



DEPARTMENT OF CITY PLANNING APPEAL REPORT



City Planning Commission

Date: Thursday, January 28, 2016
Time: After 8:30 a.m.
Place: Van Nuys City Hall, Council Chamber
14410 Sylvan Street, 2nd Floor
Van Nuys, California 91401

Public Hearing: Not required
Appeal Status: Modification of the Recorded Tract Map is appealable to City Council; Site Plan Review is not further appealable
Expiration Date: Thursday, January 28, 2016
Multiple Approval: Yes

Case No.: VTT-62367-M3-1A & DIR-2015-97-SPR-1A
CEQA No.: Addendum to ENV-2005-1674-MND (Case No. ENV-2005-1674-MND-REC1)
Incidental Cases: N/A
Related Cases: VTT-62367, VTT-62367-M1, VTT-62367-M2, ZA-2005-1673-ZV-ZAA-SPR, ZA-2005-1673-ZV-ZAA-SPR-PA1, ZA-2005-1673-ZV-ZAA-SPR-PA2
Council No.: 14 - Jose Huizar
Plan Area: Central City
Specific Plan: N/A
Certified NC: Downtown Los Angeles
GPLU: High Density Residential & Regional Center Commercial
Zone: [Q]R5-4D & C2-4D
Applicant: Thomas D. Warren, 900 South Figueroa Street Pad Investors
Representative: Jim Ries, Craig Lawson & Co.
Appellants: 1) Sonny Astani, Astani Enterprises
2) Richard and Megan Alessi

PROJECT LOCATION: 901 South Flower Street & 700 West 9th Street

PROPOSED PROJECT: The project involves the construction, use and maintenance of 341 residential condominium units and 11,687 square feet of neighborhood-serving retail, as the final phase of a three-phase mixed-use development totaling 689 residential condominium units, and 22,963 square feet of commercial uses. Lot No. 1 contains 77 residential condominium units and 2 commercial condominium units; Lot No. 2 contains 271 residential condominium units and 2 commercial condominium units; and, Lot No. 3 contains 341 residential condominium units and 4 commercial condominium units. The total open space provided will be 52,743 square feet.

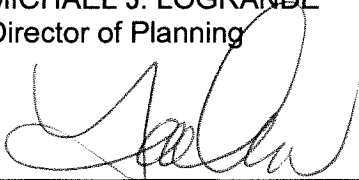
APPEAL:

1. Pursuant to Los Angeles Municipal Code Section 17.06, an appeal of the entire decision of the Advisory Agency's approval of the Modification of a Final Recorded Tract Map No. 62367;
2. Pursuant to Los Angeles Municipal Code Section 16.05-H, an appeal of the Director's approval of a Site Plan Review for the construction, use and maintenance of 341 residential condominium units and 11,687 square feet of neighborhood-serving retail uses; and
3. An appeal of the CEQA finding, including Addendum to the Mitigated Negative Declaration No. ENV-2005-1674-MND (Case No. ENV-2005-1674-MND-REC1) and the Mitigation Monitoring Program for Mitigated Negative Declaration No. ENV-2005-1674-MND.

RECOMMENDED ACTIONS:

1. **Deny** the appeal and **sustain** the decision of the Deputy Advisory Agency for the Modification of a Final Recorded Tract Map No. 62367.
2. **Deny** the appeal and **sustain** the decision of the Director for the construction, use and maintenance of 341 residential condominium units and 11,687 square feet of neighborhood serving retail uses.
3. **Find** that the project was adequately assessed in Mitigated Negative Declaration No. ENV-2005-1674-MND and Addendum (Case No. ENV-2005-1674-MND-REC1) and that none of the conditions described in Section 15162 of the CEQA Guidelines exist requiring subsequent or supplemental environmental review.
4. **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.
5. **Advise** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

MICHAEL J. LOGRANDE
Director of Planning



Jae H. Kim, Associate Zoning Administrator
Deputy Advisory Agency



Jane Choi, AICP, Senior City Planner



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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, Room 532, City Hall, 200 North Spring Street, 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 agendaized 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 these 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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PROJECT ANALYSIS

Project Summary

The project involves the construction, use and maintenance of 341 residential condominium units and 11,687 square feet of neighborhood serving retail, as the final phase of a two-phase mixed-use development totaling 689 residential condominium units and 22,963 square feet of commercial uses. Lot No. 1 contains 77 residential condominium units and 2 commercial condominium units; Lot No. 2 contains 271 residential condominium units and 2 commercial condominium units; and, Lot No. 3 contains 341 residential condominium units and 4 commercial condominium units. (Lots No. 1 and 2 have been constructed and are in operation.) The total open space to be provided will be 52,743 square feet.

The incidental actions of the Deputy Advisory Agency and the Director have been appealed by members of the public.

Background

In 2005, a project was approved which included 629 Joint Live/Work condominium units and 25,023 square feet of retail space with 997 parking spaces on a 2.2 acre site (Tract 62367) (Case Nos. ZA 2005-1673(ZV)(ZAA)(SPR) and VTT-62367). In 2006, the project was modified to include 27,000 square feet of retail space and 629 Joint Live/Work condominium units and in two phases (Case Nos. ZA 2005-1673(ZV)(ZAA)(SPR)(PA1) and VTT-62367-M1).

Phase 1 of the project occurred on Lots 1, 2 and the southern portion of Lot 3, as shown on Exhibit 5. Phase 2 of the project, the phase currently being considered under VTT-62367-M3 and DIR-2015-97-SPR, is located on the northern portion of Lot 3, as shown on Exhibit 5. Through Phase 1 of the project, a 6-story mixed-use structure with 77 units (915 South Flower Street), a 28-story residential tower with 271 units (900-928 South Figueroa Street) and 961 parking spaces were constructed. A total of 11,276 square feet of the 27,000 square feet of commercial floor area have been developed.

Since the original approval there have been several legislative changes which have occurred and are applicable to the project site. In 2006, the City Council established the Greater Downtown Housing Incentive Area (Ordinance No. 179,076) which allows the number of dwelling units in a project to not be limited by the lot area, but by the building's Floor Area Ratio thus allowing density of a building to be determined by its size and not its lot area. In 2009, the City Council amended the Central City Community Plan to include the Downtown Design Guide, which is intended to provide guidance for creating a livable Downtown. In 2011, the City Council established the Downtown Design Guide (Ordinance No. 181,557) codifying it into the Municipal Code. The subject property is located outside of the Implementation Project Area and therefore is required to substantially comply with the Guide. In 2013, the City Council adopted the Bicycle Parking Ordinance to require bicycle parking for all commercial and residential development, with the exception of single-family dwellings.

Subsequent to the legislative changes, the applicant has revised the second phase of original the project involves to include the construction of a 28-story mixed-use building (with a maximum height of 285 feet in height to the top of the parapet and 317 feet, six inches in height to the top of the mechanical equipment). The proposed project is located at 901 South Flower Street and 700 West 9th Street and will include 341 units (a 60 unit increase from the original approval), 13,535 square feet of additional open space, 11,687 square feet of commercial space, 40 new automobile parking spaces and 387 new bicycle parking spaces. The subject property is currently a surface parking lot.

Tract Map 62367 was recorded in two phases occurring in 2009. As the now Recorded Final Tract Map limited the number of dwelling units to 629, the applicant is required to modify the Recorded Tract Map to allow for the additional 60 units. Additionally, as required by Section 16.50 of the Municipal Code, since the project would result in an increase of 50 or more dwelling units, the applicant is required to obtain a Site Plan Review approval. The applicant also filed for a Plan Approval to modify the original 2005 Zoning Administrator's action to make it consistent with the proposed project.

On April 16, 2015, the Department of City Planning published an Addendum to Mitigated Negative Declaration No. ENV-2005-1674-MND for public review reflecting the changes to the project. Two (2) comment letters were received in response to the Addendum. On May 22, 2105, the Deputy Advisory Agency and Hearing Officer jointly held a public hearing for the Modification of the Recorded Final Tract Map, the Site Plan Review and the Plan Approval and took public testimony. Additionally, as the public comment period for the Addendum to Mitigated Negative Declaration No. ENV-2005-1674-MND had not ended, comments relating to the environmental document were also heard and considered. No action was taken at the public hearing as the comment period for the Addendum to Mitigated Negative Declaration No. ENV-2005-1674-MND had not ended.

After independent deliberation, on October 30, 2015, the Zoning Administrator dismissed without prejudice the Plan Approval of Case No. ZA 2005-1673(ZV)(ZAA)(SPR); on November 2, 2015, the Director of City Planning approved the Site Plan Review (Case No. DIR-2015-97-SPR); and on November 4, 2015, the Advisory Agency approved the Modification of Recorded Final Tract Map No. 62367 (Case No. VTT-62367-M3).

On November 2, 2015, the Director of City Planning approved a Site Plan Review for an additional 60 units (for a total of 341 units) within a previously approved 28-story mixed-use building with approximately 11,687 square feet of ground floor retail space and three levels of subterranean parking. On November 4, 2015, the Advisory Agency approved a Modification of Recorded Final Tract Map No. 62367 to permit a maximum of 689 dwelling units.

On November 16, 2015, two appeals were filed by Sonny Astani: one appeal for the Site Plan Review in its entirety and one appeal for the Modification of Recorded Final Tract Map in its entirety. On November 17, 2015, one appeal was filed for the Site Plan Review, in part, by Richard and Megan Alessi.

On January 7, 2016, the Department of City Planning published a Revised Addendum to Mitigated Negative Declaration No. ENV-2005-1674-MND. In response to the comments received and the appeal points regarding the analysis found in the Addendum issued on April 16, 2015, the Revised Addendum incorporated updated data regarding, but not limited to, Traffic and Circulation, Air Quality, Greenhouse Gas Emission and Public Service to establish a more detailed baseline description. From that, the Revised Addendum found that the previous mitigations measure adopted in 2005 along with the original project adequately reduced the proposed project impacts to a less than significant level.

APPEAL ANALYSIS

Staff recommends that the City Planning Commission deny the appeals and sustain the Director of City Planning's approval the Site Plan Review and the Advisory Agency's approval of Modification of Recorded Final Tract Map No. 62367. Staff also recommends that the City Planning Commission find that the project was assessed in Mitigated Negative Declaration No. ENV-2005-1674-MND and Addendum (Case No. ENV-2005-1674-MND-REC1) and that none of the conditions described in Section 15162 of the CEQA Guidelines exist requiring subsequent or supplemental environmental review.

Appeal Summary

The following is a summary of the appeals submitted by the appellants and the Department's response. Exhibits 7-9 include the appeals in their entirety.

Appeal Point No. 1

The Director and Advisory Agency improperly used the CEQA Addendum process to amend the originally adopted 2005 MND (Case No. ENV-2005-1674-MND). Specifically, that the change from the original project to now include 60 new dwelling units, three (3) new off-site signs, 4,050 square feet of a new rooftop deck, reduction in off-street parking and architectural modifications warrant a new environmental review.

Staff's Response

Based on CEQA Guidelines Sections 15162 and 15164, a new environmental review is required when:

1. Substantial changes are proposed in the project which will require major revisions of the Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions of the Negative Declaration due to involvement of new significant environmental effects or a substantial increase in severity of previously identified significant effects; or
3. New information of substantial importance which was not known could not have been known with the exercise of reasonable diligence at the time the previous Negative Declaration was adopted, shows the following:
 - a. The project will have one or more significant effects not discussed in the previous Negative Declaration;
 - b. Significant effects previously examined will be substantially more severe than previously shown in the previous Negative Declaration;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those

analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponent decline to adopt the mitigation measure or alternative.

The changes to the original project do not meet any of the thresholds established by CEQA to warrant new environmental review. The changes cited by the appellant do not result in new significant environmental effects or a substantial increase in severity of previously identified significant effects, nor did substantial environmental changes to the circumstances under which the project was being undertaken or new information of substantial importance occur.

The only significant change to the project from the original 2005 MND and analyzed in the Revised Addendum is an increase in the number of dwelling units from 629 to 689 units. However, this change does not result in any new significant environmental effects or a substantial increase in severity of previously identified significant effects. There is no increase in the total floor area, building height or other features that would result in significant impacts to the environment. The following discussion addresses the appellants' points with regard to the adequacy of the Revised Addendum to ENV-2005-1674-MND as the environmental document for the proposed project.

Traffic

In order to analyze impacts which may have resulted from the increase in the number of dwelling units, a Traffic Analysis was conducted in 2014 in connection with the preparation of the Addendum. In determining whether a new traffic study should be prepared, the traffic review considered changes in conditions surrounding the project. This review found that as a general matter, traffic volumes in Downtown Los Angeles have been decreasing over the last 10 years which is reflected in numerous studies (i.e., Grand Avenue Project – Updated Traffic Assessment for Parcel Q; 5th & Olive Project (formerly Park Fifth Project) – Updated Traffic Assessment), and is consistent with the significant increase in the number of residents living downtown (and thus walking or bicycling to destinations instead of driving), and the increase in the use of transit as the regional rail system has developed with additional lines serving Downtown.

The Revised Addendum includes an Updated Traffic Analysis with 2015 traffic counts, an updated related project list, including the MyFigueroa Project, and updated intersection configurations to reflect recently installed and planned bike lanes. The Updated Traffic Analysis incorporated into the Revised Addendum found that the proposed project, in conjunction with the updated data environmental conditions, did not result in any new significant traffic impacts. The Updated Traffic Analysis was reviewed and approved by the Department of Transportation on December 12, 2015.

Proposed Signage

The proposed project does include the addition of three (3) new off-site sign. These signs would be subject to the Figueroa and Olympic Sign District (SD). The SD only encompassed the city block bounded by Figueroa Street, Olympic Boulevard, Flower Street, and 9th Street, of which the entirety of the proposed project is within the boundaries of.

The SD was established in 2012, in part, to protect residential districts adjoining non-residential districts from potential adverse impacts of signs, including visual impacts of excessive numbers of signs, excessive sign size, sign illumination, and sign motion/animation. The SD sets forth permitted and prohibited types of signage based on geographic location in a number of sub-districts and vertical sign zones within the SD. The

SD also sets forth regulations for signage characteristics including, but not limited to, the following: design and materials, existing non-conforming signs, electronic displays, animated/illuminated signage intensity and hours of operation, permitted sign area, sign location (in relation to street trees, interior courtyards or plazas, and historic structures), offsite content, number of signs, or sign dimensions.

In establishing the SD, the City adopted a Mitigated Negative Declaration (ENV-2007-843-MND) which analyzed the subject property and a building, substantially similar to the proposed project, with signage. It found through the mitigation measures imposed and compliance with the provisions and procedures established in the SD, the impacts associated with any signage, such as light and glare, would be less than significant. Therefore, no new impacts would be associated with the proposed project and any proposed signage.

