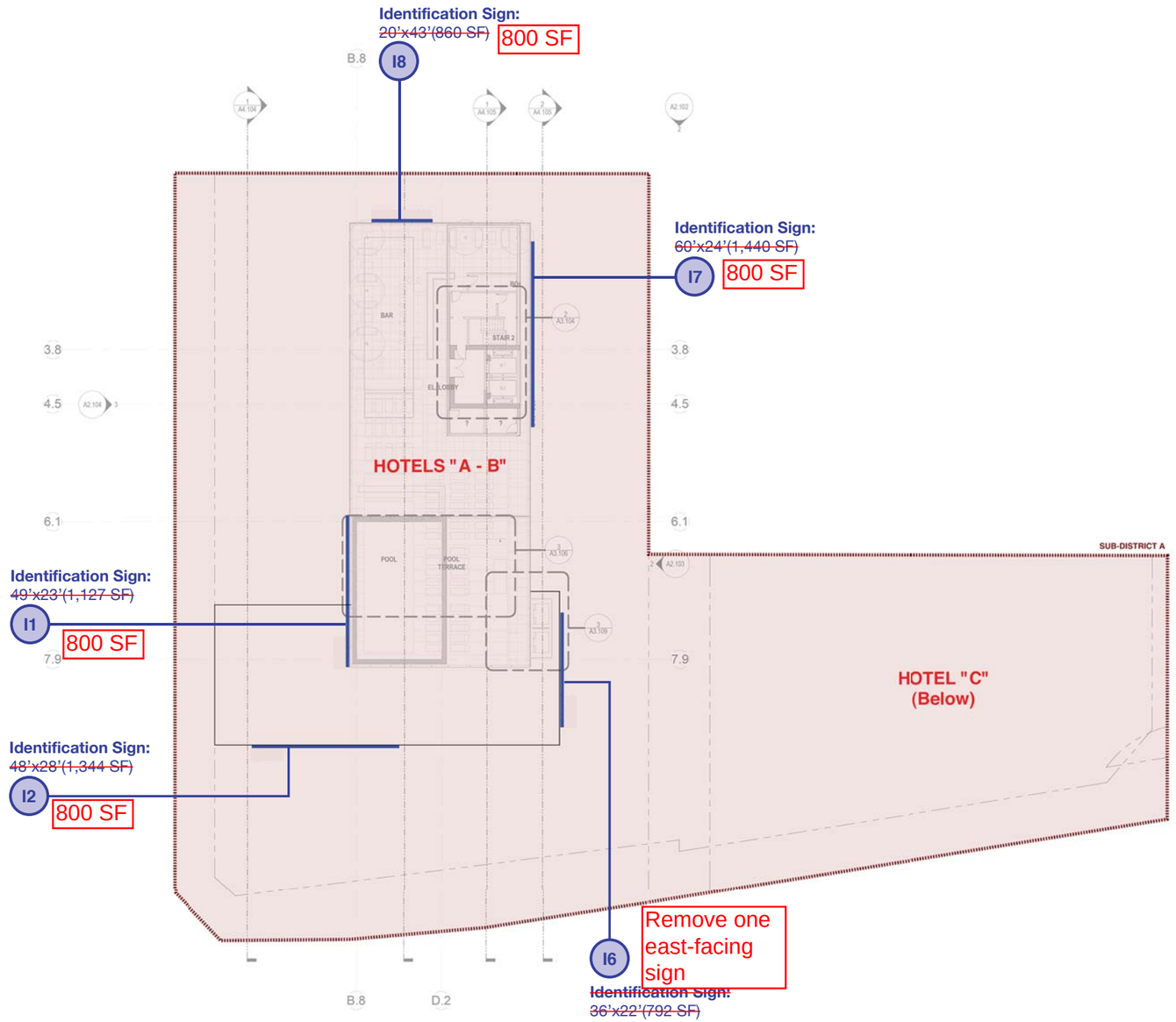
EXHIBIT C: Sign Ordinance
CPC-2016-4220-SN March 8, 2018
Exhibit 1: Subarea Sign Plans

SHEET NOTES

- (I) IDENTIFICATION SIGN
- (P) PROJECTING SIGN
- (M) MONUMENT SIGN
- (D) DIGITAL DISPLAY
- (S) SUPERGRAPHIC
- (W) WALL SIGN

LIGHTSTONE DTLA LLC

1248-1260 S. FIGUEROA ST. &
601 W. PICO BLVD.
LOS ANGELES, CA 90051



1 OVERALL PLAN - LEVEL 37 - POOL DECK
SCALE: 1/16" = 1'-0"

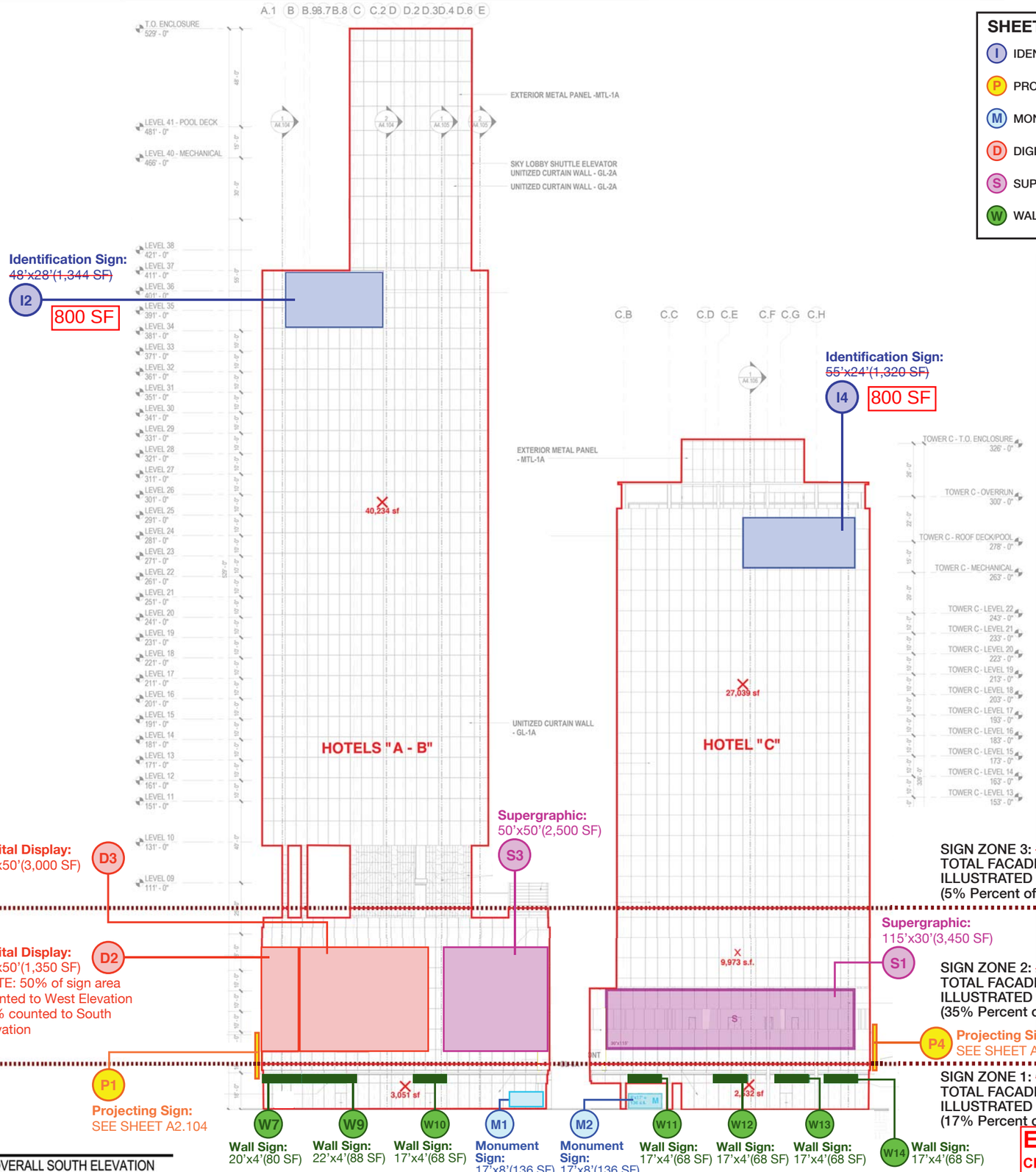
EXHIBIT C: Sign Ordinance
CPC-2016-4220-SN March 8, 2018
Exhibit 1: Subarea Sign Plans

SHEET NOTES

- (I) IDENTIFICATION SIGN
- (P) PROJECTING SIGN
- (M) MONUMENT SIGN
- (D) DIGITAL DISPLAY
- (S) SUPERGRAPHIC
- (W) WALL SIGN

LIGHTSTONE DTLA LLC

1248-1260 S. FIGUEROA ST. & 601 W. PICO BLVD. LOS ANGELES, CA 90051



Identification Sign:
~~48'x28'(1,344 SF)~~
(I2) 800 SF

Identification Sign:
~~55'x24'(1,320 SF)~~
(I4) 800 SF

Supergraphic:
50'x50'(2,500 SF)
(S3)

Digital Display:
60'x50'(3,000 SF)
(D3)

Digital Display:
27'x50'(1,350 SF)
NOTE: 50% of sign area counted to West Elevation 50% counted to South Elevation
(D2)

Supergraphic:
115'x30'(3,450 SF)
(S1)

Projecting Sign:
SEE SHEET A2.104
(P1)

Projecting Sign:
SEE SHEET A2.103
(P4)

SIGN ZONE 3: ~~150' ROOF~~ 100' - ROOF
TOTAL FACADE AREA: 40,234 SF
ILLUSTRATED SIGN AREA: 1,344 SF
(4% Percent of facade area)

SIGN ZONE 2: ~~28' 150'~~ 35' - 100'
TOTAL FACADE AREA: 10,494 SF
ILLUSTRATED SIGN AREA: 6,175 SF
(59% Percent of facade area)

SIGN ZONE 1: ~~0' 28'~~ 0' - 35'
TOTAL FACADE AREA: 3,051 SF
ILLUSTRATED SIGN AREA: 372 SF
(12% Percent of facade area)

SIGN ZONE 3: ~~150' ROOF~~ 100' - ROOF
TOTAL FACADE AREA: 27,039 SF
ILLUSTRATED SIGN AREA: 1,320 SF
(5% Percent of facade area)

SIGN ZONE 2: ~~28' 150'~~ 35' - 100'
TOTAL FACADE AREA: 9,973 SF
ILLUSTRATED SIGN AREA: 3,450 SF
(35% Percent of facade area)

SIGN ZONE 1: ~~0' 28'~~ 0' - 35'
TOTAL FACADE AREA: 2,532 SF
ILLUSTRATED SIGN AREA: 408 SF
(17% Percent of facade area)

Wall Sign: 20'x4'(80 SF) (W7)
Wall Sign: 22'x4'(88 SF) (W9)
Wall Sign: 17'x4'(68 SF) (W10)
Monument Sign: 17'x8'(136 SF) (M1)
Monument Sign: 17'x8'(136 SF) (M2)
Wall Sign: 17'x4'(68 SF) (W11)
Wall Sign: 17'x4'(68 SF) (W12)
Wall Sign: 17'x4'(68 SF) (W13)
Wall Sign: 17'x4'(68 SF) (W14)