While the proposed project and any proposed signage would be required to comply with the provisions and procedures set forth in the SD, staff recommends a technical correction to add a condition after Condition No. 6 of Case No. DIR-2015-97-SPR to read: All signage shall be subject to the provisions and procedures established in the Figueroa and Olympic Sign District. (Ordinance No. 182,200)

Parking and Aesthetics

As it relates to parking, the proposed project does not result in a reduction in the amount of parking for the overall development. The original requirement for the overall development was to provide 977 parking spaces. The proposed project would result in an increase of 14 additional parking spaces for a total of 991 parking spaces. Additionally, the proposed project would provide 387 bicycle parking spaces, in conformance with the Bicycle Parking Ordinance.

Furthermore, as discussed in the Addendum, in 2013, the State of California enacted Senate Bill 743 (SB 743), which provides that “aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.” Public Resources Code Section 21099 defines a “transit priority area” as an area within one-half mile of a major transit stop that is “existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations.” Public Resources Code Section 21064.3 defines “Major Transit Stop” as “a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.” Public Resources Code Section 21061.3 defines an “Infill Site” as a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses. This state law supersedes the aesthetic impact thresholds of significance that were previously adopted in the L.A. CEQA Thresholds Guide (2006).

The subject property is an Infill Site within a Transit Priority Area as defined by CEQA. It is located within ½ mile of two existing rail transit stations, the 7th Street Metro Rail Station, and the Pershing Square Metro Rail Station. The Project Site is also located within ½ mile of numerous bus routes with peak commute service intervals of 15 minutes or less. Accordingly, the proposed project’s aesthetic and parking impacts shall not be considered significant impacts on the environment pursuant to Public Resources Code Section 21099.

Noise

The addition of 4,050 square feet of new rooftop deck would not result in a substantial increase in noise levels as previously identified. An outdoor deck and amenity areas were proposed as part of the original project and were adequately analyzed in the 2005 MND. The added outdoor areas, including the rooftop deck, would not substantially alter or change the operational characteristics of the original project, nor the conclusions of the 2005 MND.

Other Impact Categories and Cumulative Impacts

The Revised Addendum updated the analysis in all areas of impact evaluation, including Air Quality, Aesthetics, Noise and Vibrations and Public Services, as well as provided new analysis for Greenhouse Gas Emissions. In each area of impact evaluation, the Revised Addendum found project impacts to either remain the same or be less than previously disclosed in the 2005 MND.

With respect to changes to the physical environment, several development projects have been completed on and around the project property since 2005, however such growth was assumed in the original MND either as a related project, or as assumed ambient growth.

Other changes to the environment, such as the construction of new schools, libraries and those discussed above with reference to the updated traffic analysis have all been considered as part of the Revised Addendum.

In response to the appeal point raised, additional analysis on cumulative impacts was conducted and has been included as part of the Revised Addendum and as Exhibit 10. The additional analysis found that, as the changes for the proposed project do not create or contribute to any significant impacts, the proposed project does not contribute to any cumulatively considerable impacts.

Therefore, the Revised Addendum to ENV-2005-1674-MND is the proper environmental clearance and adequately analyzes and mitigates impacts resulting from the proposed project, as required by CEQA.

Appeal Point No. 2

The Site Plan Review Determination Letter improperly modifies the approvals granted in Case Nos. ZA 2005-1673(ZV)(ZAA)(SPR) and ZA 2005-1673(ZV)(ZAA)(SPR)(PA1).

Staff's Response

The Determination Letter for DIR-2015-97-SPR in no way modifies the approvals granted in Case Nos. ZA 2005-1673(ZV)(ZAA)(SPR) and ZA 2005-1673(ZV)(ZAA)(SPR)(PA1). Though not subject to appeal, the Zoning Administrator found that the changes requested to Case Nos. ZA 2005-1673(ZV)(ZAA)(SPR) and ZA 2005-1673(ZV)(ZAA)(SPR)(PA1) were not necessary and therefore dismissed Case No. ZA 2005-1673(ZV)(ZAA)(SPR)(PA2).

The Plan Approval was not before neither the Director of City Planning nor the Advisory Agency, and is not a part of these appeals. The conditions set forth in Case Nos. ZA 2005-1673(ZV)(ZAA)(SPR) and ZA 2005-1673(ZV)(ZAA)(SPR)(PA1) are in full effect and the applicant must comply with all conditions. The Determination Letter for DIR-2015-97-SPR did not modify the approvals granted in Case Nos. ZA 2005-1673(ZV)(ZAA)(SPR) and ZA 2005-1673(ZV)(ZAA)(SPR)(PA1).

Appeal Point No. 3

The findings contained in the Determination Letter for DIR-2015-97-SPR are not supported by facts, including the project's conformance with the Central City Community Plan (and the Downtown Design Guide), compatibility with existing and future development on surrounding properties and minimization of impacts on neighboring properties through recreational and service amenities.

Staff's Response

The project, as previously discussed, has not substantially changed from the originally approved project which was found to be in substantial conformance with the Central City Community Plan. Subsequent to its original approval, the city adopted the Downtown Design Guide as an implementing tool of the Central City Community Plan goals and policies.

The Design Guide is intended to provide guidance for creating a livable Downtown. It includes both standards (requirements) and guidelines (suggestions). Projects must comply with standards and are strongly encouraged to comply with guidelines. Per Section 12.22-A,30, projects located within the Downtown Design Guide Implementation Project Area are required to fully comply with the Downtown Design Guide. The project is within the Downtown Design Guide boundaries, but not within the Implementation Project Area, which means that the project needs to substantially comply with the standards and guidelines.

The Design Guide states that "in the spirit of affording maximum creativity, projects that do not adhere to the letter of every provision in the Design Guide, but none-the-less demonstrate a clear alternative approach which is superior to and achieves all the prominent objectives of the Design Guide, will be recognized as valid alternative."

In instances where the project may "not adhere to the letter" of a provision in the Design Guide it provides an alternative approach which achieves all the prominent objectives of the Design Guide. For example, the proposed building encroaches on the required sidewalk easement below 40 feet at a few locations, however the building's articulation and design below the 40-foot height limit

The project, however, as proposed, and conditioned, the project substantially complies with the Downtown Design Guide. Specifically, over 50 conditions have been imposed as part of the Site Plan Review approval which implements standards established in the Downtown Design Guide. Staff is recommending a technical correction that Condition No. 6 of Case No. DIR-2015-97-SPR be modified. (Please see the Technical Corrections to VTT-62367-M3 and DIR-2015-97-SPR below).

Therefore, the proposed project is in substantial conformance with the Downtown Design Guide and Central City Community Plan.

In addition the project is compatible with other similar-type and recently approved projects within the immediate vicinity, including the following:

Address	Units	Floor Area (sq. ft.)	Stories	Height (ft)
<i>Proposed Project (Phase 2)</i>	341	338,098	28	285
900 Figueroa Street (Phase 1)	271	315,886	28	312
705 9th Street	214	274,139	34	397
1111 Grand Avenue	176	292,684	13	156
717 Olympic Boulevard	156	184,398	26	303
888 Olive Street	283	369,138	32	360

Lastly, the project provides a considerable increase in the amount of recreational and service amenities to its residents. Under the previously approved actions, a 281 unit building could be built on site without providing any new recreational and service amenities to its residents from what currently exists. Upon implementation of Case No. DIR-2015-97-SPR, while the project would increase its density by 60 units, it would provide an additional 15,535 square feet of new recreational and service amenities to its residents and the residents of the overall development. Put another way, the project would provide approximately 250 square feet of new recreational and service amenities per new dwelling unit, well beyond that which is required by Code. The open space and recreational facilities provided by the proposed project will increase the overall open space of Tract 62367 by 34%.

Appeal Point No. 4

The Modification violates Section 17.14-E of the L.A.M.C. Specifically, the Advisory Agency does not have the authority to increase the density by more than 10%, nor can the Advisory Agency modify conditions imposed as a mitigating measure of the original Tract Map.

Staff's Response

Tract Map No. 62367 was approved as one subdivision in 2005 and included a maximum of 629 dwelling units for the entire site and over three lots. The proposed modification is to increase the total number of dwelling units by 60 units from 629 to 689, a 9.5% increase, as permitted pursuant to Section 17.14-E,3(b) of the L.A.M.C. In 2008, under VTT-62367-M2 the Advisory Agency approved a modification which allocated a specific unit count to the three separate lots within the Tract, but the Tract remained as one subdivision.

The approved increase in the number of units, while applicable to one lot, is less than 10% of the density over that which was originally approved by the Advisory Agency in 2005 when it approved the original Tract Map (i.e the entire subdivision). Two final maps, 62367 and 62367-01, exist as the project was recorded in two phases. Los Angeles Municipal Code Section 17.14-E,3(b), enables an increase in the approved dwelling units within an approved *subdivision* to not more than 10 percent. The regulation applies to the previously approved subdivision, not the final recorded map or maps.

Section 17.14-E,2 of the L.A.M.C. prohibits modifying any condition of the Recorded Final Map if it was imposed as a mitigating measure identified in a mitigated negative declaration. The Advisory Agency's November 4, 2015 approval of the Modification of the Recorded Final Tract Map No. 62367 (Case No. VTT-62367-M3) did not modify or delete any mitigation measures of the original Tract Map. (The mitigation measures imposed in the original Tract Map approval can be found in Conditions Nos. 10, 12c, 12f, 17 and 18 of VTT-62367.) Instead, the Advisory Agency imposed a new condition (Condition No. 12.j) requiring compliance with the Addendum to Mitigated Negative Declaration No. ENV-2005-

1674-MND which was circulated for public review on April 16, 2015. Condition No. 12.j reads:

Environmental Mitigation Measures. Comply with the environmental mitigation measures of Mitigated Negative Declaration No. ENV-2005-1674-MND-REC1 attached (complete copy of mitigation measures are in the case file for ENV-2005-1674-MND). Pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that any mitigation conditions are implemented and maintained throughout the life of the project and the City may be required any necessary fees to cover the cost of such monitoring.

The purpose of the mitigation measures found in the Addendum was to create consistency with current construction practices. However, they were not necessary in that the analysis in the Addendum did not find any new impacts associated with the proposed project that were not otherwise mitigated through implementation of the original MND.

Subsequent to the Advisory Agency's 2015 approval of the Modification of the Recorded Final Tract Map No. 62367 (Case No. VTT-62367-M3), and in response to the appeal points raised, the Department of City Planning circulated for public review a Revised Addendum to Mitigated Negative Declaration No. ENV-2005-1674-MND. The Revised Addendum found that the mitigation measures adopted in 2005 along with the original project adequately reduced the 2015 proposed project's impacts to less than significant levels. Therefore, because the Revised Addendum imposes no new mitigation measures, staff is recommending a technical correction that Condition No. 12.j of Case No. VTT-62367-M3 be deleted. (Please see the Technical Corrections to VTT-62367-M3 and DIR-2015-97-SPR below.)

Appeal Point No. 5

The findings contained in the Determination Letter for VTT-62367-M3 are not supported by facts, including changes in circumstances which make any or all of the conditions of such map no longer appropriate or necessary; imposition of any additional burden on the present fee owner of the property; the rights, title or interests in the real property reflected on the recorded map; conformity to the provisions of Government Code Section 66474 and of this Code, and consideration, among other factors, to the effects of the modifications on surrounding properties.

Staff's Response

The previous conditions imposed, notably the number of dwelling units permitted and requirement of off-street parking, were done so, in part, to comply with various regulations in effect at the time of the original approval and in response to the existing transportation infrastructure.

With the adoption of the Greater Downtown Housing Incentive Area (Ordinance No. 179,076) in 2007, the limitation on density applicable to the subject property was eliminated, thereby allowing, by-right, a project with a greater density than what was original permitted. Then, with the expansion of the public transportation infrastructure since the original approval, including the construction of the Expo Line through Culver City and into Santa Monica (by 2016), the extension of the Gold Line to East Los Angeles and the San Gabriel Valley, the currently-under-construction Regional Connector through Downtown and the currently-under-construction Crenshaw Line through South Los Angeles, all of which are readily accessible to the subject property through the public transit system, the automobile

has become less of a necessity than it was 10 years ago and thus so is the need for off-street parking.

The approved Modification of the Recorded Final Map does not impose any additional burden on the present fee owner of the property, nor does it alter any right, title or interest in the real property. Individual owners of condominium units within the Tract continue to maintain their representation at the Master Board through their condominium association's participation in the Board and no new fees or obligations are imposed as a result of the Modification of the Recorded Final Map. Additionally, the approved modifications do not alter any lot lines, or create any new or modified easements or other property interests nor does it affect the rights, title and interest of individual owners of condominium units within the Tract with regard to common facilities, such as parking, storage or recreational facilities.

On July 5, 2005, the Advisory Agency made the prescribed findings in connection with the approval of the original Vesting Tentative Tract No. 62367. Those findings are still applicable to the Modification of Recorded Final Map 62367, and the final maps, as modified, would continue to conform to the requirements of Government Code Section 66474 and the L.A.M.C. Furthermore, obligations and agreements entered into by the previous owner, including those with the Community Redevelopment Agency (CRA) continue to be in full effect; however the implementation and fulfillment of those obligations and agreements is solely within the purview of the CRA.

Lastly, the Advisory Agency did give consideration to the effects on surrounding properties through Addendum to ENV-2005-1674-MND. No new or additional significant adverse environmental impacts or any increases to the severity of previously identified adverse environmental impacts would result from the proposed modifications.

Appeal Point No. 6

There is no exclusive use of storage described in the Site Plan Review.

Staff's Response

The approval of the Site Plan Review does not alter any rights or interest established in any title document. The rights and access to any storage space established in the governing documents for the Tract and the conveyance of such rights and access is at the sole discretion of the governing bodies of the Tract. There is no obligation to convey storage spaces to any particular owner and no conveyances of any storage spaces have been made through the approval of the tract and subsequent modifications.

Furthermore, the proposed project does not restrict or prevent the construction of storage space should such space be desired by the governing bodies of the Tract.

Appeal Point No. 7

The number of anticipated units in the Site Plan Review exceeds those in the original plan, materially impacting the enjoyment of on-site amenities and the value of the condominium.

Staff's Response

The proposed project does result in an additional 60 units; however, upon making the necessary findings, the Director of City Planning may approve such an increase. The Director did make the necessary findings in the affirmative and therefore approved the proposed project, resulting in an increase in the number of dwelling units by 60.

In addition, the original MND and the Addendum include a mitigation measure that requires the applicant to pay all applicable Quimby fees for the construction of units. This requirement for the fee applies to both the originally approved units as well as the 60 new units under consideration.

Appeal No. 8

The Site Plan Review description of amenities is misleading and that the proposed project will not result in a new pool.