1 OVERALL SOUTH ELEVATION
SCALE: 1" = 20'-0"

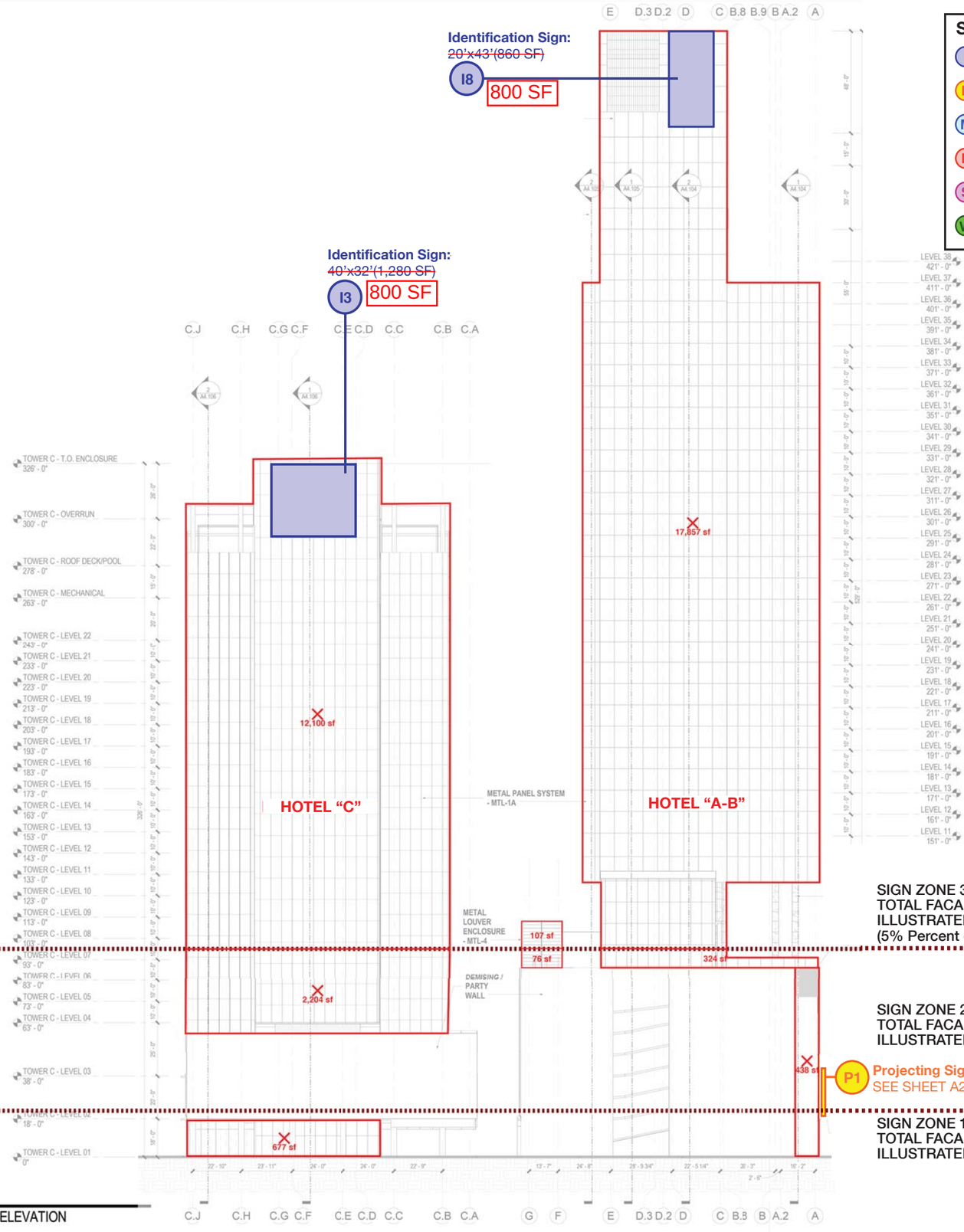
EXHIBIT C: Sign Ordinance
CPC-2016-4220-SN March 8, 2018
Exhibit 1: Subarea Sign Plans

SHEET NOTES

- (I) IDENTIFICATION SIGN
- (P) PROJECTING SIGN
- (M) MONUMENT SIGN
- (D) DIGITAL DISPLAY
- (S) SUPERGRAPHIC
- (W) WALL SIGN

LIGHTSTONE DTLA LLC

1248-1260 S. FIGUEROA ST. & 601 W. PICO BLVD. LOS ANGELES, CA 90051



SIGN ZONE 3: ~~150' ROOF~~ 100' - ROOF
TOTAL FACADE AREA: 12,207 SF
ILLUSTRATED SIGN AREA: 1,280 SF
(11% Percent of facade area)

SIGN ZONE 2: ~~28' 150'~~ 35' - 100'
TOTAL FACADE AREA: 2,204 SF
ILLUSTRATED SIGN AREA: 0 SF

0' - 35'
SIGN ZONE 1: ~~0' 28'~~
TOTAL FACADE AREA: 677 SF
ILLUSTRATED SIGN AREA: 0 SF

SIGN ZONE 3: ~~150' ROOF~~ 100' - ROOF
TOTAL FACADE AREA: 17,857 SF
ILLUSTRATED SIGN AREA: 860 SF
(5% Percent of facade area)

SIGN ZONE 2: ~~28' 150'~~ 35' - 100'
TOTAL FACADE AREA: 838 SF
ILLUSTRATED SIGN AREA: 0 SF

SIGN ZONE 1: ~~0' 28'~~ 0' - 35'
TOTAL FACADE AREA: 0 SF
ILLUSTRATED SIGN AREA: 0 SF

2 OVERALL NORTH ELEVATION
SCALE: 1" = 20'-0"

EXHIBIT C: Sign Ordinance
CPC-2016-4220-SN March 8, 2018
Exhibit 1: Subarea Sign Plans

SHEET NOTES

- (I) IDENTIFICATION SIGN
- (P) PROJECTING SIGN
- (M) MONUMENT SIGN
- (D) DIGITAL DISPLAY
- (S) SUPERGRAPHIC
- (W) WALL SIGN

LIGHTSTONE DTLA LLC

1248-1260 S. FIGUEROA ST. & 601 W. PICO BLVD. LOS ANGELES, CA 90051

Identification Sign:
~~60'x24'(1,440 SF)~~
I7
800 SF

Remove one east-facing sign

~~Identification Sign:~~
~~36'x22'(792 SF)~~
~~I6~~

Identification Sign:
20'x20'(400 SF)
I5

EXTERIOR METAL PANEL - MTL-1A
LEVEL 41 - POOL DECK 481' - 0"
LEVEL 40 - MECHANICAL 466' - 0"
AC POOL DECK SHUTTLE ELEVATOR UNITIZED CURTAIN WALL - GL-2A
UNITIZED CURTAIN WALL - GL-1A
UNITIZED CURTAIN WALL - GL-2A
EXTERIOR METAL PANEL - MTL-1A
TOWER C - T.O. ENCLOSURE 326' - 0"
TOWER C - OVERRUN 300' - 0"
TOWER C - ROOF DECK/POOL 278' - 0"
TOWER C - MECHANICAL 263' - 0"
TOWER C - LEVEL 22 243' - 0"
TOWER C - LEVEL 21 233' - 0"
TOWER C - LEVEL 20 223' - 0"
TOWER C - LEVEL 19 213' - 0"
TOWER C - LEVEL 18 203' - 0"
TOWER C - LEVEL 17 193' - 0"
TOWER C - LEVEL 16 183' - 0"
TOWER C - LEVEL 15 173' - 0"
TOWER C - LEVEL 14
TOWER A/B BEYOND
HOTEL "C"
HOTELS "A - B"
17,400 sf
69,295 sf
16,340 sf
5,622 s.f.
1,197 sf
3,506 sf
STOREFRONT - GL-3A
LEVEL 38 421' - 0"
LEVEL 37 411' - 0"
LEVEL 36 401' - 0"
LEVEL 35 391' - 0"
LEVEL 34 381' - 0"
LEVEL 33 371' - 0"
LEVEL 32 361' - 0"
LEVEL 31 351' - 0"
LEVEL 30 341' - 0"
LEVEL 29 331' - 0"
LEVEL 28 321' - 0"
LEVEL 27 311' - 0"
LEVEL 26 301' - 0"
LEVEL 25 291' - 0"
LEVEL 24 281' - 0"
LEVEL 23 271' - 0"
LEVEL 22 261' - 0"
LEVEL 21 251' - 0"
LEVEL 20 241' - 0"
LEVEL 19 231' - 0"
LEVEL 18 221' - 0"
LEVEL 17 211' - 0"
LEVEL 16 201' - 0"
LEVEL 15 191' - 0"
LEVEL 14 181' - 0"
LEVEL 13 171' - 0"
LEVEL 12 161' - 0"
LEVEL 11 151' - 0"
LEVEL 08 80' - 0"

Supergraphic:
~~Digital Display:~~
55'x30'(1,650 SF)
~~D4~~ S4

Supergraphic:
92'x50'(4,600 SF)
S2

Projecting Sign:
4'x20'(80 SF)
P4

Wall Sign:
18'x4'(72 SF)
W15

Wall Sign:
12'x4'(48 SF)
W16

Wall Sign:
32'x4'(128 SF)
W18

SIGN ZONE 3: ~~150'-ROOF~~ 100' - ROOF
TOTAL FACADE AREA: 17,400 SF
ILLUSTRATED SIGN AREA: 400 SF
(3% Percent of facade area)

SIGN ZONE 2: ~~28'-150'~~ 35' - 100'
TOTAL FACADE AREA: 5,622 SF
ILLUSTRATED SIGN AREA: 1,722 SF
(31% Percent of facade area)

SIGN ZONE 1: ~~0'-28'~~ 0' - 35'
TOTAL FACADE AREA: 1,197 SF
ILLUSTRATED SIGN AREA: 128 SF
(11% Percent of facade area)

SIGN ZONE 3: ~~150'-ROOF~~ 100' - ROOF
TOTAL FACADE AREA: 69,295 SF
ILLUSTRATED SIGN AREA: 2,232 SF
(4% Percent of facade area)

SIGN ZONE 2: ~~28'-150'~~ 35' - 100'
TOTAL FACADE AREA: 16,340 SF
ILLUSTRATED SIGN AREA: 3,350 SF
(21% Percent of facade area)

SIGN ZONE 1: ~~0'-28'~~ 0' - 35'
TOTAL FACADE AREA: 3,506 SF
ILLUSTRATED SIGN AREA: 264 SF
(8% Percent of facade area)

1 EAST ELEVATION - FLOWER
SCALE: 1" = 20'-0"

2 EAST ELEVATION - ALLEY
SCALE: 1" = 20'-0"

EXHIBIT C: Sign Ordinance
CPC-2016-4220-SN March 8, 2018
Exhibit 1: Subarea Sign Plans

SHEET NOTES

- (I) IDENTIFICATION SIGN
- (P) PROJECTING SIGN
- (M) MONUMENT SIGN
- (D) DIGITAL DISPLAY
- (S) SUPERGRAPHIC
- (W) WALL SIGN

LIGHTSTONE DTLA LLC

1248-1260 S. FIGUEROA ST. & 601 W. PICO BLVD. LOS ANGELES, CA 90051

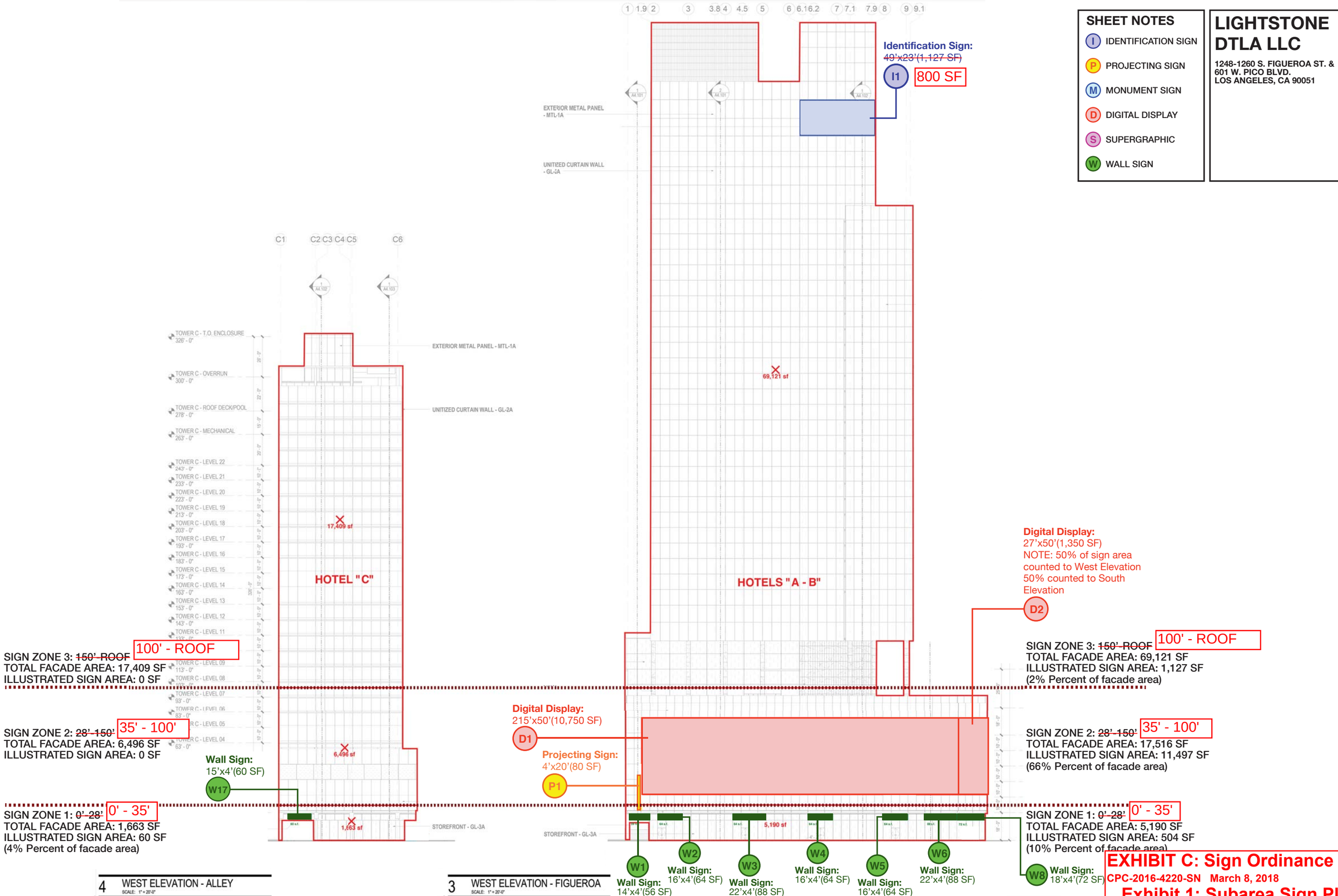


EXHIBIT C: Sign Ordinance
CPC-2016-4220-SN March 8, 2018
Exhibit 1: Subarea Sign Plans