Staff's Response

The Determination Letter for the Site Plan Review does not say that a new pool will be built or that the existing pool, BBQ or weight room will be expanded. As the Determination Letter does not say that a new pool will be built or that the existing pool will be expanded, the description is not misleading.

Conclusion

The appeal of the Modification of the Recorded Final Map and appeals of the Site Plan Review do not demonstrate that either the Advisory Agency or Director of City Planning erred or abused their discretion. The findings made in approving both the Modification of the Recorded Final Map and the Site Plan Review has been done in conformance with provisions of the State's Subdivision Map Act and the Los Angeles Municipal Code. Furthermore, the environmental analysis conducted for the Addendum to ENV-2005-1674-MND is in conformance with the California Environmental Quality Act.

Therefore, since the Modification of the Recorded Final Map was approved pursuant to the provisions of State's Subdivision Map Act and the Los Angeles Municipal Code, the Site Plan Review was approved pursuant to the provisions of the Los Angeles Municipal Code, and the Revised Addendum to ENV-2005-1674-MND meets the requirements of the California Environmental Quality Act, the appeals should be denied and the actions of the Advisory Agency and the Director of City Planning be sustained.

TECHNICAL CORRECTIONS TO VTT-62367-M3 AND DIR-2015-97-SPR

The following technical corrections to VTT-62367-M3 and DIR-2015-97-SPR are recommended by staff:

1. Condition No. 12.j of Case No. VTT-62367-M3 is to be deleted. In consideration of the Revised Addendum, published on January 7, 2016, no new mitigation measures are necessary to reduce project impacts to a level than significant level and therefore Condition No. 12.j is not necessary:

~~Environmental Mitigation Measures. Comply with the environmental mitigation measures of Mitigated Negative Declaration No. ENV-2005-1674-MND-REC1 attached (complete copy of mitigation measures are in the case file for ENV-2005-1674-MND). Pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that any mitigation conditions are implemented and maintained throughout the life of the project and the City may be required any necessary fees to cover the cost of such monitoring.~~

2. Condition No. 3 of Case No. DIR-2015-97-SPR is to be modified. This modification will ensure that the Site Plan Review approval will be conditioned consistent with the VTT-62367-M3 approval.

Condition No. 3 reads:

Parking. On-site parking for the subject property shall be provided in compliance with the commercial and residential parking requirements of the Los Angeles Municipal Code (L.A.M.C.) in conjunction with the applicable Central City and Downtown Parking Districts, except as such deviations are granted pursuant to ZA-2005-1673-ZV-ZAA-SPR and ZA-2005-1673-ZV-ZAA-SPR-PA1.

Condition No. 3 to read:

Parking. On-site parking for the subject property shall be provided in compliance with the commercial and residential parking requirements of the Los Angeles Municipal Code (L.A.M.C.) in conjunction with VTT-62367-M3 ~~the applicable Central City and Downtown Parking Districts~~, except as such deviations are granted pursuant to ZA-2005-1673-ZV-ZAA-SPR and ZA-2005-1673-ZV-ZAA-SPR-PA1.

3. Condition No. 6 of Case No. DIR-2015-97-SPR is to be modified to reflect the subject property's location outside of the Downtown Design Guide Implementation Project Area.

Condition No. 6 reads:

Downtown Design Guide. The project as depicted on "Exhibit A" shall comply with the following Downtown Design Guidelines:

Condition No. 3 to read:

Downtown Design Guide. The project as depicted on "Exhibit A" shall substantially comply with the following Downtown Design Guidelines:

4. Condition is to be added after Condition No. 6 of Case No. DIR-2015-97-SPR and all other subsequent conditions to be renumbered. The subject property is located within the

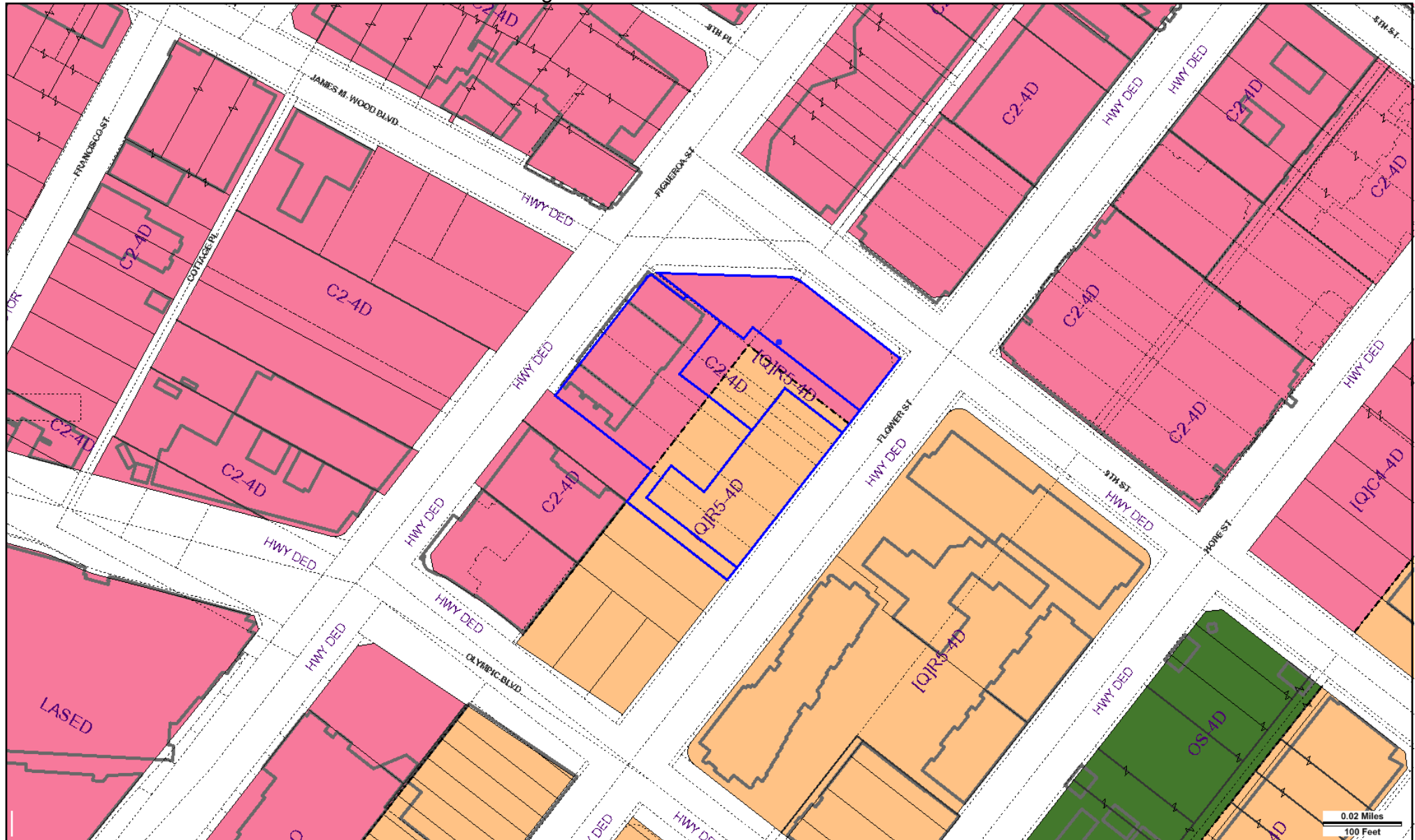
Figueroa and Olympic Sign District and therefore shall comply with the provisions and procedures established in the Sign District.

Condition to read:

7. All signage shall be subject to the provisions and procedures established in the Figueroa and Olympic Sign District. (Ordinance No. 182,200)

Exhibit 1

Zoning Map



Address: 901 S FLOWER ST

APN: 5138017097

PIN #: 129A207 333

Tract: TR 62367-C

Block: None

Lot: LT 1

Arb: None

Zoning: C2-4D

General Plan: High Density Residential, Regional Commercial



LEGEND

GENERALIZED ZONING

- OS, GW
- A, RA
- RE, RS, R1, RU, RZ, RW1
- R2, RD, RMP, RW2, R3, RAS, R4, R5
- CR, C1, C1.5, C2, C4, C5, CW, ADP, LASED, CEC, USC, PVSP
- CM, MR, WC, CCS, UV, UI, UC, M1, M2, LAX, M3, SL
- P, PB
- PF
- HILLSIDE

GENERAL PLAN LAND USE

LAND USE

RESIDENTIAL

- Minimum Residential
- Very Low / Very Low I Residential
- Very Low II Residential
- Low / Low I Residential
- Low II Residential
- Low III Residential
- Low Medium / Low Medium I Residential
- Low Medium II Residential
- Medium Residential
- High Medium Residential
- High Density Residential
- Very High Medium Residential

COMMERCIAL

- Limited Commercial
- Limited Commercial - Mixed Medium Residential
- Highway Oriented Commercial
- Highway Oriented and Limited Commercial
- Highway Oriented Commercial - Mixed Medium Residential
- Neighborhood Office Commercial
- Community Commercial
- Community Commercial - Mixed High Residential
- Regional Center Commercial

FRAMEWORK

COMMERCIAL

- Neighborhood Commercial
- General Commercial
- Community Commercial
- Regional Mixed Commercial

INDUSTRIAL

- Commercial Manufacturing
- Limited Manufacturing
- Light Manufacturing
- Heavy Manufacturing
- Hybrid Industrial

PARKING

- Parking Buffer

PORT OF LOS ANGELES

- General / Bulk Cargo - Non Hazardous (Industrial / Commercial)
- General / Bulk Cargo - Hazard
- Commercial Fishing
- Recreation and Commercial
- Intermodal Container Transfer Facility Site

LOS ANGELES INTERNATIONAL AIRPORT

- Airport Landside
- Airport Airside
- Airport Northside

OPEN SPACE / PUBLIC FACILITIES

- Open Space
- Public / Open Space
- Public / Quasi-Public Open Space
- Other Public Open Space
- Public Facilities

INDUSTRIAL

- Limited Industrial
- Light Industrial

CIRCULATION

STREET

- Arterial Mountain Road
- Collector Scenic Street
- Collector Street
- Collector Street (Hillside)
- Collector Street (Modified)
- Collector Street (Proposed)
- Country Road
- Divided Major Highway II
- Divided Secondary Scenic Highway
- Local Scenic Road
- Local Street
- Major Highway (Modified)
- Major Highway I
- Major Highway II
- Major Highway II (Modified)

- Major Scenic Highway
- Major Scenic Highway (Modified)
- Major Scenic Highway II
- Mountain Collector Street
- Park Road
- Parkway
- Principal Major Highway
- Private Street
- Scenic Divided Major Highway II
- Scenic Park
- Scenic Parkway
- Secondary Highway
- Secondary Highway (Modified)
- Secondary Scenic Highway
- Special Collector Street
- Super Major Highway

FREEWAYS

- Freeway
- Interchange
- On-Ramp / Off- Ramp
- Railroad
- Scenic Freeway Highway

MISC. LINES

- Airport Boundary
- Bus Line
- Coastal Zone Boundary
- Coastline Boundary
- Collector Scenic Street (Proposed)
- Commercial Areas
- Commercial Center
- Community Redevelopment Project Area
- Country Road
- DWP Power Lines
- Desirable Open Space
- Detached Single Family House
- Endangered Ridgeline
- Equestrian and/or Hiking Trail
- Hiking Trail
- Historical Preservation
- Horsekeeping Area
- Local Street
- MSA Desirable Open Space
- Major Scenic Controls
- Multi-Purpose Trail
- Natural Resource Reserve
- Park Road
- Park Road (Proposed)
- Quasi-Public
- Rapid Transit Line
- Residential Planned Development
- Scenic Highway (Obsolete)
- Secondary Scenic Controls
- Secondary Scenic Highway (Proposed)
- Site Boundary
- Southern California Edison Power
- Special Study Area
- Specific Plan Area
- Stagecoach Line
- Wildlife Corridor

POINTS OF INTEREST

 Alternative Youth Hostel (Proposed)	 Horticultural Center	 Public Elementary School
 Animal Shelter	 Hospital	 Public Elementary School (Proposed)
 Area Library	 Hospital (Proposed)	 Public Golf Course
 Area Library (Proposed)	HW House of Worship	 Public Golf Course (Proposed)
 Bridge	e Important Ecological Area	 Public Housing
 Campground	 Important Ecological Area (Proposed)	 Public Housing (Proposed Expansion)
 Campground (Proposed)	 Interpretive Center (Proposed)	 Public Junior High School
 Cemetery	 Junior College	 Public Junior High School (Proposed)
HW Church	 MTA / Metrolink Station	 Public Middle School
 City Hall	 MTA Station	 Public Senior High School
 Community Center	 MTA Stop	 Public Senior High School (Proposed)
 Community Library	MWD MWD Headquarters	 Pumping Station
 Community Library (Proposed Expansion)	 Maintenance Yard	 Pumping Station (Proposed)
 Community Library (Proposed)	 Municipal Office Building	 Refuse Collection Center
 Community Park	P Municipal Parking lot	 Regional Library
 Community Park (Proposed Expansion)	 Neighborhood Park	 Regional Library (Proposed Expansion)
 Community Park (Proposed)	 Neighborhood Park (Proposed Expansion)	 Regional Library (Proposed)
 Community Transit Center	 Neighborhood Park (Proposed)	 Regional Park
 Convalescent Hospital	 Oil Collection Center	 Regional Park (Proposed)
 Correctional Facility	 Parking Enforcement	RPD Residential Plan Development
 Cultural / Historic Site (Proposed)	 Police Headquarters	 Scenic View Site
 Cultural / Historical Site	 Police Station	 Scenic View Site (Proposed)
 Cultural Arts Center	 Police Station (Proposed Expansion)	 School District Headquarters
DMV DMV Office	 Police Station (Proposed)	 School Unspecified Loc/Type (Proposed)
DWP DWP	 Police Training site	 Skill Center
 DWP Pumping Station	PO Post Office	 Social Services
 Equestrian Center	 Power Distribution Station	 Special Feature
 Fire Department Headquarters	 Power Distribution Station (Proposed)	 Special Recreation (a)
 Fire Station	 Power Receiving Station	 Special School Facility
 Fire Station (Proposed Expansion)	 Power Receiving Station (Proposed)	 Special School Facility (Proposed)
 Fire Station (Proposed)	C Private College	 Steam Plant
 Fire Supply & Maintenance	E Private Elementary School	 Surface Mining
 Fire Training Site	 Private Golf Course	 Trail & Assembly Area
 Fireboat Station	 Private Golf Course (Proposed)	 Trail & Assembly Area (Proposed)
 Health Center / Medical Facility	JH Private Junior High School	UTL Utility Yard
 Helistop	PS Private Pre-School	 Water Tank Reservoir
 Historic Monument	 Private Recreation & Cultural Facility	 Wildlife Migration Corridor
 Historical / Cultural Monument	SH Private Senior High School	 Wildlife Preserve Gate
 Horsekeeping Area	SF Private Special School	
 Horsekeeping Area (Proposed)	 Public Elementary (Proposed Expansion)	