NORTH ELEVATION

SIGN	SIGN AREA (sq. ft.)
I8	860
TOTAL	**860**

SOUTH ELEVATION

SIGN	SIGN AREA (sq. ft.)
D2	675
D3	3,000
I2	1,344
M1	136
S3	2,500
W7	80
W9	88
W10	68
TOTAL	**7,891**

TO BE REVISED

EAST ELEVATION

SIGN	SIGN AREA (sq. ft.)
I6	792
I7	1,440
S2	4,600
W18	128
TOTAL	**6,960**

WEST ELEVATION

SIGN	SIGN AREA (sq. ft.)
D1	10,750
D2	675
I1	1,127
P1	80
W1	56
W2	64
W3	88
W4	64
W5	64
W6	88
W8	72
TOTAL	**13,128**

HOTELS “A and B” TOTAL SIGN AREA

TOTAL	**28,839 SQUARE FEET**

NOTES:

A sign located at a project corner (Sign D2) is counted 50% towards each elevation

Projecting Sign P1 is located in Sign Zones 1 and 2 (8 SF in Sign Zone 1 and 72 SF in Sign Zone 2)

LIGHTSTONE DTLA LLC

1248-1260 S. FIGUEROA ST. &
601 W. PICO BLVD.
LOS ANGELES, CA 90051

HOTELS A and B

Sign Area Totals

EXHIBIT C: Sign Ordinance
CPC-2016-4220-SN March 8, 2018
Exhibit 1: Subarea Sign Plans

NORTH ELEVATION

SIGN	SIGN AREA (sq. ft.)
I3	1,280
TOTAL	**1,280**

SOUTH ELEVATION

SIGN	SIGN AREA (sq. ft.)
I4	1,320
M2	136
S1	3,450
W11	68
W12	68
W13	68
W14	68
TOTAL	**5,178**

EAST ELEVATION

SIGN	SIGN AREA (sq. ft.)
D4	1,650
I5	400
P4	80
W15	72
W16	48
TOTAL	**2,250**

WEST ELEVATION

SIGN	SIGN AREA (sq. ft.)
W17	60
TOTAL	**60**

TO BE REVISED

HOTEL “C” TOTAL SIGN AREA

TOTAL	**8,768 SQUARE FEET**

NOTES:

Projecting Sign P4 is located in Sign Zones 1 and 2 (8 SF in Sign Zone 1 and 72 SF in Sign Zone 2)

LIGHTSTONE DTLA LLC

1248-1260 S. FIGUEROA ST. &
601 W. PICO BLVD.
LOS ANGELES, CA 90051

HOTEL C

Sign Area Totals

EXHIBIT C: Sign Ordinance
CPC-2016-4220-SN March 8, 2018
Exhibit 1: Subarea Sign Plans

ORDINANCE NO._____

An ordinance authorizing the execution of the development agreement by and between the City of Los Angeles and Lightstone DTLA, LLC, a Limited Liability Company relating to real property in the Central City Community Plan area, and located at 1240-1260 S. Figueroa Street and 601 W. Pico Boulevard.

WHEREAS, the City Planning Commission on March 8, 2018, approved and recommended that the City Council approve the development agreement which is attached to Council File No. _____ by and between the City of Los Angeles and Lightstone DTLA, LLC (Development Agreement) which Development Agreement is hereby incorporated by reference and which is hereby incorporated into the provisions of this ordinance; and

WHEREAS, after due notice the City Planning Commission and the City Council did conduct public hearings on this matter; and,

WHEREAS, pursuant to California Government Code sections 65864, *et. seq.,* the City Planning Commission has transmitted to the City Council its Findings and recommendations; and,

WHEREAS, the Development Agreements is in the public interest and is consistent with the City's General Plan and the Central City Community Plan; and,

WHEREAS, the City Council has reviewed and considered the Development Agreement and the Findings and recommendations of the City Planning Commission.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF LOS ANGELESDO ORDAIN AS FOLLOWS:

Section 1. The City Council finds, with respect to the Development Agreement, that:

(a) It is consistent with the City's General Plan, policies and programs specified in the Central City Community Plan and is compatible with the uses authorized in, and the regulations prescribed for, the zone in which the real property is located;

(b) The intensity, building height and uses set forth in the development agreement are permitted by or are consistent with the Central City Community Plan;

(c) It will not be detrimental to the public health, safety and general welfare since it encourages the construction of a project which is desirable and beneficial to the public. Furthermore, the development agreement specifically permits application to the project of rules and regulations under the Los Angeles Municipal Code Section 91.101.1 to 98.0605 relating to public health and safety;

(d) It complies with all applicable City and State regulations governing development agreements; and,

(e) It is necessary to strengthen the public planning process to reduce the public and private costs of development uncertainty.

Sec. 2. The City Council hereby approves the Development Agreement, and authorizes and directs the Mayor to execute the Development Agreement in the name of the City of Los Angeles.

Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in the daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and, one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

HOLLY L WOLCOTT, City Clerk

by _____
Deputy

Approved _____

_____
Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By_____

LAURA M. CADOGAN HURD
Deputy City Attorney

Date: _____

File No. _____

Pursuant to Charter Section 559, **I approve/disapprove** this ordinance on behalf of the City Planning Commission and recommend that it **be adopted/not be adopted**…..

[DATE]

See attached report.

_____
Vincent P. Bertoni, AICP
Director of Planning

DEVELOPMENT AGREEMENT

by and between

THE CITY OF LOS ANGELES

and

LIGHTSTONE DTLA, LLC

dated as of

_____

DEVELOPMENT AGREEMENT

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DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is executed this _____ day of _____, 2017 by and between the CITY OF LOS ANGELES, a municipal corporation ("City"), and Lightstone DTLA, LLC ("Developer"), pursuant to California Government Code Section 65864 et seq., and the implementing procedures of the City, with respect to the following:

RECITALS

WHEREAS, the City and the Developer recognize that the further development of the subject property, as defined below, will create significant opportunities for economic growth in the City, the Southern California region and California generally;

WHEREAS, the Developer wishes to obtain reasonable assurances that the project as defined below may be developed in accordance with the Project Approvals, as defined below, and the terms of this Agreement;

WHEREAS, the Developer will implement public benefits above and beyond the necessary mitigation for the Project including benefits and other consideration as noted in Sections 2.3.1 and;

WHEREAS, this Agreement is necessary to assure the Developer that the Project will not be subjected to new rules, regulations, ordinances or policies unless otherwise allowed by this Agreement;

WHEREAS, by entering into this Agreement, the City is encouraging the development of the project as set forth in this Agreement in accordance with the goals and objectives of the City, while reserving to the City the legislative powers necessary to remain responsible and accountable to its residents;

WHEREAS, the Development Agreement is in the public interest and is consistent with the City's General Plan including the Westlake Community Plan;

WHEREAS, for the foregoing reasons, the Parties desire to enter into a development agreement for the Project pursuant to the Development Agreement Act, as defined below, and the City's charter powers upon the terms and conditions set forth herein.

AGREEMENT

NOW, THEREFORE, pursuant to the authority contained in the Development Agreement Act, as it applies to the City, and in consideration of the mutual promises and covenants herein contained and other valuable consideration the receipt and adequacy of which the Parties hereby acknowledge, the Parties agree as follows:

1. DEFINITIONS

For all purposes of this Agreement, except as otherwise expressly provided herein or unless the context of this Agreement otherwise requires, the following words and phrases shall be defined as set forth below:

1.1 "Agreement" means this Development Agreement.

1.2 "Applicable Rules" means the rules, regulations, fees, ordinances and official policies of the City in force as of the Effective Date of this Agreement governing the use and development of real property and which, among other matters, govern the permitted uses of land, the density or intensity of use, subdivision requirements, the maximum height and size of proposed buildings, parking requirements, setbacks, development standards, the provisions for reservation or dedication of land for public purposes, and the design, improvement and construction guidelines, standards and specifications applicable to the development of the Property. Notwithstanding the language of this Section or any other language in this Agreement, all specifications, standards and policies regarding the design and construction of buildings and development projects, if any, shall be those that are in effect at the time the project plans are being processed for approval and/or under construction.

1.3 "Assignment Agreement" means an agreement entered into by the Developer to transfer in whole or in part the rights and obligations of Developer under this Agreement to a third party transferee.

1.4 "CEQA" means the California Environmental Quality Act (Cal. Public Resources Code Sections 21000 et seq.) and the State CEQA Guidelines (Cal. Code of Regs., Title 14, Sections 15000 et seq.).

1.5 "City" means the City of Los Angeles, a charter city and municipal corporation.

1.6 "City Agency" means each and every agency, department, board, commission, authority, employee, and/or official acting under the authority of the City, including, without limitation, the City Council and the Planning Commission.

1.7 "City Attorney" means the legal counsel for the City.

1.8 "City Council" means the City Council of the City and the legislative body of the City pursuant to Section 65867 of the California Government Code (Development Agreement Act).

1.9 "Days" means calendar days as opposed to working days.

1.10 "Developer" has the meaning as described in the opening paragraph of this Agreement.

1.11 "Development Agreement Act" means Article 2.5 of Chapter 4 of Division 1 of Title 7 (Sections 65864 through 65869.5) of the California Government Code.

1.12 "Discretionary Action" means an action which requires the exercise of judgment, deliberation or a decision on the part of the City and/or any City Agency, in the process of approving or disapproving a particular activity, as distinguished from Ministerial Permits and Approvals and any other activity which merely requires the City and/or any City Agency to determine whether there has been compliance with statutes, ordinances or regulations.

1.13 "Effective Date" has the meaning set forth in Section 7.1 below.

1.14 "General Plan" means the General Plan of the City.

1.15 "Ministerial Permits and Approvals" means the permits, approvals, plans, inspections, certificates, documents, licenses, and all other actions required to be taken by the City in order for Developer to implement, develop and construct the Project and the Mitigation Measures, including without limitation, building permits, foundation permits, public works permits, grading permits, stockpile permits, encroachment permits, and other similar permits and approvals which are required by the Los Angeles Municipal Code and project plans and other actions required by the Project Approvals to implement the Project and the Mitigation Measures. Ministerial Permits and Approvals shall not include any Discretionary Actions.

1.16 "Mitigation Measures" means the mitigation measures described in the Mitigated Negative Declaration, ENV-2016-2594-EIR (the "EIR") prepared by the City in accordance with the requirements of CEQA.

1.17 "Parties" means collectively the Developer and the City.

1.18 "Party" means any one of the Developer or the City.

1.19 "Planning Commission" means the City Planning Commission and the planning agency of the City pursuant to Section 65867 of the California Government Code (Development Agreement Act).

1.20 "Planning Director" means the Director of City Planning for the City.

1.21 "Processing Fees" means all processing fees and charges required by the City or any City Agency including, but not limited to, fees for land use applications, project permits, building applications, building permits, grading permits, encroachment permits, tract or parcel maps, lot line adjustments, air right lots, street vacations and certificates of occupancy which are necessary to accomplish the intent and purpose of this Agreement. Expressly exempted from Processing Fees are all linkage fees or exactions which may be imposed by the City on development projects pursuant to laws enacted after the Effective Date of this Agreement, except as specifically provided for in this Agreement. The amount of the Processing Fees to be applied in connection with the development of the Project shall be the amount which is in effect on a City-wide basis at the time an application for the City action is made, unless an alternative amount is established by the City in a subsequent agreement. The amount of the Processing Fees to be applied in connection with the development of the Project shall be the amount which is in effect on a City-wide basis at the time an application for the City action is made, unless an alternative amount is established by the City in a subsequent agreement.

1.22 "Project" means the Coliseum Renovation Project.

1.23 "Project Approvals" means those Discretionary Actions authorizing the Project which have been approved by the City on or before the Effective Date (irrespective of their respective effective dates) including, but not limited, to: (1) a Vesting Tentative Tract map; (2) General Plan Amendment to redesignate the parcel located at 601 W. Pico Boulevard from High Density Residential to Regional Center Commercial, including modifications to Footnote No. 2; (3) a City-initiated Zone and Height District Change for the project site from [Q]R5-4D-O and C2-4D-O to (T)(Q)C2-4D-O-SN; (4) a City-initiated Sign District for the project site, and 1300 S. Figueroa Street, 535 W. Pico Boulevard, 520-638 W. Pico Boulevard, 1220-1308 S. Flower Street, and 1309-1315 S. Flower Street; (5) a Conditional Use Permit to allow a hotel within 500 feet of an R residential zone; (6) a Conditional Use Permit to allow floor area averaging in a mixed-use development in the C2 zone; (7) a Master Conditional Use Permit to on- and off-site sales of a full line of alcohol; (8) a Conditional Use Permit to allow live dancing and entertainment; and, 9) Site Plan Review.

1.24 "Property" has the meaning in the recitals above and as fully described in the legal description attached as Exhibit "A".

1.25 "Property Owner" has the meaning as described in the opening paragraph of the Agreement.

1.26 "Reserved Powers" means the rights and authority excepted from this Agreement's restrictions on the City's police powers and which are instead reserved to the City. The Reserved Powers include the powers to enact regulations or take future Discretionary Actions after the Effective Date of this Agreement that may be in conflict with the Applicable Rules and Project Approvals, but: (1) are necessary to protect the public health and safety, and are generally applicable on a City-wide basis (except in the event of natural disasters as found by the City Council such as floods, earthquakes and similar acts of God); (2) are amendments to the Los Angeles Building or Fire Codes regarding the construction, engineering and design standards for private and public improvements and which are (a) necessary to the health and safety of the residents of the City, and (b) are generally applicable on a Citywide basis (except in the event of natural disasters as found by the Mayor or City Council such as floods, earthquakes, and similar acts); (3) are necessary to comply with state or federal laws and regulations (whether enacted previous or subsequent to the Effective Date of this Agreement) as provided in Section 3.2.3.3; or (4) constitute Processing Fees and charges imposed or required by the City to cover its actual costs in processing applications, permit requests and approvals of the Project or in monitoring compliance with permits issued or approvals granted for the performance of any conditions imposed on the Project, unless otherwise waived by the City.

1.27 "Term" means the period of time for which this Agreement shall be effective in accordance with Section 7.2 hereof.

1.28 "Transferee" means a third party that has entered into an Assignment Agreement with Developer.

1.29 "Vesting Tentative Tract Map" means Vesting Tentative Tract Map No. 74239 approved by the Deputy Advisory Agency on February 9, 2018, and which became final on February 20, 2018. The Advisory Agency first certified the EIR and adopted the Findings, Statement of Overriding Considerations, and the Mitigation Monitoring Program before taking action on VTT-74239.

2. RECITALS OF PREMISES, PURPOSE AND INTENT

2.1 State Enabling Statute. To strengthen the public planning process, encourage private participation in comprehensive planning and reduce the economic risk of development, the Legislature of the State of California adopted the Development Agreement Act which authorizes any city to enter into binding development agreements establishing certain development rights in real property with persons having legal or equitable interests in such property. Section 65864 of the Development Agreement Act expressly provides as follows:

> "The Legislature finds and declares that:
>
> > "(a) The lack of certainty in the approval of development projects can result in a waste of resources, escalate the cost of housing and other development to the consumer, and discourage investment in and a commitment to comprehensive planning which would make maximum efficient utilization of resources at the least economic cost to the public.
> >
> > (b) Assurance to the applicant for a development project that upon approval of the project, the applicant may proceed with the project in accordance with existing policies, rules and regulations, and subject to conditions of approval will strengthen the public planning process, encourage private participation in comprehensive planning, and reduce the economic cost of development."

Notwithstanding the foregoing, to ensure that the City remains responsive and accountable to its residents while pursuing the benefits of development agreements contemplated by the Legislature, the City: (1) accepts restraints on its police powers contained in development agreements only to the extent and for the duration required to achieve the mutual objectives of the parties; and (2) to offset such restraints, seeks public benefits which go beyond those obtained by traditional City controls and conditions imposed on development project applications.

2.2 City Procedures and Actions.

2.2.1 City Planning Commission Action. The City Planning Commission held a duly noticed public hearing and recommended approval of this Agreement on March 8, 2018.

2.2.2 City Planning Commission Consideration of Previously Certified EIR. The City Planning Commission on March 8, 2018, after conducting a duly-noticed public

hearing, found, based on their independent judgment, after consideration of the whole of the administrative record, the project was assessed in the Fig + Pico Conference Center Hotels EIR No. ENV-2016-2594-EIR and Errata, which was certified on February 9, 2018, and pursuant to CEA Guidelines, Sections 15162 and 15164, and no subsequent EIR or addendum is required for approval of the project.

2.2.3 City Council Action. The City Council on _____, after conducting a duly-noticed public hearing, adopted Ordinance No. _____, to become effective on the thirty-first day after its adoption, found that its provisions are consistent with the City's General Plan and the Los Angeles Municipal Code, and authorized the execution of this Agreement.

2.3 Purpose of this Agreement.

2.3.1 Public Benefits. This Agreement provides assurances that the Public Benefits identified below will be achieved and developed in accordance with the Applicable Rules and Project Approvals and with the terms of this Agreement and subject to the City's Reserved Powers. The Project will provide Public Benefits to the City, including without limitation:

(a) Pedestrian Signal Crossing Improvements - DOT. Prior to the issuance of the Certification of Occupancy (C of O), the Developer shall: (1) coordinate with the Los Angeles Department of Transportation (DOT) to finalize design of the following improvements; and, (2) fund and construct said physical improvements at and/or within the intersection of Pico Boulevard and Flower Street, all as determined by DOT:

i. Pedestrian Lead Interval: *Estimated Value* $15,000
ii. High Visibility Crosswalk: *Estimated Value* $28,000
iii. Bulbout: *Estimated Value* $30,000

These values are estimations and the final amount of these physical improvements may be less than, or may exceed, the value identified above.

(b) Scramble Crosswalks – DOT. Prior to the issuance of the Certification of Occupancy (C of O), the Developer shall: (1) coordinate with the Los Angeles Department of Transportation (DOT) to finalize the design for the installation of Scramble Crosswalks; and, (2) fund and construct said these improvements at and/or within the following intersections: Figueroa Street and Pico Boulevard, Figueroa Street and 11th Street, Figueroa and 12th Street, and Figueroa Street and Olympic Boulevard, all as determined by DOT:

i. Diagonal – 4 total: *Estimated Value* $20,000 each ($80,000 total)
ii. Segment – 4 total: *Estimated Value* $28,000 each ($112,000 total)

These values are estimations and the final amount of these physical improvements may be less than, or may exceed, the value identified above.

(c) Mid-block Crosswalks – DOT. Prior to the issuance of the Certification of Occupancy (C of O), the Developer shall: (1) coordinate with the Los Angeles Department of Transportation (DOT) to finalize the design for the installation of Mid-block Crosswalks; and, (2) fund and construct said these improvements within the following segments along Figueroa Street: Olympic Boulevard and 11th Street, Figueroa Street and 11th Street, Figueroa and 12th Street, and 12th Street and Pico Boulevard, all as determined by DOT:

i. *Estimated Value* $50,000 each ($200,000 total)

These values are estimations and the final amount of these physical improvements may be less than, or may exceed, the value identified above.

(d) Wayfinding Signage - Metro. Prior to the issuance of a Certificate of Occupancy for the project, the Developer shall: (1) coordinate with the Los Angeles County Metropolitan Transportation Authority (Metro) to identify the design and location of three (3) wayfinding signs; and, (2) fund the purchase and installation of the signs within the boundaries of the City-initiated Figueroa and Pico Sign District, as recommended by Metro.

i. *Estimated Value* $9,000 each ($27,000 total)

These values are estimations and the final amount of these physical improvements may be less than, or may exceed, the value identified above.

(e) Real Time Transfer Signage - Metro. Prior to the issuance of a Certificate of Occupancy for the project, the Developer shall: (1) coordinate with the Los Angeles County Metropolitan Transportation Authority (Metro) to identify the design and location of two (2) LCD color display signs; and, (2) fund the purchase and installation of the signs within the boundaries of the City-initiated Figueroa and Pico Sign District, as recommended by Metro.

i. *Estimated Value* $30,000 each ($60,000 total)

These values are estimations and the final amount of these physical improvements may be less than, or may exceed, the value identified above.

(f) Bus Shelter Seating and Amenities - Metro. Prior to the issuance of a Certificate of Occupancy for the project, the Developer shall: (1) coordinate with the Los Angeles County Metropolitan Transportation Authority (Metro) to identify the design and location of two (2) LCD color display signs; and, (2) fund the purchase and installation of the signs within the boundaries of the City-initiated Figueroa and Pico Sign District, as recommended by Metro.

i. *Estimated Value* $30,000 each ($60,000 total)

These values are estimations and the final amount of these physical improvements may be less than, or may exceed, the value identified above.

(g) Signage. Upon issuance of the Certificate of Occupancy (C of O) or permit which allows the operation of the on-site digital signage for the project, and subject to Annual Review thereafter in accordance with Section 4.1 of this agreement, the Developer shall make available for use by either the Los Angeles Convention Center (LACC) and/or Metro, five

(five) percent of time of the digital signage during hours of operation at no cost to LACC and/or Metro. The Developer submit documentation in the form of agreements with either LACC and/or Metro which detail the amount of time and the specific messaging advertised on the digital signs to demonstrate compliance with this obligation.

(h) **Public Benefits Trust Fund – CD 14.** On the annual anniversary of the effective date of the Development Agreement, the developer shall make an annual payment to the CD 14 – Public Benefits Trust Fund in an amount up to $100,000 to support Council District 14's efforts to address blight removal, façade improvements, street cleaning, graffiti removal, etc. within the boundaries of Council District 14.

(i) **Department of City Planning – Office of Historic Resources.** Within 90 days of the effective date of the Development Agreement, the Developer shall make a payment of $50,000 to the Department of City Planning's Office of Historic Resources (OHR) to fund a study resources within the Central City and Central City North Community Plan areas.

2.3.2 Developer Objectives. In accordance with the legislative findings set forth in the Development Agreement Act, and with full recognition of the City's policy of judicious restraints on its police powers, the Developer wishes to obtain reasonable assurances that the Project may be developed in accordance with the Applicable Rules and Project Approvals and with the terms of this Agreement and subject to the City's Reserved Powers. In the absence of this Agreement, Developer would have no assurance that it can complete the Project for the uses and to the density and intensity of development set forth in this Agreement and the Project Approvals. This Agreement, therefore, is necessary to assure Developer that the Project will not be (1) reduced or otherwise modified in density, intensity or use from what is set forth in the Project Approvals, (2) subjected to new rules, regulations, ordinances or official policies or plans which are not adopted or approved pursuant to the City's Reserved Powers or (3) subjected to delays for reasons other than Citywide health and safety enactments related to critical situations such as, but not limited to, the lack of water availability or sewer or landfill capacity.

2.3.3 Mutual Objectives. Development of the Project in accordance with this Development Agreement will provide for the orderly development of the Property in accordance with the objectives set forth in the General Plan. Moreover, a development agreement for the Project will eliminate uncertainty in planning for and securing orderly development of the Property, assure installation of necessary improvements, assure attainment of maximum efficient resource utilization within the City at the least economic cost to its citizens and otherwise achieve the goals and purposes for which the Development Agreement Act was enacted. The Parties believe that such orderly development of the Project will provide Public Benefits, as described in Section 2.3.1, to the City through the imposition of development standards and requirements under this Agreement, including without limitation: increased tax revenues, installation of on-site and off-site improvements, creation and retention of jobs, and development of an aesthetically attractive Project. Additionally, although development of the Project in accordance with this Agreement will restrain the City's land use or other relevant police powers, this Agreement provides the City with sufficient reserved powers during the Term hereof to remain responsible and accountable to its residents. In exchange for these and other benefits to City, the Developer will receive assurance that the Project may be developed during the Term of

this Agreement in accordance with the Applicable Rules, Project Approvals and Reserved Powers, subject to the terms and conditions of this Agreement.

2.4 Applicability of the Agreement. This Agreement does not: (1) grant height, density or intensity in excess of that otherwise established in the Applicable Rules and Project Approvals; (2) eliminate future Discretionary Actions relating to the Project if applications requiring such Discretionary Action are initiated and submitted by the owner of the Property after the Effective Date of this Agreement; (3) guarantee that Developer will receive any profits from the Project; (4) prohibit the Project's participation in any benefit assessment district that is generally applicable to surrounding properties; (5) amend the City's General Plan, or (6) amend the City of Los Angeles Zoning Ordinance. This Agreement has a fixed Term. Furthermore, in any subsequent actions applicable to the Property, the City may apply such new rules, regulations and official policies as are contained in its Reserved Powers.