500 FT. SCHOOL/PARK ZONE

- Existing School/Park Site
- Planned School/Park Site
- Inside 500 Ft. Buffer

- | | |
|----------------------|----------------------------------|
| Aquatic Facilities | Opportunity School |
| Beaches | Other Facilities |
| Charter School | Park / Recreation Centers |
| Child Care Centers | Parks |
| Elementary School | Performing / Visual Arts Centers |
| Golf Course | Recreation Centers |
| High School | Span School |
| Historic Sites | Special Education School |
| Horticulture/Gardens | Senior Citizen Centers |
| Middle School | Skate Parks |

COASTAL ZONES

- Dual Jurisdictional Coastal Zone
- Calvo Exclusion Area
- Coastal Zone Commission Authority

OTHER SYMBOLS

- | | | |
|--------------------|-----------------------|-------------------------------------|
| Lot Line | Airport Hazard Zone | Flood Zone |
| Tract Line | Census Tract | Hazardous Waste |
| Lot Cut | Coastal Zone | High Wind Zone |
| Easement | Council District | Hillside Grading |
| Zone Boundary | LADBS District Office | Historic Preservation Overlay Zone |
| Building Line | Downtown Parking | Specific Plan Area |
| Lot Split | Fault Zone | Very High Fire Hazard Severity Zone |
| Community Driveway | Fire District No. 1 | Oil Wells |
| Tract Map | | |
| Parcel Map | | |
| Lot Ties | | |
| Building Outlines | | |

Exhibit 2

Radius Map



GC MAPPING SERVICE, INC.
3055 WEST VALLEY BOULEVARD
ALHAMBRA CA 91803
(626) 441-1080 FAX (626) 441-8850

**SITE PLAN REVIEW
MODIFICATION OF RECORDED TRACT MAP NO. 62367**

CASE NO.
DATE: 01 - 06 - 2015
SCALE: 1" = 100'
USES FIELD
D.M. 127.5 A 207
129 A 207
T.B. PAGE: 634 GRID: D-5

Exhibit 3

VTT-62367-M3

Advisory Agency's

Decision Letter

DEPARTMENT OF
CITY PLANNING

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ
PRESIDENT

RENEE DAKE WILSON
VICE-PRESIDENT

ROBERT L. AHN
CAROLINE CHOE
RICHARD KATZ
JOHN W. MACK
SAMANTHA MILLMAN
DANA M. PERLMAN
MARTA SEGURA

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

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
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DEPUTY DIRECTOR
(213) 978-1274

JAN ZATORSKI
DEPUTY DIRECTOR
(213) 978-1273

FAX: (213) 978-1275

INFORMATION
<http://planning.lacity.org>

Decision Date: November 4, 2015

Appeal Period Ends: November 16, 2015

Thomas D. Warren (A)
900 South Figueroa Street Pad
Investors
5000 East Spring Street, Suite 500
Long Beach, CA 90815

Jim Ries (R)
Craig Lawson & Company, LLC.
8758 Venice Boulevard, Suite 200
Los Angeles, CA 90034

Christopher M. Jones (E)
Hall & Foreman
25152 Springfield Court, Suite 350
Santa Clarita, CA 91355

RE: Modification of Recorded Final Tract Map
62367 (**Case No. VTT-62367-M3**)
Address(s): 900 South Figueroa Street,
700 9th Street, 901 South Flower Street
Related Case(s): VTT-62367, VTT-62367-
M1, VTT-62367-M2, ZA-2005-1673-ZV-
ZAA-SPR, ZA-2005-1673-ZV-ZAA-SPR-
PA1, DIR-2015-97-SPR
Planning Area: Central City
Zone : C2-4D & [Q]R5-4D
D. M. : 129A207
C. D. : 14
CEQA : Addendum to ENV-2005-1674-
MND (Case No. ENV-2005-1674-MND-
REC1)
Legal Description: Tract 62367

In accordance with provisions of Los Angeles Municipal Code (LAMC) Section 17.14, the Advisory Agency approved the **MODIFICATION** of Recorded Final Tract Map No. 62367 for a maximum of 629 Joint Live/Work condominium units and 27,000 square feet of retail space in eight commercial condominiums located at 900 South Figueroa Street, 700 9th Street and 901 South Flower Street to permit **a maximum of 689 dwelling units and parking for the new 341 residential units (on Lot 3 of the original Vesting Tentative Tract No. 62367) to be provided at a ratio of 1.25 spaces per unit** as shown on map stamp-dated January 12, 2015 in the Central City Community Plan. This unit density is based on the [Q]R5-4D & C2-4D Zones. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning Code as it applies to this particular property.) For an appointment with the Development Services Center call (213) 482-7077 or (818) 374-5050. The Advisory Agency's approval is subject to the following conditions:

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

BUREAU OF ENGINEERINGMODIFY CONDITION NO. 2 to read:

- a) That a 10-foot wide strip of land be dedicated along 9th Street adjoining the subdivision to complete a 45-foot wide half street dedication in accordance with Secondary Highway Standards, including 20-foot radius limited property line returns at mid-block in 9' Street and at the intersections with Flower Street and Figueroa Street with a lower limit of 4 feet below the sidewalk elevation and an upper limit of 20 feet above the sidewalk elevation at the radius returns all satisfactory to the City Engineer.
- b) The project shall incorporate and maintain a 5-foot wide average setback area from the property line along 9th Street, substantially as depicted on Exhibit "A", which area shall be maintained and used for pedestrian purposes only and may incorporate pedestrian-serving amenities and features.
- c) Building projections over the proposed setback shall be not less than 35 feet above the grade along 9th Street. (Condition imposed by the Advisory Agency).

DEPARTMENT OF BUILDING AND SAFETYMODIFY CONDITION NO. 5.e to read:

Provide a copy of ZA Case ZA-1994-540-RV, ZA-2005-1673-ZV-ZAA-SPR and ZA-1992-433-RV, DIR-2015-97-SPR and ZA-2005-1673-ZV-ZAA-SR-PA2. Show compliance with all the conditions/requirements of the ZA and DIR case(s) as applicable.

DELETE CONDITION NO. 5.g:

~~The submitted map exceeds the allowable maximum density (lot area/dwelling unit) requirement of each Zone. Revise the map to show compliance with the above requirement(s) or obtain approval from the Department of City Planning.~~

STREET TREE DIVISION AND THE DEPARTMENT OF CITY PLANNINGMODIFY CONDITION NO. 11 to read:

~~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 and the Street Tree Division of the Bureau of Street Services. All trees in the public right-of-way shall be provided per the current Street Tree Division standards.~~

~~The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site,~~

~~on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Street Tree Division of the Bureau of Street Services and the Advisory Agency. Note: Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Street Tree 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.~~

Plant street trees and remove any existing trees within the dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services. The developer shall plant a maximum of six (6) 24-inch box Jacaranda (Jacaranda mimosifolia) trees in the public right-of-way on 9th Street, and one (1) 24-inch box Golden rain (Koelreuteria paniculata) tree in the public right-of-way on Flower Street. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the subdivider or contractor shall notify the Urban Forestry Division (213-847-3007) upon completion of construction to expedite tree planting. **Note:** Removal of Protected Tree requires the Board of Public Works approval. Contact Urban Forestry Division at 213-847-3007 for tree removal permit information.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

MODIFY CONDITION NO. 12.a to read:

Limit the proposed overall development to a maximum of 629 Joint Live/Work 689 dwelling units and 27,000 square feet of retail space and Commercial Condominium Units (Lot No. 1 to contain 77 residential condominium units and 2 commercial condominium units, Lot No. 2 to contain 271 residential condominium units and 2 commercial condominium units, and Lot No. 3 to contain 284 341 residential condominium units and 4 commercial condominium units.).

MODIFY CONDITION NO. 12.b to read:

~~Provide a minimum of 957 covered off-street residential parking spaces and 20 retail parking spaces. All parking is to be provided in the first phase of the project construction. All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.~~

Maintain a minimum of 1.52 covered off-street residential parking spaces per unit for the existing 348 units (Lots 1 and 2), provide a minimum of 1.25 off-street residential parking spaces per unit for the proposed 341 units (Lot 3) and commercial parking pursuant to the provisions of the Los Angeles Municipal Code. All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.

If guest parking spaces are gated, a voice response system shall be installed at the gate. Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 North Spring Street, Room 750).

ADD CONDITION NO. 12.g to read:

Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

ADD CONDITION NO. 12.h to read:

INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of 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.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of 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.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. 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 (b).

- e. 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 include 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.

ADD CONDITION NO. 12.i to read:

Environmental Mitigation Measures. Comply with the environmental mitigation measures of Mitigated Negative Declaration No. ENV-2005-1674-MND-REC1 attached (complete copy of mitigation measures are in the case file for ENV-2005-1674-MND). Pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that any mitigation conditions are implemented and maintained throughout the life of the project and the City may be required any necessary fees to cover the cost of such monitoring.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract action. However, the existing or proposed zoning may not permit this density.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

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

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

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

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

FINDINGS OF FACT (CEQA)

The Department of City Planning issued an Addendum to Mitigated Negative Declaration No. ENV-2005-1674-MND (Case No. ENV-2005-1674-MND-REC1) on May 6, 2015. The Department found that potential negative impact could occur from the project's implementation due to:

- Aesthetics (visual character, light, glare);
- Air Quality (construction, operational);
- Cultural Resources (archaeological, paleontological, human remains);
- Geology and Soils (construction, topsoil);
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use and Planning;
- Noise (construction);
- Public Services (fire protection, police protection, schools);
- Transportation/Traffic (emergency access);
- Utilities (water, solid waste).

The Deputy Advisory Agency certifies that the Addendum to Mitigated Negative Declaration No. ENV-2005-1674-MND (Case No. ENV-2005-1674-MND-REC1) reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of ENV-2005-1674-MND-REC1 (the Addendum).

The project as initially proposed and analyzed in 2005 under Mitigated Negative

Declaration ENV-2005-1674-MND included 629 joint live/work condominium residential units and 27,000 square feet of ground floor retail within three (3) buildings. The site has since been improved with a 6-story mixed-use structure with 77 units and 6,575 square feet of retail/commercial space, a 28-story residential tower with 271 units and 4,701 square feet of retail/commercial space and seven-level, 961-car subterranean parking garage, for a total of 348 units and 11,276 square feet of retail/commercial space through Phase 1.

The applicant is now proposing to complete the project through Phase 2 (the third phase was eliminated under VTT-62367-M1) by constructing a new 28-story mixed-use building with 341 residential units, approximately 11,687 square feet of ground floor retail space and three levels of subterranean parking. The proposed project would increase the number of units that were previously approved in 2005 by 60 units, for a total of 689 units, and reduce the amount of overall retail/commercial space by 4,037 square feet, for a total of 22,963 square feet.

On April 16, 2015, the Department of City Planning published the Addendum to Mitigated Negative Declaration No. ENV-2005-1674-MND reflecting the changes as described above for public review. Two (2) comment letters were received in response to the Addendum.

One letter asserts that traffic conditions within and surrounding downtown Los Angeles have changed dramatically since approval of the 2005 MND, implying that approval of the modifications to the initial project would give rise to new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects as analyzed in the previously adopted 2005 MND.

A traffic review was conducted in 2014 in connection with the preparation of the Addendum. In determining whether a new traffic study should be prepared, the traffic review considered changes in conditions surrounding the project. This review found that as a general matter, traffic volumes in downtown Los Angeles have been decreasing over the last 10 years which is reflected in numerous studies (i.e., Grand Avenue Project – Updated Traffic Assessment for Parcel Q; 5th & Olive Project (formerly Park Fifth Project) – Updated Traffic Assessment), and is consistent with the significant increase in the number of residents living downtown (and thus walking or bicycling to destinations instead of driving), and the increase in the use of transit as the regional rail system has developed with additional lines serving Downtown.

Other concerns raised in the letters involve effects on city-wide infrastructure and air and water quality. These concerns are adequately addressed through the environmental and subdivision process.

Based on the analysis presented in the Addendum it is concluded that the proposed changes will not result in substantially more severe effects than as analyzed in the previously adopted 2005 MND. The project is also subject to mandatory existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Landscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

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

In accordance with Section 21081.6 of the Public Resources Code (AB 3180), the Deputy Advisory Agency assures that the identified mitigation measures in ENV-2005-1674-MND-REC1 will be implemented by requiring reporting and monitoring as specified in Condition No. 16 of the tract's original approval. The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency's decision is based are located with the City of Los Angeles, Planning Department, 200 North Spring Street, Room 750, Los Angeles, CA 90012.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Modification of a Recorded Final Tract Map No. 62367-M3, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

- 1. There are changes in circumstances which make any or all of the conditions of such map no longer appropriate or necessary.**

On July 5, 2005, the Advisory Agency approved Vesting Tract Map No. 62367 for a maximum of 629 Joint Live/work condominium units and 25,023 square feet of retail space in three phases. Subsequently, the tract was modified on November 14, 2006 and on April 23, 2008 and recorded in two actions occurring in 2009.

On September 26, 2005, the Zoning Administrator approved Case No. ZA-2005-1673-ZV-ZAA-SPR which granted, among other things, a floor area ratio (FAR) of 7.44:1 in lieu of the maximum permitted of 6 to 1 FAR, the 304th unit through the 549th unit located in the C2 portion of the site to be based on zero square feet of lot area in lieu of the required 200 feet of lot area in the C2 zone, and 39,208 square feet of open space in lieu of the required 62,900 square feet and to permit the open space to be located in a more restrictive zone.

Since the original approval there have been legislative and transit infrastructure changes that make some of the conditions of the original map no longer necessary. In 2007, the City Council established the Greater Downtown Housing Incentive Area (Ordinance No. 179,076) to incentivize "the production of multiple-family mid and high rise housing projects in the Central City Community Plan area, a downtown area, along the many major thoroughfares in the Central City area, near public mass transit facilities and transportation corridors," and "to encourage the development of more housing consistent with the urban character of the downtown area." The ordinance also amended L.A.M.C. Section 12.21-C,3 to allow the number of dwelling units permitted on a lot not be limited by the lot area.

With the ever expanding public transportation infrastructure, including the construction of the Expo Line through Culver City and into Santa Monica (by 2016), the extension of the Gold Line to East Los Angeles and the San Gabriel

Valley, the currently-under-construction Regional Connector through Downtown and the currently-under-construction Crenshaw Line through South Los Angeles, all of which are readily accessible to the subject property through the public transit system, the automobile is less of a necessity than 10 years ago when the Tract was originally approved.