3. AGREEMENT AND ASSURANCES

3.1 Agreement and Assurance on the Part of Developer. In consideration for the City entering into this Agreement, and as an inducement for the City to obligate itself to carry out the covenants and conditions set forth in this Agreement, and in order to effectuate the promises, purposes and intentions set forth in Section 2.3 of this Agreement, Developer hereby agrees as follows:

3.1.1. Project Development. Developer agrees that it will use commercially reasonable efforts, in accordance with its own business judgment and taking into account market conditions and economic considerations, to undertake development of the Project in accordance with the terms and conditions of this Agreement, including the Applicable Rules and the Project Approvals.

3.1.2. Timing of Development. The parties acknowledge that Developer cannot at this time predict when or at what rate the Property would be developed. Such decisions depend upon numerous factors which are not all within the control of Developer, such as market orientation and demand, availability of financing, interest rates and competition. Developer may therefore construct the Project in either a single phase or multiple phases (lasting any duration of time) within the Term of this Agreement. Because the California Supreme Court held in *Pardee Construction Co. v. City of Camarillo*, 37 Cal. 3d 465 (1984), that the failure of the parties therein to provide for the timing of development permitted a later adopted initiative restricting the timing of development and controlling the Parties' agreement, Developer and the City do hereby acknowledge that Developer has the right to develop the Project in an order and at a rate and times as Developer deems appropriate within the exercise of its sole and subjective business judgment. The City acknowledges that this right is consistent with the intent, purpose and understanding of the Parties to this Agreement.

3.2 Agreement and Assurances on the Part of the City. In consideration for Developer entering into this Agreement, and as an inducement for Developer to obligate itself to carry out the covenants and conditions set forth in this Agreement, and in order to effectuate the promises, purposes and intentions set forth in Section 2.3 of this Agreement, the City hereby agrees as follows:

3.2.1 Entitlement to Develop. Developer has the vested right to develop the Project subject to the terms and conditions of this Agreement, the Applicable Rules, Project Approvals and the Reserved Powers. Developer's vested rights under this Agreement shall include, without limitation, the right to remodel, renovate, rehabilitate, rebuild or replace the Project or any portion thereof in substantial conformance with the design as approved, throughout the applicable Term for any reason, including, without limitation, in the event of damage, destruction or obsolescence of the Project or any portion thereof, subject to the Applicable Rules, Project Approvals and Reserved Powers. To the extent that all or any portion of the Project is remodeled, renovated, rehabilitated, rebuilt or replaced, Developer may locate that portion of the Project at any other location of the Property, subject to the requirements of the Project Approvals, the Applicable Rules, and the Reserved Powers.

3.2.2 Consistency in Applicable Rules. Based upon all information made available to the City up to or concurrently with the execution of this Agreement, the City finds and certifies that no Applicable Rules prohibit, prevent or encumber the full completion and occupancy of the Project in accordance with the uses, intensities, densities, designs and heights, permitted demolition, and other development entitlements incorporated and agreed to herein and in the Project Approvals.

3.2.3 Changes in Applicable Rules.

3.2.3.1 Non-application of Changes in Applicable Rules. Any change in, or addition to, the Applicable Rules, including, without limitation, any change in any applicable general plan, zoning or building regulation, adopted or becoming effective after the Effective Date of this Agreement, including, without limitation, any such change by means of ordinance including but not limited to adoption of a specific plan or overlay zone, City Charter amendment, initiative, referendum, resolution, motion, policy, order or moratorium, initiated or instituted for any reason whatsoever and adopted by the City, the Mayor, City Council, Planning Commission, any City Agency, or any officer or employee thereof, or by the electorate, as the case may be, which would, absent this Agreement, otherwise be applicable to the Project and which would conflict in any way with the Applicable Rules, Project Approvals, or this Agreement, shall not be applied to the Project unless such changes represent an exercise of the City's Reserved Powers, or are otherwise agreed to in this Agreement. Notwithstanding the foregoing, Developer may, in its sole discretion, give the City written notice of its election to have any subsequent change in the Applicable Rules applied to some portion or all of the Property as it may own, in which case such subsequent changes in the Applicable Rules shall be deemed to be contained within the Applicable Rules insofar as that portion of the Property is concerned. In the event of any conflict or inconsistency between this Agreement and the Applicable Rules, the provisions of this Agreement shall control.

3.2.3.2 Changes in Building and Fire Codes. Notwithstanding any provision of this Agreement to the contrary, development of the Project shall be subject to changes which may occur from time to time in the California Building Code and other uniform construction codes. In addition, development of the Project shall be subject to any changes occurring from time to time in the Los Angeles Municipal Code regarding the construction, engineering and design standards for both public and private improvements provided that these

changes are (1) necessary to the health and safety of the residents of the City, and (2) are generally applicable on a Citywide basis (except in the event of natural disasters as found by the Mayor or City Council, such as floods, earthquakes and similar disasters).

3.2.3.3 Changes Mandated by Federal or State Law. This Agreement shall not preclude the application to the Project of changes in, or additions to, the Applicable Rules, including rules, regulations, ordinances and official policies, to the extent that such changes or additions are mandated to be applied to developments such as this Project by state or federal regulations, pursuant to the Reserved Powers. In the event state or federal laws or regulations prevent or preclude compliance with one or more provisions of this Agreement, such provisions shall be modified or suspended as may be necessary to comply with such state or federal laws or regulations.

3.2.4. Subsequent Development Review. The City shall not require Developer to obtain any approvals or permits for the development of the Project in accordance with this Agreement other than those permits or approvals which are required by the Reserved Powers and/or the Project Approvals. Any subsequent Discretionary Action initiated by Developer which substantially changes the entitlements allowed under the Project Approvals, shall be subject to rules, regulations, ordinances and official policies of the City then in effect. A substantial change to the entitlements allowed under the Project Approvals that would require subsequent Discretionary Action(s) include: (a) a net increase in the amount of Project square footage, building heights and/or expansion of building footprints, and/or (b) a reduction in the number of automobile parking spaces identified in the Project Approvals (collectively referred to as "**Substantial Project Changes**"). The parties agree that this Agreement does not modify, alter or change the City's obligations pursuant to CEQA and acknowledge that future Discretionary Actions may require additional environmental review pursuant to CEQA. In the event that additional environmental review is required by CEQA, the City agrees to utilize tiered environmental documents to the fullest extent permitted by law, as determined by the City, and as provided in California Public Resources Code Sections 21093 and 21094.

3.2.5 Administrative Changes and Modifications. The Project may demonstrate that refinements and changes are appropriate with respect to the details and performance of the Parties under this Agreement. The Parties desire to retain a certain degree of flexibility with respect to the details of the Project development and with respect to those items covered in general terms under this Agreement and Project Approvals. If and when the Parties find that "Substantially Conforming Changes," as herein defined, are necessary or appropriate, they shall, unless otherwise required by law, effectuate such changes or adjustments through administrative modifications approved by the Parties. As used herein, "**Substantially Conforming Changes**" are changes, modifications or adjustments that are substantially consistent with the Project Approvals, and do not constitute Substantial Project Changes as defined in Section 3.2.4 of this Agreement.

3.2.6 Effective Development Standards. The City agrees that it is bound to permit the uses, intensity of use and density on this Property which are permitted by this Agreement and the Project Approvals, insofar as this Agreement and the Project Approvals so provide or as otherwise set forth in the Applicable Rules or the Reserved Powers.

3.2.7 Interim Use. The City agrees that Developer may use the Property during the term of this Agreement for any use which is otherwise permitted by the applicable zoning regulations and the General Plan in effect at the time of the interim use and for a use which does not require a new or additional Discretionary Action from the City, except as expressly provided in this Development Agreement, or pursuant to any approvals, permits, other agreements between the City and Developer, or other entitlements previously granted and in effect as of the Effective Date. Developer shall seek the City's approval of any interim use requiring Discretionary Action.

3.2.8 Moratoria or Interim Control Ordinances. In the event an ordinance, resolution, policy, or other measure is enacted, whether by action of the City, by initiative, or otherwise, which relates directly or indirectly to the Project or to the rate, amount, timing, sequencing, or phasing of the development or construction of the Project on all or any part of the Property, City agrees that such ordinance, resolution or other measure shall not apply to the Property or this Agreement, unless such changes: (1) are found by the City to be necessary to the public health and safety of the residents of the City, (2) are generally applicable on a Citywide basis except in the event of natural disasters as found by the Mayor or the City Council, such as floods, earthquakes and similar disasters and (3) are necessary to comply with state or federal laws and regulations (whether enacted previous or subsequent to the Effective Date of this Agreement) as provided in Section 3.2.3.3.

3.2.9 Time Period of Vesting Tentative Tract Map and Project Approvals. The City acknowledges that the construction of the Project may be subject to unavoidable delays due to factors outside the Developer's control. Pursuant to Government Code Sections 66452.6(a), and other applicable provision of the Subdivison Map Act, the City agrees that the duration of the Vesting Tentative Tract Map and any new tract map or subdivision approval which is consistent with the Project Approvals, shall automatically be extended for the Term of this Agreement. The City further agrees that the duration of the Project Approvals shall automatically be extended for the Term of this Agreement. The City further agrees that the duration of the Project Approvals shall automatically be extended for the Term of this Agreement.

3.2.10 Processing Fees. Developer shall pay all Processing Fees for Ministerial Permits and Approvals in the amount in effect when such Ministerial Permit and Approvals are sought.

3.2.11 Timeframes and Staffing for Processing and Review. The City agrees that expeditious processing of Ministerial Permits and Approvals and Discretionary Actions, if any, and any other approvals or actions required for the Project are critical to the implementation of the Project. In recognition of the importance of timely processing and review of Ministerial Permits and Approvals, the City agrees to work with Developer to establish time frames for processing and reviewing such Ministerial Permits and Approvals and to comply with timeframes established in the Project Approvals. The City agrees to expedite all Ministerial Permits and Approvals and Discretionary Actions requested by Developer to the extent practicable, if any. Developer agrees to pay any applicable fee for expedited review and processing time.

3.2.12 Other Governmental Approvals. Developer may apply for such other permits and approvals as may be required for development of the Project in accordance with the provisions of this Agreement from other governmental or quasi-governmental agencies having jurisdiction over the Property. The City shall reasonably cooperate with Developer in its endeavors to obtain such permits and approvals. Each Party shall take all reasonable actions, and execute, with acknowledgment or affidavit, if required, any and all documents and writings that may be reasonably necessary or proper to achieve the purposes and objectives of this Agreement.

4. ANNUAL REVIEW

4.1 Annual Review. During the Term of this Agreement, the City shall review annually Developer's good faith compliance with this Agreement by Developer and/or any Transferee. This periodic review shall be limited in scope to good faith compliance with the provisions of this Agreement as provided in the Development Agreement Act and Property Owner, and/or any Transferee shall have the burden of demonstrating such good faith compliance relating solely to such parties' portion of the Property and any development located thereon. The Annual Review shall be in the form of an Annual Report prepared and submitted by the Planning Director. The Report shall include: the number, type and square footage of and the status of the Project; the total number of parking spaces developed; provisions for open space; status of activities relating to streetscape improvements; summary of performance of Property Owner's obligations.

4.2 Pre-Determination Procedure. Submission by Developer, and/or Transferee, of evidence of compliance with this Agreement, in a form which the Planning Director may reasonably establish, shall be made in writing and transmitted to the Planning Director not later than thirty (30) days prior to the yearly anniversary of the Effective Date. If the public has comments regarding compliance, such comments must be submitted to the Planning Director at least thirty (30) days prior to the yearly anniversary of the Effective Date. All such public comments and final staff reports shall, upon receipt by the City, be made available as soon as possible to Developer and/or any Transferees.

4.2.1 Special Review. The City may order a special review of compliance with this Agreement upon reasonable evidence of material non-compliance with the terms of this Agreement.

4.3 Planning Director's Determination. On or before the yearly anniversary of the Effective Date of the Agreement, the Planning Director shall make a determination regarding whether or not Developer has complied in good faith with the provisions and conditions of this Agreement. This determination shall be made in writing with reasonable specificity, and a copy of the determination shall be provided to Developer or Transferee in the manner prescribed in Section 7.11.

4.4 Appeal by Developer. In the event the Planning Director makes a finding and determination of non-compliance, Developer, and/or any Transferee as the case may be, shall be entitled to appeal that determination to the Planning Commission within twenty five (25) days from the Planning Director's decision. After a public hearing on the appeal, the Planning Commission within twenty five (25) days shall make written findings and determinations, on the

basis of substantial evidence, whether or not Developer, and/or any Transferee as the case may be, has complied in good faith with the provisions and conditions of this Agreement. A finding and determination of compliance by the Planning Commission shall be final and effective. Nothing in this Agreement shall be construed as modifying or abrogating the Los Angeles City Charter.

4.5 Period to Cure Non-Compliance. If, as a result of this Annual Review procedure, it is found and determined by the Planning Director or the Planning Commission on appeal, that Developer and/or any Transferee, as the case may be, has not complied in good faith with the provisions and conditions of this Agreement, the City, after denial of any appeal or, where no appeal is taken, after the expiration of the appeal period described in Section 4.4, shall submit to Developer, by registered or certified mail, return receipt requested, a written notice of non-compliance in the manner prescribed in Section 7.11, stating with specificity those obligations of Developer which have not been performed. Upon receipt of the notice of non-compliance, Developer and/or any Transferee, as the case may be, shall promptly commence to cure the identified items of non-compliance at the earliest reasonable time after receipt of the notice of non-compliance and shall complete the cure of such items of non-compliance not later than sixty (60) days after receipt of the notice of non-compliance, or such longer period as is reasonably necessary to remedy such items of non-compliance, by mutual consent of the City and Developer provided that Developer shall continuously and diligently pursue the remedy at all times until the item of non-compliance is cured.

4.6 Failure to Cure Non-Compliance Procedure. If the Planning Director finds and determines that Developer or a Transferee has not cured an item of non-compliance pursuant to this Section, and that the City intends to terminate or modify this Agreement or those transferred or assigned rights and obligations, as the case may be, the Planning Director shall make a report to the Planning Commission. The Planning Director shall then set a date for a public hearing before the Planning Commission in accordance with the notice and hearing requirements of Government Code Sections 65867 and 65868. If after such public hearing, the Planning Commission finds and determines, on the basis of substantial evidence, that (i) Developer, or its Transferee has not cured a default pursuant to this Section, and (ii) that the City may terminate or modify this Agreement, or those transferred or assigned rights and obligations, as the case may be, the finding and determination shall be appealable to the City Council in accordance with Section 7.3 hereof. In the event of a finding and determination of compliance, there shall be no appeal by any person or entity. Nothing in this Section or this Agreement shall be construed as modifying or abrogating the Los Angeles City Charter.

4.7 Termination or Modification of Agreement. The City may terminate or modify this Agreement, or those transferred or assigned rights and obligations, as the case may be, after a finding or determination of noncompliance by the City Council or, where no appeal is taken, after the expiration of the appeal periods described in Section 7.3. There shall be no modifications of this Agreement unless the City Council acts pursuant to Government Code Sections 65867.5 and 65868, irrespective of whether an appeal is taken as provided in Section 7.3.

4.8 Reimbursement of Costs. Developer shall reimburse the City for its actual costs, reasonably and necessarily incurred, to accomplish the required annual review.

4.9 City's Rights and Remedies Against Developer. The City's rights in Section 4 of this Agreement relating to compliance with this Agreement by Developer shall be limited to only those rights and obligations assumed by Developer under this Agreement and as expressly set forth in the applicable Assignment Agreement authorized by Section 7.7 of this Agreement.

5. DEFAULT PROVISIONS

5.1 Default by Developer.

5.1.1 Default. In the event Developer or a Transferee of any portion of the Property fails to perform its obligations under this Agreement applicable to its portion of the Property as specified in the applicable Assignment Agreement, in a timely manner and in compliance pursuant to Section 4 of this Agreement, the City shall have all rights and remedies provided for in this Agreement, including without limitation, modifying or terminating this Agreement, shall relate exclusively to the defaulting Party and such defaulting Party's portion of the Property, provided that the City has first complied with all applicable notice and opportunity to cure provisions in Section 5.1.2 and given notice as provided in Section 7.11 hereof, and provided further that Developer may appeal such declaration in the manner provided in, and subject to all terms and provisions of, Sections 4.4 and 4.5. In no event shall a default by a Developer or a Transferee of any portion of the Property constitute a default by any non-defaulting Developer or a Transferee with respect to such non-defaulting parties' obligations hereunder nor affect such non-defaulting parties' rights hereunder, or respective portion of the Property.

5.1.2 Notice of Default. The City through the Planning Director shall submit to Developer or Transferee, as applicable, by registered or certified mail, return receipt requested, a written notice of default in the manner prescribed in Section 7.11, identifying with specificity those obligations of Developer or Transferee, as applicable, which have not been performed. Upon receipt of the notice of default, Developer or Transferee shall promptly commence to cure the identified default(s) at the earliest reasonable time after receipt of the notice of default and shall complete the cure of the default(s) not later than sixty (60) days after receipt of the notice of default, or a longer period as is reasonably necessary to remedy the default(s), provided that Developer or Transferee, as applicable, shall continuously and diligently pursue the remedy at all times until the default(s) is cured. In the case of a dispute as to whether Developer has cured the default, the Parties shall submit the matter to dispute resolution pursuant to Section 7.5 of this Agreement.

5.1.3 Failure to Cure Default Procedures. If after the cure period has elapsed (Section 4.5), the Planning Director finds and determines that Developer, or its Transferees, successors, and/or assignees, as the case may be, remains in default and that the City intends to terminate or modify this Agreement, or those transferred or assigned rights and obligations, as the case may be, the Planning Director shall make a report to the Planning Commission and then set a public hearing before the Commission in accordance with the notice and hearing requirements of Government Code Sections 65867 and 65868. If after public hearing, the

Planning Commission finds and determines, on the basis of substantial evidence, that Developer, or its Transferees, successors, and/or assigns, remains in default and that the City intends to terminate or modify this Agreement, or those transferred or assigned right and obligations, as the case may be, the Developer and its Transferees, successors, and/or assigns, shall be entitled to appeal that finding and determination to the City Council in accordance with Section 7.3. In the event of a finding and determination that all defaults are cured, there shall be no appeal by any person or entity. Nothing in this Section or this Agreement shall be construed as modifying or abrogating the Los Angeles City Charter.

5.1.4 Termination or Modification of Agreement. The City may terminate or modify this Agreement, or those transferred or assigned rights and obligations, as the case may be, relating solely to the defaulting Developer or Transferee and such defaulting party's portion of the Property after such final determination of the City Council or, where no appeal is taken after the expiration of the appeal periods described in Section 7.3 relating to the defaulting party's rights and obligations. There shall be no termination or modification of this Agreement unless the City Council acts pursuant to Section 7.3.

5.2 Default by the City.

5.2.1 Default. In the event the City defaults under the provisions of this Agreement, Developer and Transferee shall have all rights and remedies provided herein or by applicable law, which shall include compelling the specific performance of the City's obligations under this Agreement provided that Developer or Transferee, as the case may be, has first complied with the procedures in Section 5.2.2. No part of this Agreement shall be deemed to abrogate or limit any immunities or defenses the City may otherwise have with respect to claims for monetary damages.

5.2.2 Notice of Default. Developer or Transferee, as the case may be, shall first submit to the City a written notice of default stating with specificity those obligations which have not been performed. Upon receipt of the notice of default, the City shall promptly commence to cure the identified default(s) at the earliest reasonable time after receipt of the notice of default and shall complete the cure of such default(s) not later than one hundred and twenty (120) days after receipt of the notice of default, or such longer period as is reasonably necessary to remedy such default(s), provided that the City shall continuously and diligently pursue the remedy at all times until such default(s) is cured. In the case of a dispute as to whether the City has cured the default, the Parties shall submit the matter to dispute resolution pursuant to Section 7.5 of this Agreement.

5.3 No Monetary Damages. It is acknowledged by the Parties that the City would not have entered into this Agreement if it were liable in monetary damages under or with respect to this Agreement or the application thereof. The Parties agree and recognize that, as a practical matter, it may not be possible to determine an amount of monetary damages which would adequately compensate Developer for its investment of time and financial resources in planning to arrive at the kind, location, intensity of use, and improvements for the Project, nor to calculate the consideration the City would require to enter into this Agreement to justify the exposure. Therefore, the Parties agree that each of the Parties may pursue any remedy at law or equity

available for any breach of any provision of this Agreement, except that the Parties shall not be liable in monetary damages and the Parties covenant not to sue for or claim any monetary damages for the breach of any provision of this Agreement.

6. MORTGAGEE RIGHTS

6.1 Encumbrances on the Property. The Parties hereto agree that this Agreement shall not prevent or limit the Developer, from encumbering the Property or any estate or interest therein, portion thereof, or any improvement thereon, in any manner whatsoever by one or more mortgages, deeds of trust, sale and leaseback, or other form of secured financing ("Mortgage") with respect to the construction, development, use or operation of the Project and parts thereof. The Planning Department acknowledges that the lender(s) providing such Mortgages may require certain Agreement interpretations and modifications and agrees, upon request, from time to time, to meet with the Developer and representatives of such lender(s) to negotiate in good faith any such request for interpretation or modification. The Planning Department will not unreasonably withhold, delay or condition its consent to any such requested interpretation or modification, provided such interpretation or modification is consistent with the intent and purposes of this Agreement.

6.2 Mortgagee Protection. To the extent legally permissible, this Agreement shall be superior and senior to any lien placed upon the Property, or any portion thereof, including the lien of any Mortgage. Notwithstanding the foregoing, no breach of this Agreement shall defeat, render invalid, diminish, or impair the lien of any Mortgage made in good faith and for value. Any acquisition or acceptance of title or any right or interest in or with respect to the Property or any portion thereof by the holder of a Mortgage (a "Mortgagee"), pursuant to foreclosure, trustee's sale, deed in lieu of foreclosure, lease or sublease termination or otherwise, shall be subject to all of the terms and conditions of this Agreement except that any such Mortgagee, including its affiliate, who takes title to the Property or any portion thereof shall be entitled to the benefits arising under this Agreement.

6.3 Mortgagee Not Obligated. Notwithstanding the provisions of this Section 6, Mortgagee will not have any obligation or duty pursuant to the terms set forth in this Agreement to perform the obligations of the Developer or other affirmative covenants of the Developer hereunder, or to guarantee such performance, except that the Mortgagee and its successor shall have no vested right to develop the Project without fully complying with the terms of this Agreement and executing and delivering to the City, in a form and with terms reasonably acceptable to the City, an assumption agreement of Developer's obligations hereunder.

6.4 Request for Notice to Mortgage. The Mortgagee of any Mortgage or deed of trust encumbering the Property, or any part or interest thereof, who has submitted a request in writing to the City in the manner specified herein for giving notices shall be entitled to receive written notification from the City of any notice of non-compliance by Developer in the performance of Developer's obligations under this Agreement.

6.5 Mortgagee's Time to Cure. If the City timely receives a written request from a Mortgagee requesting a copy of any notice of non-compliance given to Developer under the terms of this Agreement, the City shall provide a copy of that notice to the Mortgagee within ten

(10) days of sending the notice of non-compliance to Developer. The Mortgagee shall have the right, but not the obligation, to cure the non-compliance for a period of sixty (60) days after the Mortgagee receives written notice of non-compliance, or any longer period as is reasonably necessary, not to exceed 120 days, to remedy such items of non-compliance, by mutual consent of the City and the Mortgagee provided that Mortgagee shall continuously and diligently pursue the remedy at all times until the item of non-compliance is cured.

6.6 Disaffirmation. If this Agreement is terminated as to any portion of the Property by reason of (i) any default or (ii) as a result of a bankruptcy proceeding, or if this Agreement is disaffirmed by a receiver, liquidator, or trustee for the Developer or its property, the City, if requested by any Mortgagee, shall negotiate in good faith with such Mortgagee for a new development agreement for the Project as to such portion of the Property with the most senior Mortgagee requesting such new agreement. This Agreement does not require any Mortgagee or the City to enter into a new development agreement pursuant to this Section.

7. GENERAL PROVISIONS

7.1 Effective Date. This Effective Date of this Agreement shall be the date on which the Agreement is attested by the City Clerk of the City of Los Angeles after execution by the Property Owner and the Mayor of the City of Los Angeles.

7.2 Term. The Term of this Agreement shall commence on the Effective Date and shall extend for a period of ten (10) years after the Effective Date, unless said Term is otherwise terminated, modified or extended by circumstances set forth in this Agreement or by mutual consent of the Parties hereto. Following the expiration of this Term, this Agreement shall terminate and be of no further force and effect; provided, however, that this termination shall not affect any right or duty arising from entitlements or approvals, including the Project Approvals on the Property, approved concurrently with, or subsequent to, the Effective Date of this Agreement. The Term of this Agreement shall automatically be extended for the period of time of any actual delay resulting from any enactments pursuant to the Reserved Powers or moratoria, or from legal actions or appeals which enjoin performance under this Agreement or act to stay performance under this Agreement (other than bankruptcy or similar procedures), or from any actions pursuant to Section 7.5 (Dispute Resolution), or from any litigation related to the Project or Project Approvals, this Agreement or the Property.