In 2011, the City Council established the Downtown Design Guide (Ordinance No. 181,557) in recognition of the importance of Downtown Los Angeles as the civic, cultural, institutional, governmental, social and economic center of the region and that its urban form is critical to its continued vitality and economic viability and the preservation and enhancement of its historic fabric. The Downtown Design Guide regulates projects that have the potential to affect the urban form, pedestrian orientation and street-level activity, and its implementation will ensure a quality built environment.

The applicant is now requesting to modify the Recorded Final Tract Map to permit an addition of 60 residential units for a maximum of 689 dwelling units, an increase of 9.5%. The increase in the number of units is consistent with the goals of the Greater Downtown Housing Incentive Area of providing more housing in the downtown area, as stated above. The increase requires a modification to Condition No. 12.a to allow 341 residential units on Lot No. 3, with a maximum total of 689 dwelling units on Lot Nos. 1-3. The increase also requires the elimination of Condition No. 5.g as density is no longer subject to the lot area requirements of the zone in the Greater Downtown Housing Incentive Area.

The applicant is also requesting to modify Condition 12.b to allow the parking to be based on a parking ratio of 1.25 spaces per 341 dwelling units on Lot 3, and to deviate from the Advisory Agency Parking Policy.

The development already provides approximately 961 on-site parking spaces for the originally approved 629 residential units and commercial uses. Commercial parking will be consistent with the requirements of ZA-2005-1673-ZV-ZAA-SPR. Upon completion of the proposed project, the Tract will provide a total of 991 parking spaces for 689 units and parking spaces as required for the 22,963 square feet of commercial floor area.

Given the project's location in an increasingly dense and transit-rich part of Los Angeles, the previous parking requirement of 957 covered off-street residential parking spaces and 20 retail parking spaces is no longer appropriate.

Lastly, the applicant is requesting a modification to Condition No. 2 in order to make the project consistent with the Downtown Design Guide which was adopted by City Council on April 24, 2009. While not required to comply with the current standards of the new Downtown Design Guide its implementation is desired both by the applicant as well as the City. In order to allow the compliance with the Downtown Design Guide Condition No. 2.a has been added.

The modifications do not affect the project's consistency with the Central City Community Plan. Given the regulatory changes and transit investments since

the time of the original approval of the tract, the modification of the aforementioned conditions is necessary.

2. The modifications do not impose any additional burden on the present fee owner of the property.

The subject property, which currently includes two constructed buildings, the Concerto Lofts (915 South Flower Street) and the Apex I Tower (900-928 South Figueroa Street), and the subject vacant lot (901 South Flower Street & 700 West 9th Street), is the result of VTT-62367. Subsequent to the recording of the original tract approval, the property has been governed by a Master Declaration of Covenants, Conditions, and Restrictions (CC&Rs) and a Reciprocal Easement Agreement (REA). Given the complex nature of the operations and maintenance of the Tract, the Master Declaration establishes a governance structure for Tract 62367 as well as a Master Association. The Master Association, which acts through the Master Board and the Declarant, the owner of real property, have the power and authority to make decisions and take action for the benefit of the overall quality and operation of the Tract. The Master Board is made up of representatives of the two condominium associations - the Concerto Lofts Association and the Concerto Towers Association, which includes the Apex I Tower and the subject vacant lot. The interests of individual owners of condominium units within the Tract are represented at the Master Board through their condominium association's participation in the Board.

Currently, the Declarant, the owner of the Apex I Tower owns in fee, regulates and maintains the recreation facilities. The Master Association owns in fee, regulates and maintains the garage and storage areas.

Under the Tract 62367 governance documents, the Master Association has the right to make changes to Tract 62367, including common area improvements or any entitlements applicable to the tract. The Master Association has consented in writing to the subject application, thereby confirming that the proposed modifications do not impose any additional burden upon them or the project as a whole.

The proposed Modification does not change the number or location of any parking spaces currently allocated for the exclusive use by individual condominium owners, nor does it impact the rights of any individual owners to the exclusive use thereof; and the condominium fee owners' current parking ratios will be maintained. Lastly, the 9.5% increase in the number of dwelling units will coincide with a 34% increase in the overall amount of open space which will be available to all the residents within Tract 62367.

In addition, the modified project herein proposes compliance with the Downtown Design Guide which was implemented in 2011. As it affects the residents and condominium owners of Tract 62367, compliance with the modified Street Standards will provide pedestrian enhancements along the 9th Street boundary of Tract 62367 and will benefit, not burden current residents or condominium owners.

Accordingly, for the purpose of Government Code Section 66472.1 and LAMC Section 17.14-D, all fee owners of the property in question have consented to the modifications requested by the applicant and such modifications do not impose any additional burden on such fee owners.

3. The modifications do not alter any right, title or interest in the real property reflected on the recorded map.

The proposed Modification does not include any physical changes to the final map, but rather proposes modification of the conditions imposed on the original approval of Tract 62367. The requested modifications would not alter any lot lines, do not create any new or modified easements or other property interests, and do not alter any right, title or interest of record. As discussed above, the fee owners of the property have consented to the modifications proposed by the applicant.

The Master Declaration and REA, which provides for private governance of Tract 62367, are a result of the approval of Tract 62367, but are not part of the final map or the conditions of approval. The proposed changes will not impact the rights of individual condominium owners in Tract 62367. Such owners do not own any of the common facilities, such as parking, storage or recreational facilities, as they are owned by the Master Association which is Apex I Tower owner, and are governed by the tract's internal governing documents (such as the Master Declaration and the REA), none of which are modified or altered by the subject application. Governance and improvement decisions made in accordance with the Master Declaration, REA or other governing documents are private governance matters that are not subject to the City's jurisdiction under the Subdivision Map Act.

Accordingly, for the purpose of Government Code Section 66472.1 and LAMC Section 17.14.D, the modifications requested by the applicant and do not alter any right, title or interest in the real property reflected on the recorded map.

4. The map and conditions as modified conform to the provisions of Government Code Section 66474 and of the LAMC.

Pursuant to LAMC Sections 17.00 et. seq. and Sections 66473.1, 66474.6, 66474.61 and 66474.63 of the State of California Government Code (Subdivision Map Act), the Advisory Agency, on July 5, 2005, made the prescribed findings in connection with the approval of the original Vesting Tentative Tract No. 62367.

The Advisory Agency's decision applies expressly to both the tentative and final maps for Tract No. 62367. These findings are still applicable to the Modification of Recorded Final Map 62367, and the final maps, as modified, would continue to conform to the requirements of Government Code Section 66474, as follows:

- (a) With the proposed Modification, the subdivision will be consistent with the applicable General and Specific Plans. With the proposed modifications the

project is consistent with many of the goals and policies of the General Plan and the elements of the General Plan, including the Central City Plan, the City Center Redevelopment Plan, the Housing Element and the Transportation Element.

- (b) With the proposed Modification, the design and improvement of the subdivision will be consistent with the applicable General and Specific Plan. The Addendum to Mitigated Negative Declaration (Case No. ENV-2005-1674-MND-REC1) indicates that no additional significant impacts or any increases to the severity of previously analyzed environmental impacts would result from the project. Since the original approval of VTT-62367, the LAMC was amended in approximately 2008 to eliminate density per lot area as a development constraint. The modification will increase the number of units by 9.5% but will not increase the project's previously permitted floor area. The building massing will be approximately the same as that which was originally approved. With the proposed modifications, the project will substantially comply with the Downtown Design Guidelines, Urban Design Standards and Guidelines.
- (c) The site is physically suitable for the proposed type of development. The proposed Modification would not increase the project's previously permitted floor area and will result in approximately the same building massing as that originally approved.
- (d) The site is physically suitable for the proposed density of development. The project as modified is an infill development in an otherwise mixed-use neighborhood. While the Modification will increase the density by 9.5%, it will not increase the project's previously permitted floor area. As the Municipal Code was amended in 2007, establishing the Greater Downtown Housing Incentive Area, the site will be physically suitable for the project's increase in density.
- (e) The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. As concluded in the Addendum to Mitigated Negative Declaration (Case No. ENV-2005-1674-MND-REC1), no new or additional significant adverse environmental impacts or any increases to the severity of previously identified adverse environmental impacts, including impacts to fish or wildlife or their habitat, would result from the proposed Modification. The project area is presently paved and used for parking purposes and does not provide a natural habitat for either fish or wildlife.
- (f) The design of the subdivision and the proposed improvements are not likely to cause serious public health problems. The proposed Modification is not likely to cause serious public health problems. In addition, as concluded in the Addendum to Mitigated Negative Declaration (Case No. ENV-2005-1674-MND-REC1), no new or additional significant adverse environmental impacts

or any increases to the severity of previously identified adverse environmental impacts would result from the proposed modifications.

- (g) The design of the subdivision and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. No such easements were known to exist prior to the original approval of the subdivision. The project is in compliance with all applicable conditions of the tentative map approval, and the proposed Modification will not conflict with any easements dedicated to the public at large prior to recordation of the final maps.
- (h) The design of the proposed subdivision will provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed modifications to the subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel to be subdivided and other design and improvement requirements. Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed. No changes in the lot layout are proposed. The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities. In addition, prior to obtaining a building permit, the subdivider shall consider building construction, techniques, such as overhanging eaves, location of windows, insulation, exhaust fans, planting of trees for shade purposes and the height of the building on the site in relation to adjacent development.

5. The decision-maker has given consideration, among other factors, to the effects of the modifications on surrounding properties.

The proposed modification will not adversely impact the surrounding properties.

The subject property is located in Downtown Los Angeles which has seen considerable growth over the past decade, since VTT-62367 was originally approved, in part due to economic and developmental pressures, but also in part due to new City policies and regulations. The proposed Modification aims to respond to these economic/developmental pressures as well as the new City policies and regulations. As a result, the proposed Modification would not have an adverse effect on the surrounding properties, but instead allows the project to be more compatible with the surrounding properties.

Specifically, modification of the sidewalk easement allows for greater consistency and continuity of the Downtown Street Standards. The increase in the number of dwelling units will create more consistency with the Greater Downtown Housing Incentive Area and will not result in an adverse effect on surrounding properties. Lastly, reducing the required parking for Phase II brings the project more in line with the goals of the City's Downtown Design Guide, which did not exist at the

time of the original approval and seeks to promote an active pedestrian environment in a variety of ways, including limiting parking to no more than the minimum required by Code in an effort to promote a multimodal transportation system.

Moreover, as concluded in the Addendum to Mitigated Negative Declaration (Case No. ENV-2005-1674-MND-REC1), no new or additional significant adverse environmental impacts or any increases to the severity of previously identified adverse environmental impacts would result from the proposed modifications.

LIMITATIONS OF A MODIFICATION OF RECORDED FINAL MAP

In connection with the approval of the Modification of Recorded Final Tract No. 62367 (Case No. 62367-M3), pursuant to Section 17.14-E of the Los Angeles Municipal Code, modifications and amending maps shall be governed by the following limitations:

- 1. No modifications involving increases in density shall be allowed which would change the density of a subdivision as approved on appeal by the City Planning Commission or the City Council, where such density was the subject of the appeal to the City Planning Commission or the City Council.**

This provision does not apply to the subject Modification. On July 5, 2005, the Advisory Agency approved Vesting Tract Map No. 62367. No appeals were subsequently filed on this action.

- 2. No condition may be modified if it was imposed as a mitigating measure identified in a mitigated or conditional negative declaration or in an Environmental Impact Report.**

None of the conditions being modified herein were imposed as a mitigating measure identified in the Environmental Case No. ENV-2005-1674-MND. The project will not create or result in any new substantial increase in the severity of previously identified potentially significant impacts. The Advisory Agency adopts the findings and adopts Environmental Case No. ENV-2005-1674-MND-REC1 as part of this subject modification.

- 3. Modifications involving increase in density over that originally approved by the Advisory Agency in approving the tentative map shall be limited to not more than 10 percent for subdivision containing 10 or more lots or dwelling units.**

On July 5, 2005, the Advisory Agency approved Vesting Tract Map No. 62367 for 629 Joint Live/Work condominium units. The tract has subsequently been recorded and 348 of the residential units have been built.

The applicant is now requesting to modify the recorded tract map to permit 60 additional residential units. The Modification will increase density by 9.5%, less than the maximum permitted 10%.

4. **Modifications involving increase in the height of structures shall be limited to not more than 10 percent above the approved height of such structures.**

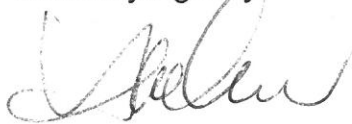
The subject property is within the C2-4D Zone and has no height restriction. As such, no height limitation was imposed per the approved Vesting Tract Map. Nevertheless, Case No. ZA-2005-1673-ZA-YV-ZAA-SPR which was a concurrent entitlement with the original tract approval showed the subject building to be 308 feet in height to the top of the roof and 328 feet in height to the top of the parapet. The proposed project (Phase 2) would have a maximum height of approximately 285 feet in height to the top of the parapet and 317 feet, six inches in height to the top of the mechanical equipment. Therefore, the modification will not increase the height of the project as originally approved.

5. **The Modification would not violate the intent of any of the original conditions of the tract map approval.**

On July 5, 2005, the Advisory Agency approved Vesting Tract No. 62367 for a maximum of 629 Joint Live/Work condominium units and 25,023 square feet of retail space. The tract has subsequently been recorded and 348 residential units have been built. The proposed Modification would only permit the addition of 60 units, a reduction in the required parking for the proposed (unbuilt) phase of the project and make other modifications to establish consistency with current regulatory standards. Furthermore, the Modification being requested does not change the consistency with the Central City Community Plan.

All other conditions and findings of Vesting Tentative Tract No. 62367 and subsequent modifications shall remain as originally written.

Michael J. LoGrande
Advisory Agency



JAE H. KIM
Deputy Advisory Agency

JK:JC:ON:on

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

Figueroa Plaza
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
213 482-7077

Marvin Braude San Fernando Valley
Constituent Service Center
6262 Van Nuys Blvd., Room 251
Van Nuys, CA 91401

818 374-5050

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

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

If you have any questions, please call Development Services Center staff at (213) 482-7077 or (818) 374-5050.

Exhibit 4

DIR-2015-97-SPR

**Director's Decision
Letter**

**DEPARTMENT OF
CITY PLANNING**

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ
PRESIDENT

RENEE DAKE WILSON
VICE-PRESIDENT

ROBERT L. AHN
CAROLINE CHOE
RICHARD KATZ
JOHN W. MACK
SAMANTHA MILLMAN
DANA M. PERLMAN
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COMMISSION EXECUTIVE ASSISTANT II
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**City of Los Angeles
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INFORMATION
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Date: November 2, 2015

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Los Angeles Department of Building
and Safety

Case No. DIR-2015-97-SPR
CEQA: Addendum to ENV-2005-1674-
MND (Case No. ENV-2005-1674-
MND-REC1)
Location: 901 South Flower Street &
700 West 9th Street
Council District: 14
Neighborhood Council Downtown Los Angeles
Community Plan Area: Central City Planning Area
Land Use Designation: High Density Residential &
Regional Center Commercial
Zone: C2-4D
Legal Description: Lot 1, Tract 62367-C (the northern
portion of Lot 3 of Tract Map No.
62367)

Last Day to File an Appeal: November 17, 2015

Pursuant to Los Angeles Municipal Code Section 16.05, as the designee of the Director of Planning, I hereby:

Conditionally Approve a Site Plan Review for the construction, use and maintenance of an additional 60 units (for a total of 341 units) within a previously approved 28-story mixed-use building with approximately 11,687 square feet of ground floor retail space and three levels of subterranean parking in the C2-4D Zone on Lot 1, Tract 62367-C (the northern portion of Lot 3 of Tract Map No. 62367);

Adopt Addendum to Mitigated Negative Declaration No. ENV-2005-1674-MND (Case No. ENV-2005-1674-MND-REC1) as the environmental clearance.

Adopt the Mitigation Monitoring Program for the Addendum to Mitigated Negative Declaration No. ENV-2005-1674-MND (Case No. ENV-2005-1674-MND-REC1).

Adopt the attached findings.

Advise the applicant that pursuant to the California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that environmental mitigation measures are implemented and maintained through the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

This approval is subject to the following terms and conditions:

1. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan, and elevations labeled Exhibit "A" attached to the subject case file. The location, type, and size of signage are not a part of this approval. Minor deviations may be allowed in order to comply with provisions of the Municipal Code and the conditions of approval.

(Note: For the purposes of this approval, Phase 1 shall include that portion of the development which is existing on Lots 1, 2 and the southern portion of Lot 3, as shown on Exhibit "A", sheet SP-08; Phase 2 shall include that portion of the development which is proposed on the northern portion of Lot 3, as shown on Exhibit "A", sheet SP-08, herein referred to as the subject property or Phase 2.)

2. **Floor Area.** The maximum floor area for the subject property shall not exceed 340,000 square feet. The maximum floor area for all of Tract 62367 shall not exceed a Floor Area Ratio of 7.44:1.
3. **Parking.** On-site parking for the subject property shall be provided in compliance with the commercial and residential parking requirements of the Los Angeles Municipal Code (L.A.M.C.) in conjunction with the applicable Central City and Downtown Parking Districts, except as such deviations are granted pursuant to ZA-2005-1673-ZV-ZAA-SPR and ZA-2005-1673-ZV-ZAA-SPR-PA1.
4. **Open Space.**
 - a. The project shall provide open space on the subject property as permitted and required pursuant to ZA-2005-1673-ZV-ZAA-SPR and ZA-2005-1673-ZV-ZAA-SPR-PA1 for the previously approved 281 units.
 - b. The project shall provide open space on the subject property for the additional 60 units as required pursuant to Section 12.21-G of the L.A.M.C and Section 12.22-C,3 of the L.A.M.C. (Greater Downtown Housing Incentive Area).
5. **Bicycle Parking.** The project shall provide on-site bicycle parking spaces on the subject property for the proposed 341 units and commercial floor area as required pursuant Section 12.21-A,16 of the L.A.M.C.
6. **Downtown Design Guide.** The project as depicted on "Exhibit A" shall comply with the following Downtown Design Guidelines:

(Note: All references to "Table" and "Figure" are in reference to the Downtown Design Guidelines document.).

- a. Sustainable Design
 - i. Sidewalks including street trees, parkways, tree wells, and paving shall be designed to collect stormwater runoff.

b. Sidewalks and Setbacks.

- i. Provide a 5-foot wide average easement along 9th Street, as shown on Exhibit "A".
- ii. Provide a minimum six-foot continuous path of travel.
- iii. Any outdoor dining area along any portion of the paved sidewalk shall maintain a minimum six-foot wide continuous path of travel.
- iv. Provide continuous landscaped parkways along 9th Street and Flower Street, as shown on Exhibit "A", except adjacent to bus stops, and in other locations determined by City Planning staff to be inappropriate for parkways.
- v. Retail uses along 9th Street and Flower Street (Retail Streets) shall be located along the building street wall (as defined in Table 6-1) at or within a few feet of the back of the required sidewalk easement.

c. Ground Floor Treatment.

- i. The ground floor space along 9th Street and Flower Street shall be designed to include a linear frontage equal to at least 75 percent of street frontage to accommodate retail uses.
- ii. The ground floor space within 150' of an intersection shall be designed specifically for retail uses.
- iii. Mid-block ground floor space shall be designed for retail, professional office, and live-work uses.
- iv. The ground floor retail space may be located along the required street wall or along a courtyard or plaza, provided the retail frontage is not more than 60 feet from the back of sidewalk and is visible from the sidewalk.
- v. The required ground floor retail space shall be provided to a depth of at least 25 feet from the front façade and shall include an average 14'-0" floor-to-ceiling height.
- vi. Wall openings including storefront windows and doors shall compromise at least 75 percent of the street level façade.
- vii. The project shall provide clear glass for all wall openings along all street-level façades. Dark tinted, reflective or opaque glazing is not permitted for any required wall opening along street level facades.
- viii. The building's primary entrance, defined as the entrance which provides the most direct access to the main lobby and is kept unlocked during business hours, shall be located on a public street or on a courtyard, plaza or paseo that is connected to and visible from a public street.

- ix. At least one building entrance, which provides access to a building's main lobby and which is kept unlocked during business hours, shall be located on a public street.
- x. At least one building entrance, which may be either a building or tenant/resident entrance, shall be provided along each street frontage.
- xi. Street wall massing, articulation and detail, street level building entrances and storefront windows and doors, as well as the use of quality materials and decorative details, shall be used to promote pedestrian-scaled architecture along the street.
- xii. Awnings and canopies shall be fabricated of woven fabric, glass, metal or other permanent material compatible with the building architecture.
- xiii. Internally illuminated, vinyl awnings are not permitted.
- xiv. Electrical transformers, mechanical equipment, and other equipment shall not be located along the ground floor along 9th Street or Flower Street.
- xv. Electrical transformers, mechanical equipment, other equipment, storage spaces, blank walls, and other elements that are not pedestrian-oriented shall not be located within 100 feet from the corner on Figueroa and 9th Street (east) or Flower and 9th Street (west) and within 50 feet south of the corner on 9th and Flower Street.

d. Parking and Access.

- i. Parking required for a project shall be integrated into the project it serves. Public parking may be either a freestanding structure or integrated into a project, provided it is clearly signed as public parking.
- ii. Except for the ground level frontage required for access, no parking or loading shall be visible on the ground floor of any building façade that faces a street.
- iii. Parking, loading or circulation located above the ground floor shall be 1) lined by habitable floor area along all street frontages or, 2) if the project sponsor demonstrates that it is not feasible to line the parking with habitable space above the ground floor, integrated into the design of the building façade.
- iv. No more than the minimum required parking may be provided unless provided for adjacent buildings that lack adequate parking.
- v. Curb cuts and parking/loading entries into buildings shall be limited to the minimum number required and the minimum width permitted.
- vi. Parking and loading access shall be shared where feasible.

- vii. Where a vehicular exit from a parking structure is located within 5 feet of the back of sidewalk, a visual/audible alarm shall be installed to warn pedestrians and cyclists of exiting vehicles.
- viii. Residential units shall be designed to maintain interior sound levels, when windows are closed, at below 45 dB. Because the exterior sound level may exceed 60 dB, measures in addition to conventional construction are suggested to meet the interior standard, including use of 1/4" laminated or double glazing in windows.

e. Massing and Street Wall

- i. Street walls (the building walls along the sidewalk) shall be located in relationship to the back of sidewalk as specified in Table 3-2.
- ii. 80% of the building's street walls shall have the minimum number of stories specified Table 6-2. Walls above the ground floor that step back less than 15 feet from the ground floor street wall are considered to be part of the street wall.
- iii. The portion of a tower above 150 feet shall be spaced at least 80 feet from all existing or possible future towers, both on the same block and across the street, except where 1) the towers are offset (staggered), 2) the largest windows in primary rooms are not facing one another, or 3) the towers are curved or angled, as illustrated in Figure 6-2. Where there is an existing adjacent tower, the distance should be measured from the wall of the existing adjacent tower to the proposed tower.
- iv. The shortest horizontal distance between the specified window of one residential unit and the specified window or wall of another residential unit in the same project shall have, at a minimum, the "line-of-sight" distances from the middle of the windows specified in Table 6-2.
- v. In dwelling units, operable windows shall be installed in all units to provide natural ventilation.
- vi. Towers may extend directly up from the property line at the street and are not required to be setback.

f. On-Site Open Space.

- i. Provide 13,535 square feet of open space as shown on Exhibit "A", on the subject property.
- ii. Site landscaping and residential open space shall be provided as required by Section 12.21-G of the Zoning Code, except as approved under ZA-2005-1673(ZV)(ZAA)(SPR). At least 50 percent of the trees on-site are canopy trees that shade open spaces, sidewalks, and buildings.
- iii. Locate on-site open space and permit public access during normal business hours in accordance with Table 7-1.

- iv. Provide landscaping and seating in each open space type in accordance with Table 7-2.
- v. On roof terraces, trees and other plantings in permanent and temporary planters shall be located to provide shade, reduce reflective glare, and add interest to the space.
- vi. On roof terraces, provide permanent and temporary seating that is placed with consideration to sun and shade, and other factors contributing to human comfort.
- vii. Mature canopy trees shall be provided within open spaces, especially along streets and required setbacks.
- viii. Contain open space along a minimum percentage of its perimeter by building and/or architectural features in accordance with Table 7-3.

g. Architectural Detail.

- i. Vary details and materials horizontally to provide scale and three-dimensional qualities to the building.
- ii. Provide well-marked entrances to cue access and use.
- iii. Enhance all public entrances to a building or use through compatible architectural or graphic treatment.
- iv. Provide different architectural treatment on the ground floor façade than on the upper floors, and feature high quality materials that add scale, texture and variety at the pedestrian level.
- v. Provide a vertically articulated street wall façade, using different treatment for the building's base, middle and top, and use balconies, fenestration, or other elements to create an interesting pattern of projections and recesses.
- vi. Provide an identifiable break between the building's ground floors and upper floors designed for office or other use.
- vii. Provide sustainable materials, using durable materials on ground floor façade. Smooth painted plaster may be used.
- viii. Use especially durable materials on ground floor façades.
- ix. Detail buildings with rigor and clarity to reinforce the architect's design intentions and to help set a standard of quality to guide the built results.
- x. Layer the building skin and provide a variety of textures that bear a direct relationship to the building's massing and structural elements.

- xi. Design curtain walls with detail and texture, while employing the highest quality materials.
 - xii. Design the color palette for a building to reinforce building identity and complement changes in the horizontal or vertical plane.
 - xiii. Ground-floor window and door glazing shall be transparent and non-reflective.
 - xiv. Above the ground floor, both curtain wall and window/door glazing shall have the minimum reflectivity needed to achieve energy efficiency standards. Non-reflective coating or tints are preferred.
 - xv. A limited amount of translucent glazing may be used to provide privacy.
 - xvi. Exterior lighting shall be shielded to reduce glare and eliminate light being cast into the night sky.
 - xvii. Integrate security lighting into the architectural and landscape lighting system.
 - xviii. Exterior roll-down doors and security grills are not permitted except interior roll-down doors and security grilles may be permitted, provided they are at least 75% transparent (open), retractable and designed to be fully screened from view during business hours.
 - xix. Mechanical equipment shall be either screened from public view or the equipment itself shall be integrated with the architectural design of the building.
 - xx. Ventilation intakes/exhausts shall be located to minimize adverse effects on pedestrian comfort along the sidewalk. Typically locating vents more than 20' vertically and horizontally from a sidewalk and directing the air flow away from the public realm will accomplish this objective.
 - xxi. Lighting (exterior building and landscape) shall be directed away from adjacent properties and roadways, and shielded as necessary. In particular, no light shall be directed at the window of a residential unit either within or adjacent to a project.
 - xxii. Reflective materials or other sources of glare (like polished metal surfaces) shall be designed or screened to not impact views nor result in measurable heat gain upon surrounding windows either within or adjacent to a project.
 - xxiii. Other sources of glare, such as polished metal surfaces, shall be designed or screened to not impact views from surrounding windows.
7. Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting properties.
8. **Maintenance.** The subject property (including any trash storage areas, associated parking facilities, sidewalks, driveways, yard areas, parkways, and exterior walls

along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.

9. **Public Easement.** Encroachments into the public easement shall be to the satisfaction of Bureau of Engineering.
10. **Environmental Mitigation Measures.** Comply with the environmental mitigation measures of the Addendum to Mitigated Negative Declaration No. ENV-2005-1674-MND (Case No. ENV-2005-1674-MND-REC1). Pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that any mitigation conditions are implemented and maintained throughout the life of the project and the City may be required any necessary fees to cover the cost of such monitoring.

ADMINISTRATIVE

11. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
12. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.
13. **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 assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
14. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices legislation or their successors, designees, or amendment to any legislation.
15. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
16. **Building Plans.** Page 1 of this grant and all conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
17. **Utilization of Concurrent Entitlement.** Site Plan Review requires completion of all applicable conditions of approval to the satisfaction of the Department of City Planning. The applicant/owner shall have a period of three years from the effective date of the subject grant for the Site Plan Review to effectuate the terms of this entitlement by securing a building permit. Thereafter, the entitlements shall be

deemed terminated and the property owner shall be required to secure a new authorization for the use. If a building permit is obtained during this period, but subsequently expires, this determination shall expire with the building permit.

18. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
19. **Expedited Process Section Fees.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
20. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of 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.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of 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.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. 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 (b).
- e. 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 include 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.

BACKGROUND

In 2005, a project was approved which included 629 Joint Live/Work condominium units and 25,023 square feet of retail space with 997 parking spaces on a 2.2 acre site (Tract 62367) (Case Nos. ZA 2005-1673(ZV)(ZAA)(SPR) and VTT-62367). In 2006, the project was modified to include 27,000 square feet of retail space and 629 Joint Live/Work condominium units and in two phases (Case Nos. ZA 2005-1673(ZV)(ZAA)(SPR)(PA1) and VTT-62367-M1).