7.3 Appeals to City Council. Where an appeal by Developer or its Transferees, as the case may be, to the City Council from a finding and/or determination of the Planning Commission is created by this Agreement, such appeal shall be taken, if at all, within fourteen (14) days after the mailing of such finding and/or determination to Developer, or its successors, transferees, and/or assignees, as the case may be. The City Council shall act upon the finding and/or determination of the Planning Commission eighty (80) days after such mailing, or within such additional period as may be agreed upon by the Developer or its Transferees, as the case may be, and the City Council. The failure of the City Council to act shall not be deemed to be a denial or approval of the appeal, which shall remain pending until final City Council action.

7.4 Enforced Delay; Extension of Time of Performance. In addition to specific provisions of this Agreement, whenever a period of time, including a reasonable period of time,

is designated within which either Party hereto is required to do or complete any act, matter or thing, the time for the doing or completion thereof shall be extended by a period of time equal to the number of days during which such Party is actually prevented from, or is unreasonably interfered with, the doing or completion of such act, matter or thing because of causes beyond the reasonable control of the Party to be excused, including: war; insurrection; riots; floods; earthquakes; fires; casualties; acts of God; litigation and administrative proceedings against the Project (not including any administrative proceedings contemplated by this Agreement in the normal course of affairs (such as the Annual Review)); any approval required by the City (not including any period of time normally expected for the processing of such approvals in the ordinary course of affairs); restrictions imposed or mandated by other governmental entities; enactment of conflicting state or federal laws or regulations; judicial decisions; the exercise of the City's Reserved Powers; or similar bases for excused performance which are not within the reasonable control of the party to be excused (financial inability excepted). This Section shall not be applicable to any proceedings with respect to bankruptcy or receivership initiated by or on behalf of Developer or, if not dismissed within ninety (90) days, by any third parties against Developer. If written notice of such delay is given to either party within thirty (30) days of the commencement of such delay, an extension of time for such cause will be granted in writing for the period of the enforced delay, or longer as may be mutually agreed upon.

7.5 Dispute Resolution.

7.5.1 Dispute Resolution Proceedings. The parties may agree to dispute resolution proceedings to fairly and expeditiously resolve disputes or questions of interpretation under this Agreement. These dispute resolution proceedings may include: (a) procedures developed by the City for expeditious interpretation of questions arising under development agreements; or (b) any other manner of dispute resolution which is mutually agreed upon by the parties.

7.5.2 Arbitration. Any dispute between the parties that is to be resolved by arbitration shall be settled and decided by arbitration conducted by an arbitrator who must be a former judge of the Los Angeles County Superior Court or Appellate Justice of the Second District Court of Appeals or the California Supreme Court. This arbitrator shall be selected by mutual agreement of the parties.

7.5.2.1 Arbitration Procedures. Upon appointment of the arbitrator, the matter shall be set for arbitration at a time not less than thirty (30) nor more than ninety (90) days from the effective date of the appointment of the arbitrator. The arbitration shall be conducted under the procedures set forth in Code of Civil Procedure Section 638, et seq., or under such other procedures as are agreeable to both parties, except that provisions of the California Code of Civil Procedure pertaining to discovery and the provisions of the California Evidence Code shall be applicable to such proceeding.

7.5.3 Extension of Term. The Term of this Agreement as set forth in Section 7.2 shall automatically be extended for the period of time in which the parties are engaged in dispute resolution to the degree that such extension of the Term is reasonably required because

activities which would have been completed prior to the expiration of the Term are delayed beyond the scheduled expiration of the Term as the result of such dispute resolution.

7.5.4 Legal Action. Either Party may, in addition to any other rights or remedies, institute legal action to cure, correct, or remedy any default, enforce any covenant or agreement herein, enjoin any threatened or attempted violation, or enforce by specific performance the obligations and rights of the Parties hereto. Notwithstanding the above, the City's right to seek specific performance shall be specifically limited to compelling Developer to complete, demolish or make safe any particular improvement(s) on public lands which is required as a Mitigation Measure or Condition of Approval. Developer shall have no liability (other than the potential termination of this Agreement) if the contemplated development fails to occur.

7.5.5 Applicable Law. This Agreement shall be construed and enforced in accordance with the laws of the State of California, and the venue for any legal actions brought by any party with respect to this Agreement shall be the County of Los Angeles, State of California for state actions and the Central District of California for any federal actions.

7.6 Amendments. This Agreement may be amended from time to time by mutual consent in writing of the parties to this Agreement in accordance with Government Code Section 65868, and any Transferee of the Property or any portion thereof. Any amendment to this Agreement which relates to the Term, permitted uses, substantial increase in the density or intensity of use, and is not considered a Substantially Conforming Change (as defined in Section 3.2.5 of this Agreement), shall require notice and public hearing before the parties may execute an amendment thereto. The City hereby agrees to grant priority processing status to any Developer initiated request(s) to amend this Agreement. The City will use all reasonable and good faith efforts to schedule any noticed public hearings required to amend this Agreement before the Planning Commission and/or City Council as soon as practicable. Developer, or a Transferee as applicable, shall reimburse the City for its actual costs, reasonably and necessarily incurred, to review any amendments requested by Developer or a Transferee, including the cost of any public hearings.

7.7 Assignment. The Property, as well as the rights and obligations of Developer under this Agreement, may not be transferred or assigned, in whole or in part, by Developer to a Transferee without the sole consent of the City, subject to the conditions set forth below in Sections 7.7.1.1 and 7.7.1.2. Upon such assignment the assignor shall be released from the obligations so assigned.

7.7.1 Conditions of Assignment. No such assignment shall be valid until and unless the following occur:

7.7.1.1 Written Notice of Assignment Required. Developer, or any successor transferor, gives prior written notice to the City of its intention to assign or transfer any of its interests, rights or obligations under this Agreement and a complete disclosure of the identity of the assignee or Transferee, including copies of the Articles of incorporation in the case of corporations and the names of individual partners in the case of partnerships. Any failure

by Developer or any successor transferor to provide the notice shall be curable in accordance with the provisions in Section 5.1.

7.7.1.2 Automatic Assumption of Obligations. Unless otherwise stated elsewhere in this Agreement to the contrary, a Transferee of Property or any portion thereof expressly and unconditionally assumes all of the rights and obligations of this Agreement transferred or assigned by Property Owner and which are expressly set forth in the applicable Assignment Agreement.

7.7.2 Liability Upon Assignment. Each Transferee of any portion of the Property shall be solely and only liable for performance of such Transferee's obligations applicable to its portion of the Property under this Agreement as specified in the applicable Assignment Agreement. Upon the assignment or transfer of any portion of the Property together with any obligations assignable under this Agreement, the Transferee shall become solely and only liable for the performance of those assigned or transferred obligations so assumed and shall have the rights of a "Developer" under this Agreement; which such rights and obligations shall be set forth specifically in the Assignment Agreement, executed by the transferring Developer, and the Transferee, as of the date of such transfer, assignment or conveyance of the applicable portion of the Property. The failure of a Transferee of any portion of the Property to perform such Developer's obligations set forth in the applicable Assignment Agreement may result, at the City's option, in a declaration that this Agreement has been breached and the City may, but shall not be obligated to, exercise its rights and remedies under this Agreement solely as it relates to the defaulting Transferee's portion of the Property as provided for in Section 5.1 hereof, subject to such defaulting Transferee's right to notice and opportunity to cure the default in accordance with provisions of Section 5.1 hereof. Any partial termination of this Agreement as it relates to that Transferee's holding is severable from the entire Agreement, and shall not affect the remaining entirety of the Agreement.

7.7.3 Release of Property Owner. With respect to a transfer and assignment of the Developer's interest in the Property and the related rights and obligations hereunder, upon the effective date of any such transfer and assignment, as evidenced by the execution of an Assignment Agreement pursuant to this Section 7.7.3 between Developer and the Transferee and delivery of such Assignment Agreement to the City, Developer shall automatically be released from any further obligations to the City under this Agreement with respect to the Property so transferred.

7.7.4 Release of Property Transferee. A Transferee shall not be liable for any obligations to the City under this Agreement relating to any portion of the Property other than that portion transferred to such Transferee, and no default by a Developer under this Agreement with respect to such other portions of the Property shall be deemed a default by such Transferee with respect to the portion of the Property transferred to such Transferee.

7.8 Covenants. The provisions of this Agreement shall constitute covenants which shall run with the land comprising the Property for the benefit thereof, subject to any Assignment Agreement (if applicable) and the burdens and benefits hereof shall bind and inure to the benefit

of the Parties hereto and all successors and assigns of the Parties, including any Transferee of Developer.

7.9 Cooperation and Implementation.

7.9.1. Processing. Upon satisfactory completion by Developer of all required preliminary actions and payment of appropriate Processing Fees, including the fee for processing this Agreement, the Planning Department shall commence and process all required steps necessary for the implementation of this Agreement and development of the Property in accordance with State law and the terms of this Agreement. Developer shall, in a timely manner, provide the Planning Department with all documents, plans, fees and other information necessary for the Planning Department to carry out its processing obligations pursuant to this Agreement.

7.9.2. Other Governmental Permits. Developer shall apply in a timely manner for such other permits and approvals as may be required from other governmental or quasi-governmental agencies having jurisdiction over the Project as may be required for the development of, or provision of services to the Project. The City shall cooperate with Developer in its endeavors to obtain such permits and approvals. Any fees, assessments, or other amounts payable by the City thereunder shall be borne by Developer or Transferee, as the case may be, except where Developer or Transferee, as the case may be, has notified the City in writing, prior to the City entering into an agreement, that it does not desire for the City to execute an agreement.

7.9.3. Cooperation in the Event of Legal Challenge. In the event of any legal action instituted by a third party or other governmental entity or official challenging the validity of any provision of this Agreement, the Parties hereby agree to affirmatively cooperate in defending said action. Developer and the City agree to cooperate in any legal action seeking specific performance, declaratory relief or injunctive relief, to set court dates at the earliest practicable date(s) and not to cause delay in the prosecution/defense of the action, provided such cooperation shall not require any Party to waive any rights.

7.9.4. **Relationship of the Parties.** It is understood and agreed by the parties hereto that the contractual relationship created between the parties hereunder is that Developer is an independent contractor and not an agent of the City. Further, the City and Developer hereby renounce the existence of any form of agency, joint venture or partnership between them and agree that nothing herein or in any document executed in connection herewith shall be construed as making the City and Developer agents of one another or as joint venturers or partners.

7.9.5 Operating Memoranda. The provisions of this Agreement require a close degree of cooperation between City and Developer. During the Term of this Agreement, clarifications to this Agreement and the Applicable Rules may be appropriate with respect to the details of performance of City and Developer. If and when, from time to time, during the terms of this Agreement, City and Developer agree that such clarifications are necessary or appropriate, they shall effectuate such clarification through operating memoranda approved in writing by City and Developer, which, after execution, shall be attached hereto and become part of this Agreement and the same may be further clarified from time to time as necessary with future written approval by City and the Developer. Operating memoranda are not intended to

and cannot constitute an amendment to this Agreement or allow a subsequent Discretionary Action to the Project but are mere ministerial clarifications, therefore public notices and hearings shall not be required. The City Attorney shall be authorized, upon consultation with, and approval of, the Developer, to determine whether a requested clarification may be effectuated pursuant to this Section or whether the requested clarification is of such character to constitute an amendment hereof which requires compliance with the provisions of Section 7.6 above. The authority to enter into such operating memoranda is hereby delegated to the City Planning Director (or his or her designee) who is hereby authorized to execute any operating memoranda hereunder without further City action.

7.9.6 Certificate of Performance. Upon the completion of the Project, or upon performance of this Agreement or its earlier revocation and termination, the City shall provide the Developer, upon the Developer's request, with a statement ("Certificate of Performance") evidencing said completion or revocation and the release of the Developer from further obligations hereunder, except for any ongoing obligations hereunder. The Certificate of Performance shall be signed by the appropriate agents of the Developer and the City and shall be recorded in the official records of Los Angeles County, California. Such Certificate of Performance is not a notice of completion as referred to in California Civil Code Section 8182.