Phase 1 of the project occurred on Lots 1, 2 and the southern portion of Lot 3, as shown on Exhibit "A". Phase 2 of the project, the phase currently being considered under VTT-62367-M3 and DIR-2015-97-SPR, is located on the northern portion of Lot 3, as shown on Exhibit "A".

Through Phase 1 of the project, a 6-story mixed-use structure at 915 South Flower Street with 77 units, a 28-story residential tower at 900-928 South Figueroa Street with 271 units and 961 parking spaces were constructed. A total of 11,276 square feet of the 27,000 square feet of commercial floor area have been developed.

Since the original approval there have been several legislative changes which have occurred and are applicable to the project site.

In 2006, the City Council established the Greater Downtown Housing Incentive Area (Ordinance No. 179,076) which allows the maximum number of dwelling units to not be limited by the lot area, effectively allowing unlimited density.

In 2009, the City Council amended the Central City Community Plan to include the Downtown Design Guide, which aims to: *maintain and enhance the concentration of jobs; provide a range of housing types and price levels that offer a full range of choices; enable people to move around easily on foot, by bicycle, transit, and auto; provide shops and services for everyday needs; design streets not just for vehicles, but as usable outdoor space for walking, bicycling and visual enjoyment; provide places for people to socialize, including parks, sidewalks, courtyards and plazas, that are combined with shops and services; provide adequate public recreational open space, including joint use open space, within walking distance of residents; and, integrate public art and contribute to the civic and cultural life of the City.*

In 2011, the City Council established the Downtown Design Guide (Ordinance No. 181,557) in recognition of the importance of Downtown Los Angeles as the civic, cultural, institutional, governmental, social and economic center of the region and that its urban form is critical to its continued vitality and economic viability and the preservation and enhancement of its historic fabric. The Downtown Design Guide regulates projects that have the potential to affect the urban form, pedestrian orientation and street-level activity, and its implementation will ensure a quality built environment.

In 2013, the City Council amended the Bicycle Parking Ordinance to require bicycle parking for all commercial and residential development, with the exception of single-family dwellings.

The proposed project involves the second phase of the two-phase project and includes the construction of a 28-story mixed-use building (with a maximum height of 285 feet in height to the top of the parapet and 317 feet, six inches in height to the top of the mechanical equipment). The proposed project is located at 901 South Flower Street & 700 West 9th Street and will include 341 units (a 60 unit increase from the original approval), 13,535 square feet of additional open space, 11,687 square feet of commercial space, 40 new automobile parking spaces and 387 new bicycle parking spaces. The subject property is currently a surface parking lot.

The applicant is now requesting changes to certain conditions of ZA 2005-1673(ZV)(ZAA)(SPR) and ZA 2005-1673(ZV)(ZAA)(SPR)(PA1) applicable only to the subject property (Lot 1, Tract 62367-C) which would allow greater consistency with the Greater Downtown Housing Incentive Area regulations and current development practices in the Downtown area.

The subject property is zoned C2-4D and has a High Density Residential and Regional Center Commercial General Plan Land Use designation, which have the corresponding zones of CR, C1.5, C2, C4, C5, R3, RAS3, R4, RAS4 and R5.

Figueroa Street, abutting the property to the west, is a Modified Avenue I (Modified Major Highway), dedicated to a variable width ranging between 80 and 92 feet and improved with asphalt roadway and concrete curb, gutter and sidewalk.

9th Street, abutting the property to the north, is a Modified Avenue II (Modified Secondary Highway), dedicated to a variable width ranging between 86 and 190 feet and improved with asphalt roadway and concrete curb, gutter and sidewalk.

Flower Street, abutting the property to the east, is a Modified Avenue II (Modified Secondary Highway), dedicated to a width 90 feet and improved with asphalt roadway and concrete curb, gutter and sidewalk.

SITE PLAN REVIEW FINDINGS

I have reviewed the subject development project and hereby find the following findings based on the information contained in the application, the report of the Site Plan Review staff, reports received from other departments, supplemental written documents submitted and review of environmental impacts associated with the project pursuant to Section 16.05-C of the Municipal Code:

- 1. The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and does not conflict with any applicable regulations, standards, and any applicable specific plan.**

The proposed project complies with all applicable provisions of the Los Angeles Municipal Code, the Central City Community Plan and the Downtown Design Guidelines. The subject property (Phase 2) is located in the City Center Redevelopment Project area, Los Angeles State Enterprise Zone, the Central City Revitalization Zone and the Los Angeles Renewal Community.

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.

The Land Use Element of the City's General Plan is divided into 35 Community Plans. The subject property which the subject request involves is located in the High Density Residential and Regional Center Commercial land use designation which includes corresponding zones of CR, C1.5, C2, C4, C5, R3, R4, R5, RAS3 and RAS4. The existing C2-4D zoning is consistent with this designation.

The Central City Community Plan identifies the area surrounding the subject property as South Park and recognizes it to be a mixed-use community with a significant concentration of housing. The proposed mixed-used building meets the intent and numerous objectives and policies of the Community Plan as follows:

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

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

The proposed project is a part of a larger development which has formed over the last 10 years and the combined Phases 1 and 2 will provide a total of 689 new units

(at a density of 1 unit per 140 square feet of lot area) and approximately 23,000 square feet of neighborhood serving restaurant and retail uses.

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

The proposed project will provide 341 rental units and is a part of a larger development which includes a total of 689 new units, including 77 condominiums, providing both rental units and home ownership.

Objective 1-2: To foster residential development which can accommodate a full range of incomes.

Policy 1-2.1: Encourage a cluster neighborhood design comprised of housing and services.

The proposed project will include a total of 689 new units and approximately 23,000 square feet of neighborhood serving restaurant and retail uses. The project is also within proximity to a large variety of restaurants, retail stores and other neighborhood services.

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

Policy 2-1.2: To maintain a safe, clean, attractive, and lively environment.

The proposed project completes the larger development discussed above with 11,687 square feet of ground floor restaurant and retail uses at the corners of the 9th Street and Figueroa and Flower Streets. The project, including the Phase 1 ground floor retail spaces along Figueroa and Flower Streets will bring activity to the adjacent rights-of-way, resulting in a safer, cleaner, more attractive and lively environment.

Objective 2-2: To retain the existing retail base in Central City.

Policy 2-2.2: To encourage pedestrian-oriented and visitor serving uses during the evening hours especially along the Figueroa Street corridor between the Santa Monica Freeway (I-10) and Fifth Street.

The proposed project, Phase 2 of the larger development, will provide 11,687 square feet of ground floor restaurant and retail uses along the 9th Street façade between Figueroa and Flower Streets. Figueroa Street currently has the main lobby to Apex I and retail space along its frontage. While the project does not add pedestrian-oriented or visitor serving uses along Figueroa, it will complete the larger development (which includes portions within the Figueroa Street corridor) by providing a total of 22,963 square feet of ground floor, neighborhood serving, pedestrian-oriented uses. Completion of the larger development will further encourage pedestrian-oriented and visitor serving uses during the evening hours especially along the Figueroa Street corridor.

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

The proposed project will complete the larger development with 11,687 square feet of ground floor restaurant and retail uses along the 9th Street façade resulting in a total of approximately 23,000 square feet of ground floor neighborhood serving, small, local retail services through both Phases 1 and 2.

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.

The proposed project is located within ½ mile of the Los Angeles Convention Center and will complete the larger development which includes portions within the Figueroa Street Corridor with 11,687 square feet of ground floor retail along the 9th Street façade resulting in a total of approximately 23,000 square feet of ground floor restaurant and retail uses for the entire development through both Phases 1 and 2.

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

The proposed project will provide 11,687 square feet of ground floor restaurant and retail uses and 341 new residential units. The project will also include on-site amenities such as a pool area with chaise lounges and cabanas and a rooftop with café-style and family-style seating, a banquette, bar area, outdoor kitchen with barbeque and wall-mounted TV for residents of both Phases 1 and 2.

Overall the proposed project is a part of a larger development which will provide a mixture of uses including a total of 689 new units and approximately 23,000 square feet of neighborhood serving restaurant and retail uses. Such intensification and mixture of uses would encourage 24-hour activity.

Objective 4-2: To maximize the use of the City's existing and envisioned open space network and recreation facilities by providing connections to the open space system.

Policy 4-2.1: To foster physical and visual links between a variety of open spaces and public spaces Downtown.

The proposed project will provide a minimum 5-foot wide sidewalk easement along 9th Street. The project also complies with other sidewalk, streetscape and ground floor treatment standards of the Downtown Design Guidelines which will improve the public right-of-way adjacent to the subject property, providing physical and visual linkages to nearby open and public spaces in Downtown, such as L.A. Live, the Los Angeles Convention Center and Grand Hope Park.

Objective 4-4: To encourage traditional and non-traditional sources of open space by recognizing and capitalizing on linkages with transit, parking, historic resources, cultural facilities, and social services programs.

Policy 4-4.1: Improve Downtown's pedestrian environment in recognition of its important role in the efficiency of Downtown's transportation and circulation systems and in the quality of life for its residents, workers, and visitors.

The proposed project will provide a minimum 5-foot wide sidewalk easement along 9th Street. The project also complies with other sidewalk, streetscape and ground floor treatment standards of the Downtown Design Guidelines which will improve the public right-of-way adjacent to the subject property, improving Downtown's pedestrian environment and quality of life for its residents, workers, and visitors.

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

Policy 4-4.1: Preserve and enhance Central City's primary pedestrian-oriented streets and sidewalks and create a framework for the provision of additional pedestrian friendly streets and sidewalks which complement the unique qualities and character of the communities in Central City.

The proposed project will provide a minimum 5-foot wide sidewalk easement along 9th Street. The project also complies with other sidewalk, streetscape and ground floor treatment standards of the Downtown Design Guidelines which will enhance Central City's primary pedestrian-oriented streets and sidewalks and create a framework for the provision of additional pedestrian friendly streets and sidewalks which complement the unique qualities and character of the communities in Central City.

- 2. That 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 neighboring properties.**

The proposed project (Phase 2) is the construction of a 28-story mixed-use building (approximately 317 feet in height) with 341 residential units, approximately 11,687 square feet of ground floor restaurant and retail uses and three levels of subterranean parking. The proposed project is located on the northern portion of Lot 3, as shown in Exhibit "A". Phase 1 included a 28-story, 271-unit residential tower (Apex I), a six-story, 77-unit mixed-use building (Concerto Lofts) and 961 parking spaces.

The project is located within the South Park area of Downtown Los Angeles. The subject property is within the Central City Community Plan, which designates the property for High Density Residential and Regional Center Commercial land uses. The Citywide General Plan Framework identifies the area as the Downtown Center. As such, the subject property and neighboring properties are intended as the primary center of urban activity for the Los Angeles region with development including Floor Area Ratios (FAR) of up to 13:1 and high-rise buildings.

Height/Bulk

The proposed project (Phase 2) will include 341 units and have a maximum of approximately 340,000 square feet of floor area. The project would have 28 stories and a maximum height of approximately 285 feet to the top of the parapet and 317 feet, six inches in height to the top of the mechanical equipment.

In addition to the adjacent Apex I Tower, other similar-type, recently approved projects within the immediate vicinity include:

Address	Units	Floor Area (sq. ft.)	Stories	Height (ft)
<i>Proposed Project (Phase 2)</i>	341	338,098	28	285
900 Figueroa Street (Apex I)	271	315,886	28	312
705 9th Street	214	274,139	34	397
1111 Grand Avenue	176	292,684	13	156
717 Olympic Boulevard	156	184,398	26	303
888 Olive Street	283	369,138	32	360

Additionally, the project has been designed, consistent with Section 6, Massing and Street Wall, of the Downtown Design Guidelines, to reinforce the street wall with well-designed elements that are sensitive to the neighborhood context and provide a comfortable scale for pedestrians.

Therefore, the height and bulk for the proposed mixed-use building will be compatible with the existing and planned future developments in the neighborhood.

Setbacks

The proposed project will provide a 5-foot wide average easement along 9th Street and eight-foot, one-inch (8'-1") setback along Flower Street. These setbacks will ensure that the proposed sidewalks are walkable, accommodate a variety of uses and are appropriate to the mixed-use development, consistent with Section 3, Sidewalk and Setbacks, of the Downtown Design Guidelines.

Therefore, the building setbacks for the proposed mixed-use building will be compatible with the existing and planned future developments in the neighborhood.

Parking

The proposed project is a part of a larger development which will include a total of 689 units and approximately 23,000 square feet of neighborhood serving retail space. Through the completion of Phase 1, the site has 961 parking spaces. The proposed project will add a net of 30 parking spaces, for a total of 991 parking spaces. The 991 parking spaces meet the requirements of Los Angeles Municipal Code (L.A.M.C.) and applicable provisions of the Central City and Downtown Parking Districts.

Additionally, the project will provide the Code required bicycle parking spaces for the proposed 341 units and 11,687 square feet of commercial floor area in Phase 2.

All automobile will be located within the entire unified development, as permitted under ZA 2005-1673(ZV)(ZAA)(SPR). All bicycle parking will be located on the same lot the development for Phase 2 is to occur. Therefore, the automobile and bicycle parking for the proposed mixed-use building will be compatible with the existing and planned future developments in the neighborhood.

Vehicular Access

The proposed project (Phase 2) is a part of a larger development which currently includes one ingress and one egress driveway along Figueroa Street and one ingress and one egress driveway along Flower Street. The proposed project will add a new loading dock on site which will be accessible from Flower Street. All ingress and egress to the existing subterranean parking garage will be through the existing driveways.

The proposed new loading dock is consistent with Section 5, Parking and Access, of the Downtown Design Guidelines, which seeks to minimize the curb-cuts and ground-level frontage required for access to parking and loading.

Therefore, the vehicular access for the proposed mixed-use building will be compatible with the existing and planned future developments in the neighborhood.

Lighting

The proposed project will provide exterior and security lighting consistent with Section 8, Architectural Detail, of the Downtown Design Guidelines. All exterior lighting will be shielded to reduce glare and eliminate light being cast into the night sky and security lighting will be integrated into the architectural and landscape lighting system.

Therefore, the lighting for the proposed mixed-use building will be compatible with the existing and planned future developments in the neighborhood.

On-Site Landscaping

The proposed project will provide on and off-site landscaping consistent with Downtown Design Guidelines and the requirements of the Bureau of Engineering, Urban Forest Division.

The project will provide continuous landscaped parkways along 9th and Flower Street, including planting one (1) Golden rain and six (6) 24-inch box Jacaranda street trees. Additionally, the project will include 13,535 square feet of new open space with on-site landscaping that provides shade and other aesthetic and functional objectives, such that it facilitates outdoor activities consistent with Section 7, On-Site Open Space, of the Downtown Design Guidelines. The applicant proposes a total of 27 trees, 11 within the public right-of-way, one (1) at the ground level (on-site), four (4) at the mezzanine level, three (3) at the fourth floor level and eight (8) on the rooftop.