7.10 Indemnification.

7.10.1 Obligation to Defend, Indemnify, and Hold Harmless. Developer hereby agrees to defend, indemnify, and hold harmless the City and its agents, officers, and employees, from any claim, action, or proceeding ("Proceeding") against the City or its agents, officers, or employees (i) to set aside, void, or annul, all or any part of the Development Agreement or any Project Approval, or (ii) for any damages, personal injury or death which may arise, directly or indirectly, from such Developer or such Developer's contractors, subcontractors', agents', or employees' operations in connection with the construction of the Project, whether operations be by such Developer or any of such Developer's contractors, subcontractors, by anyone or more persons directly or indirectly employed by, or acting as agent for such Developer or any of such Developer's contractors or subcontractors. In the event that the City, upon being served with a lawsuit or other legal process to set aside, void or annul all or part of any Project Approval, fails to promptly notify Developer in writing of the Proceeding, or fails to cooperate fully in the defense of the Proceeding, Developer shall thereafter be relieved of the obligations imposed in this Section 7.10. However, if Developer has actual written notice of the Proceeding, it shall not be relieved of the obligations imposed hereunder, notwithstanding the failure of the City to provide prompt written notice of the Proceeding. The City shall be considered to have failed to give prompt written notification of a Proceeding if the City, after being served with a lawsuit or other legal process challenging the Approvals, unreasonably delays in providing written notice thereof to the Developer. As used herein, "unreasonably delays" shall mean any delay that materially adversely impacts Developer's ability to defend the Proceeding. The obligations imposed in this Section 7.10 shall apply notwithstanding any allegation or determination in the Proceedings that the City acted contrary to applicable laws. Nothing in this Section shall be construed to mean that Developer shall hold the City harmless and/or defend it from any claims arising from, or alleged to arise from, its intentional misconduct or gross negligence in the performance of this Agreement.

7.10.2 Defending The Project Approvals. The Developer shall have the obligation to timely retain legal counsel to defend against any proceeding to set aside, void, or annul, all or any part of any Project Approval including without limitation a lawsuit to challenge the approval of the Project or this Agreement in violation of CEQA. The City shall have the right if it so chooses, to defend the Proceeding utilizing in-house legal staff, in which case the Developer shall be liable for all reasonable legal costs and fees reasonably incurred by the City, including charges for staff time charged. In the event of a conflict of interest which prevents the Developer's legal counsel from representing the City, and in the event the City does not have the in-house legal resources to defend against the Proceeding, the City shall also have the right to retain outside legal counsel provided that retaining outside legal counsel causes no delays, in which case the Developer shall be liable for all legal costs and fees reasonably incurred by the City. Provided that the Developer is not in breach of the terms of this Section, the City shall not enter into any settlement of the Proceeding which involves modification to any Project Approval or otherwise results in the Developer incurring liabilities or other obligations, without the consent of the Developer.

7.10.3 Breach of Obligations. Actions constituting a breach of the obligations imposed in this Section 7.10 shall include, but not be limited to: (i) the failure to timely retain qualified legal counsel to defend against the Proceedings; (ii) the failure to promptly pay the City for any attorneys' fees or other legal costs for which the City is liable pursuant to a judgment or settlement agreement in the Proceeding seeking to set aside, void or annul all or part of any Project Approval; or (iii) the breach of any other obligation imposed in this Section 7.10, in each case after written notice from the City and a reasonable period of time in which to cure the breach, not to exceed thirty-days. For purposes of this Section 7.10, Developer shall be considered to have failed to timely retain qualified legal counsel if such counsel is not retained within thirty (30) days following the City's provision of the notice of Proceedings to Developer required hereunder. In the event that Developer breaches the obligations imposed in this Section 7.10, the City shall have no obligation to defend against the Proceedings, and by not defending against the Proceedings, the City shall not be considered to have waived any rights in this Section 7.10.

7.10.4 Cooperation. The City shall cooperate with Developer in the defense of the Proceeding, provided, however, that such obligation of the City to cooperate in its defense shall not require the City to (i) assert a position in its defense of the Proceeding which it has determined, in its sole discretion, has no substantial merit; (ii) advocate in its defense of the Proceeding legal theories which it has determined, in its sole discretion, lack substantial merit; or (iii) advocate in its defense of the Proceeding legal theories which it has determined, in its sole discretion, are contrary to its best interests, or to public policy. Nothing contained in this Section shall require Developer to refrain from asserting in its defense of the Proceeding positions or legal theories that do not satisfy the foregoing requirements.

7.10.5 Contractual Obligation. Developer acknowledges and agrees that the obligations imposed in this Section 7.10 are contractual in nature, and that the breach of any such obligation may subject Developer to a breach of contract claim by the City.

7.10.6 Waiver of Right to Challenge. Developer hereby waives the right to challenge the validity of the obligations imposed in this Section 7.10.

7.10.7 Survival. The obligations imposed in this Section 7.10 shall survive any judicial decision invalidating the Project Approvals.

7.10.8 Preparation of Administrative Record. Developer and the City acknowledge that upon the commencement of legal Proceedings, the administrative record of proceedings relating to the Project Approvals must be prepared. Those documents must also be certified as complete and accurate by the City. Developer, as part of its defense obligation imposed in this Section 7.10, shall prepare at its sole cost and expense the record of proceedings in a manner which complies with all applicable laws; in accordance with reasonable procedures established by the City; and subject to the City's obligation to certify the administrative record of proceedings and the City's right to oversee the preparation of such administrative record. Developer agrees that its failure to prepare the administrative record as set forth herein, and in compliance with all time deadlines imposed by law, shall constitute a breach of its obligation to defend the City. In the event that Developer fails to prepare the administrative record, the City may do so, in which event the City shall be entitled to be reimbursed by Developer for all reasonable costs associated with preparation of the administrative record, including reasonable charges for staff time.

7.10.9. Deposit. Following the filing of a lawsuit, or other legal process seeking to set aside, void or annul all or part of this Development Agreement and/or any Project Approval, Developer shall be required, following written demand by the City, to place funds on deposit with the City, which funds shall be used to reimburse the City for expenses incurred in connection with defending the Project Approvals. For Project Approvals which included the assessment of an environmental impact report by the City, the amount of said deposit shall be ten thousand ($10,000) dollars. For all other Project Approvals, the amount of the deposit shall be five thousand ($5,000) dollars. The City, at its sole discretion, may require a larger deposit upon a detailed showing to the Developer of the basis for its determination that the above stated amounts are insufficient. Any unused portions of the deposit shall be refunded to Developer within thirty (30) days following the resolution of the challenge to the Project Approvals. All Deposits must be paid to the City within thirty (30) days of Developer's receipt of the City's written demand for the Deposit.

7.11 Notices. Any notice or communication required hereunder between the City or Developer must be in writing, and shall be given either personally or by registered or certified mail, return receipt requested. If given by registered or certified mail, the same shall be deemed to have been given and received on the first to occur of (i) actual receipt by any of the addressees designated below as the party to whom notices are to be sent, or (ii) five (5) days after a registered or certified letter containing such notice, properly addressed, with postage prepaid, is deposited in the United States mail. If personally delivered, a notice shall be deemed to have been given when delivered to the party to whom it is addressed. Any party hereto may at any time, by giving ten (10) days' written notice to the other party hereto, designate any other address in substitution of the address, or any additional address, to which such notice or

communication shall be given. Such notices or communications shall be given to the parties at their addresses set forth below:

If to the City:	with copies to:
City of Los Angeles Attention: Director of Planning 200 North Spring Street Los Angeles, CA 90012	Los Angeles City Attorney's Office Real Property/Environment Division 7th Floor, City Hall East 200 North Main Street Los Angeles, CA 90012
If to the Developer:	with a copy to:
Scott P. Rynders Lightstone 555 West 5th Street, 35th Floor Los Angeles, CA 90013	James E. Pugh Sheppard Mullen Richter & Hampton, LLP 333 South Hope Street, 43rd Floor Los Angeles, CA 90071-1422

7.12 Recordation. As provided in Government Code Section 65868.5, this Agreement shall be recorded with the Register-Recorder of the County of Los Angeles within ten (10) days following its execution by all Parties. Developer shall provide the City Clerk with the fees for such recording prior to or at the time of such recording should the City Clerk effectuate recordation.

7.13 Constructive Notice and Acceptance. Every person who now or hereafter owns or acquires any right, title, interest in or to any portion of the Property, is and shall be conclusively deemed to have consented and agreed to every provision contained herein, whether or not any reference to this Agreement is contained in the instrument by which such person acquired an interest in the Property.

7.14 Successors and Assignees. The provisions of this Agreement shall be binding upon and shall inure to the benefit of the Parties, any subsequent owner of all or any portion of the Property and their respective Transferees, successors and assignees.

7.15 Severability. If any provisions, conditions, or covenants of this Agreement, or the application thereof to any circumstances of either Party, shall be held invalid or unenforceable, the remainder of this Agreement or the application of such provision, condition, or covenant to persons or circumstances other than those as to whom or which it is held invalid or unenforceable shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law.

7.16 Time of the Essence. Time is of the essence for each provision of this Agreement of which time is an element.

7.17 Waiver. No waiver of any provision of this Agreement shall be effective unless in writing and signed by a duly authorized representative of the Party against whom enforcement of a waiver is sought and refers expressly to this Section. No waiver of any right or remedy with

respect to any occurrence or event shall be deemed a waiver of any right or remedy with respect to any other occurrence or event.

7.18 No Third Party Beneficiaries. The only Parties to this Agreement are the City and Developer and their successors-in-interest. There are no third party beneficiaries and this Agreement is not intended, and shall not be construed to benefit or be enforceable by any other person whatsoever.

7.19 Entire Agreement. This Agreement sets forth and contains the entire understanding and agreement of the Parties and there are no oral or written representations, understandings or ancillary covenants, undertakings or agreements which are not contained or expressly referred to herein and no testimony or evidence of any such representations, understandings, or covenants shall be admissible in any proceedings of any kind or nature to interpret or determine the provisions or conditions of this Agreement.

7.20 Legal Advice; Neutral Interpretation; Headings, Table of Contents, and Index. Each Party acknowledges that it has received independent legal advice from its attorneys with respect to the advisability of executing this Agreement and the meaning of the provisions hereof. The provisions of this Agreement shall be construed as to their fair meaning, and not for or against any Party based upon any attribution to such Party as the source of the language in question. The headings, table of contents, and index used in this Agreement are for the convenience of reference only and shall not be used in construing this Agreement.

7.21 Duplicate Originals. This Agreement is executed in duplicate originals, each of which is deemed to be an original, but all of which together shall constitute one instrument. This Agreement, not counting the Cover Page, Table of Contents, Index, or signature page, consists of 27 pages and 3 Exhibits which constitute the entire understanding and agreement of the Parties.

(signatures on following page)

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the date first written above.

CITY OF LOS ANGELES, a municipal corporation of the State of California

By: _____
Mr. Eric Garcetti, Mayor

DATE:

APPROVED AS TO FORM:
City Attorney

By: _____
Laura Cadogan Hurd, Deputy City Attorney

DATE:

ATTEST:

By: _____
Deputy

DATE:

Lightstone DTLA, LLP

By: _____
Name:
Title: Authorized Signatory

APPROVED AS TO FORM:

By: _____

EXHIBIT “A”

LEGAL DESCRIPTION OF THE PROPERTY

All that certain real property located in the City of Los Angeles, County of Los Angeles, State of California, more particularly described as follows:

PARCEL 1:

THOSE PORTIONS OF LOTS 9, 10 AND 11 OF CARSON AND CURRIER'S SUBDIVISION OF BLOCK 89 OF ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 55 PAGE 3 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHWESTERLY LINE OF SAID LOT 9, DISTANT SOUTHWESTERLY THEREON 29 FEET FROM THE NORTHWEST CORNER OF SAID LOT; THENCE SOUTH 37 DEGREES 45 MINUTES 30 SECONDS WEST ALONG THE NORTHWESTERLY LINES OF LOTS 9, 10 AND 11, 100.98 FEET, MORE OR LESS, TO THE MOST NORTHERLY CORNER OF THE LAND DESCRIBED AS PARCEL 1 IN THE DEED TO MAURICE E. LIPSON, ET AL., RECORDED DECEMBER 18, 1943 IN BOOK 20508 PAGE 259, OFFICIAL RECORDS OF SAID COUNTY; THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY LINE OF SAID LAND OF LIPSON AND ALONG THE NORTHEASTERLY LINE OF THE LAND DESCRIBED AS PARCEL 1 IN THE DEED TO HORTON AND CONVERSE, RECORDED SEPTEMBER 23, 1941 IN BOOK 18780 PAGE 93, OFFICIAL RECORDS OF SAID COUNTY, TO THE SOUTHEASTERLY LINE OF SAID LOT 11; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINES OF SAID LOTS 11, 10 AND 9, 100.90 FEET, MORE OR LESS, TO A POINT IN THE SOUTHEASTERLY LINE OF SAID LOT 9, DISTANT SOUTHWESTERLY THEREON 29 FEET FROM THE NORTHEAST CORNER OF SAID LOT 9; THENCE NORTHWESTERLY IN A DIRECT LINE TO THE POINT OF BEGINNING.

PARCEL 2:

LOT 14 AND THE SOUTHERLY 25 FEET OF LOT 15 OF CARSON AND CURRIER'S SUBDIVISION OF BLOCK 89, ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, IN BOOK 55 PAGE 3 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT FROM SAID LOT 14 THE SOUTHWESTERLY 14 FEET, EXCEPTING THEREFROM THAT PORTION INCLUDED WITHIN THE SOUTHEASTERLY 5 FEET OF SAID LOT.