Therefore, the landscaping for the proposed mixed-use building will be compatible with the existing and planned future developments in the neighborhood.

Trash Collection

All trash collection will be done on-site, consistent with the requirements of the L.A.M.C., and will not be visible from the public right-of-way, consistent with Section 4, Ground Floor Treatment, of the Downtown Design Guidelines, which seeks to minimize the exposure of "back of house"-type operations.

Therefore, trash collection for the proposed mixed-use building will be compatible with the existing and planned future developments in the neighborhood.

Other Improvements

The proposed project is located within the Figueroa and Olympic Supplement Use Signage District which seeks to *"support and enhance land uses and urban design objectives in the Central City Community Plan; reinforce the pedestrian-oriented character of the streets within and immediately surrounding the District by allowing and encouraging pedestrian-oriented signs throughout the District; ensure the quality of the Central City's appearance by avoiding clutter; ensure that new signs are responsive to and integrated with the aesthetic character of the structures on which they are located, and are positioned in a manner that is compatible both architecturally and relative to the other signage on-site; encourage creative, well-designed signs that contribute in a positive way to the Central City's visual environment, and help maintain an image of quality and excellence for the Central City; protect residential districts adjoining non-residential districts from potential adverse impacts of signs, including visual impacts of excessive numbers of signs, excessive sign size, sign illumination, and sign motion/animation; and minimize potential traffic hazards and protect public safety."*

The applicant has proposed a minimum of three (3) off-site signs in addition to other on-site signage. The applicant is required to submit the proposed master sign plan to the Metro Neighborhood Projects Section within the Department of City Planning and to obtain Project Permit Compliance approval or "Director sign-offs" for the Figueroa and Olympic Supplemental Use Signage District.

Therefore, other pertinent improvements (signage) for the proposed mixed-use building will be compatible with the existing and planned future developments in the neighborhood.

3. That any residential project provides recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.

The proposed project (Phase 2) will include 341 residential units and approximately 11,687 square feet of neighborhood-serving restaurant and retail uses. The project will include 40 studio units, 153 one-bedroom units, 140 two-bedroom units, and 8 three-bedroom units.

The existing development, constructed as a part of Phase 1, includes a swimming pool, terrace, and fitness center built in a central courtyard, as well as a landscaped pedestrian crossing and passageway traversing the lot from Flower Street to Figueroa Street.

The proposed project will provide an additional 13,535 square feet of open space. Approximately 8,200 square feet of open space will be available to all the residents of Tract 62367 (including the Concerto Lofts and Apex I) and includes a second floor outdoor mezzanine, fourth floor amenity room, two lounges and the rooftop. The second floor outdoor mezzanine level will include new landscaped tenant/residential private patio areas. The fourth floor level, adjacent to the residential amenity, will complete the existing pool deck by providing a new chaise lounge area, new cabanas and new wood decking and paving to match the existing pool deck available. The rooftop will include new café-style and family-style seating, a banquette, bar area, outdoor kitchen with barbeque and wall-mounted TV. Approximately 5,300 square feet of open will provided within 106 private balconies.

Upon completion, the entire development will include a minimum of 52,743 square feet of open space.

Additionally, the project will provide the Code required bicycle parking spaces for the proposed 341 units and 11,687 square feet of commercial floor area in Phase 2.

Therefore, the project provides recreational and service amenities that will improve habitability for the residents and minimize any impact on neighboring properties.

ADDITIONAL MANDATORY FINDINGS

4. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, which are areas identified on the flood map as areas determined to be outside the 0.2% annual chance floodplain.
5. On May 6, 2015, the City Planning Department issued an Addendum to Mitigated Negative Declaration No. ENV-2005-1674-MND (Case No. ENV-2005-1674-MND-REC1). On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that there is no substantial evidence that the proposed project will have a significant effect on the environment. This Mitigated Negative Declaration reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts are mitigated to a less than significant level. I hereby adopt that action. The custodian of the documents or other material which constitute the record of proceedings upon which the decision is based are located with the City of Los Angeles, Planning Department located at 200 North Spring Street, Room 750, Los Angeles, California.

Authorization - Time Limit and Transferability

The authorization granted herein shall be for a three year period from the effective date. If building permits are not issued and construction work is not begun within such time and carried on diligently so that building permits do not lapse, this approval shall become null and void. There are no time extensions available beyond this three year period. Furthermore, this grant is not a permit or license and that permits and licenses required by all applicable laws must be obtained from the proper agency.

In the event the property is sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise such person or corporation regarding the conditions of this authorization. If any portion of the authorization is utilized, the conditions and requirement of the grant will become operative and must be strictly observed

Appeal Period - Effective Date

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code.

The Determination in this matter will become effective after November 17, 2015 unless an appeal there from is filed with the Department of City Planning. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of this Determination, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at www.planning.lacity.org.** Planning Department public offices are located at:

Figueroa Plaza 201 North Figueroa Street, Fourth Floor Los Angeles, CA 90012-2601 Phone: (213) 482-7077	Marvin Braude San Fernando Valley Constituent Services Center 6262 Van Nuys Boulevard, Suite 251 Van Nuys, CA 91401 Phone: (818) 374-5050
---	--

The applicant is further advised that all subsequent contact with this office regarding this Determination must be with the decision-maker who acted on the case. 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. You should advise any consultant representing you of this requirement as well.

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

MICHAEL LOGRANDE
Director of Planning

APPROVED BY:



Jae H. Kim
Associate Zoning Administrator

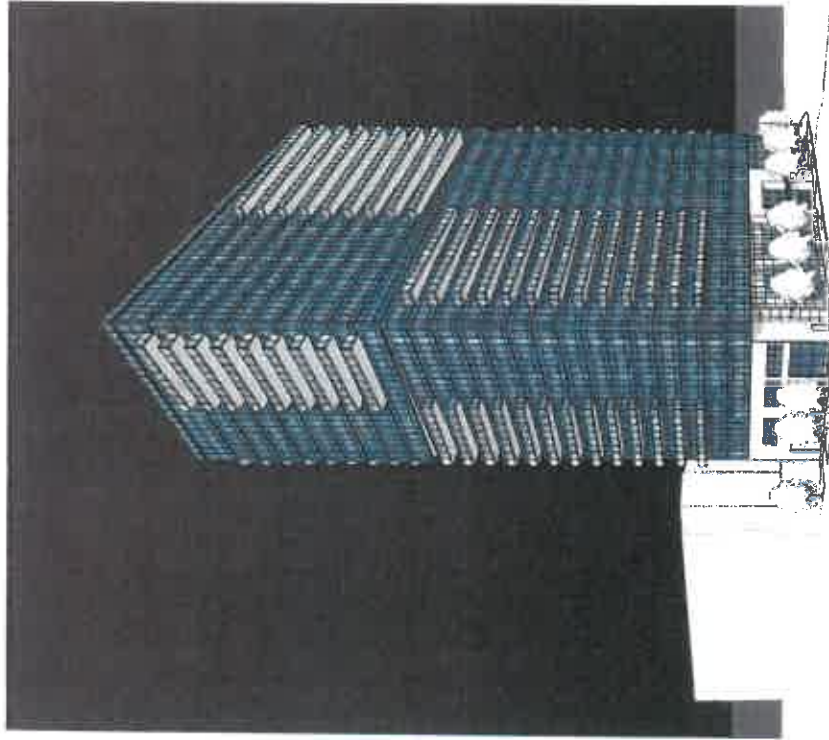


Jane Choi, AICP
City Planner



Oliver Netburn, City Planning Associate
(213) 978-1382

Attachments:
Exhibit A: Site Plans, Floor Plans and Elevations



APEX II
700 W. 9TH STREET
LOS ANGELES, CA 90015
ENTITLEMENT SET
DECEMBER 17, 2014
WITH SOME SHEETS DATED OCTOBER 22, 2015

EXHIBIT "A"
Page No. 1 of 51
Case No. DIC-2015-17-502



PRESTON
ARCHITECTS, PC
A MULTI-DISCIPLINARY DESIGN FIRM

SOUTH TERRACE
115 PERIMETER CENTER PLAZA, SUITE 150
AT PERIMETER CENTER
LOS ANGELES, CA 90015
TELEPHONE: 770.386.2244
FAX: 770.386.2845
WWW.THEPRESTONPARTNERSHIP.COM

PROJECT
APEX II

700 W. 9TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



500 E BRINDLEY BLVD, STE 800
LOS ANGELES, CA 90015
405.205.5004

DATE 12/17/2014
JOB NUMBER 148802
DRAWN BY CP
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SHEET TITLE COVER SHEET

SHEET NUMBER CS-01

COMMENTS
NOT ISSUED FOR CONSTRUCTION
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INDEX

SHEET NAME

GENERAL

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CS-02 INDEX
SP-01 SITE - CONTEXT DIAGRAM
SP-02 SITE - ADJACENT BUILDINGS
SP-03 PLOT PLAN
SP-04 ENLARGED PLOT PLAN
SP-05 PROJECT DATA
SP-08 PHASING PLAN

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BP-02 BIKE PARKING DIAGRAM - GROUND FLOOR

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Page No. 2 of 51
Case No. 018-2015-93-S1



**PRESTON
ARCHITECTS, PC**
A MULTI-DISCIPLINARY DESIGN FIRM
SOUTH TERRACES
115 PERMETER CENTER PLACE, SUITE 850
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TELEPHONE: 770.246.7750
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PROJECT
APEX II
700 W. 9TH STREET
LOS ANGELES, CA 90016

FOR
HOLLAND PARTNER
GROUP



6000 E SPRING ST. STE 820
COMMERCE, CA 90015
952.505.5004

DATE 10/22/2015
JOB NUMBER 1495802
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SHEET TITLE INDEX

SHEET NUMBER
CS-02
COMMENTS
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2000 E SPRING ST. STE. 600
LONG BEACH, CA 90801
TELEPHONE: 781.985.7240
WWW.PRESTONARCHITECTS.COM

**PROJECT
APEX II**

700 W. 4TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



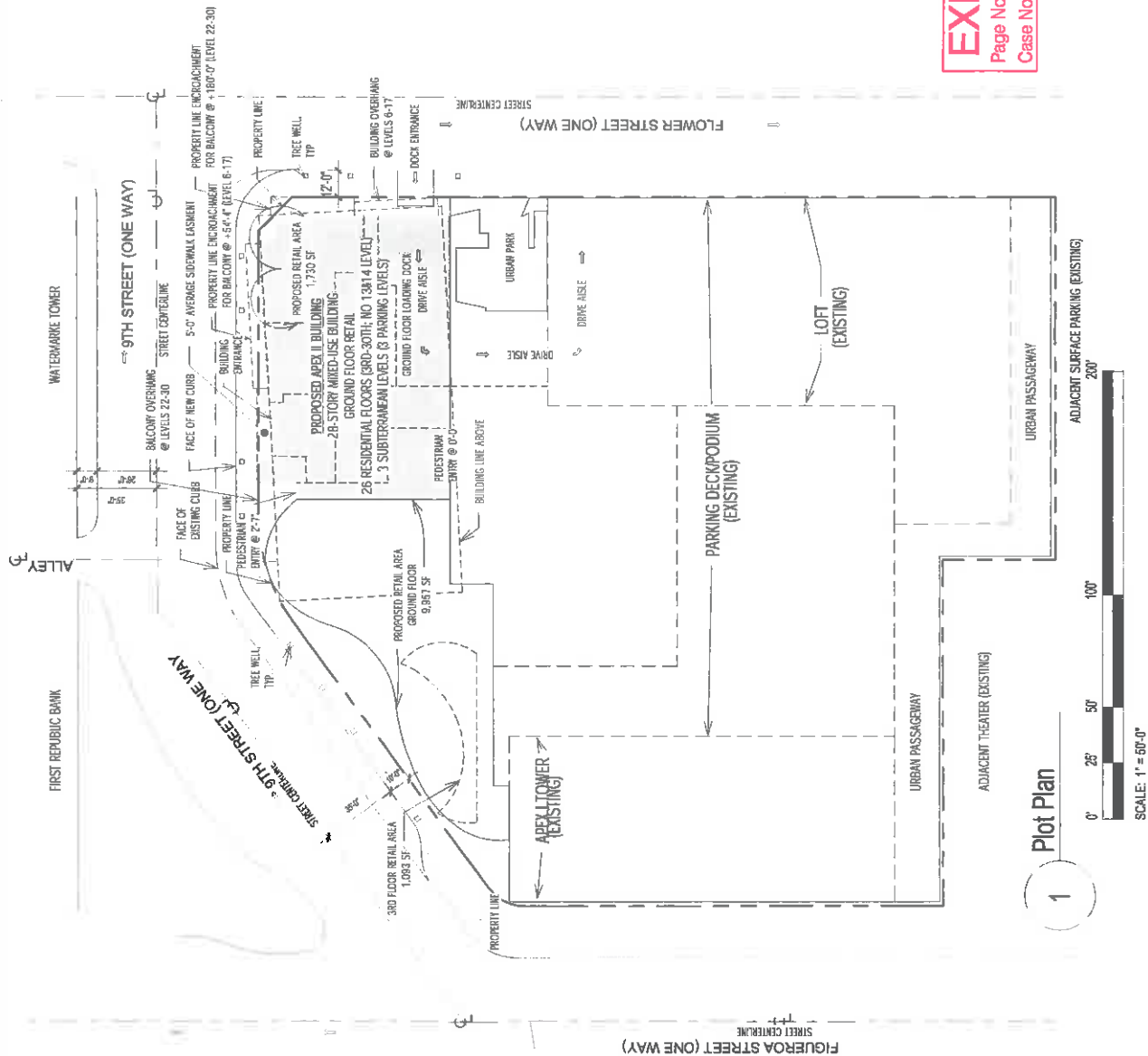
8000 E SPRING ST. STE. 600
LONG BEACH, CA 90801
862.285.5554

DATE 12/1/14
JOB NUMBER 12-014
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SHEET TITLE PLOT PLAN

SHEET NUMBER
SP-03

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EXHIBIT "A"
Page No. 3 of 51
Case No. D12-2015-09-512



Plot Plan

1



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**PROJECT
APEX II**

700 W. 9TH STREET
LOS ANGELES, CA 90015

**FOR
HOLLAND PARTNER
GROUP**



5000 E SPRINGS ST. STE. 600
LONG BEACH, CA 90815
562.265.5334

DATE 12/1/14
JOB NUMBER 12-305-98-310
DRAWN BY CP
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SHEET TITLE ENLARGED PLOT PLAN

SHEET NUMBER
SP-04

COMMENTS
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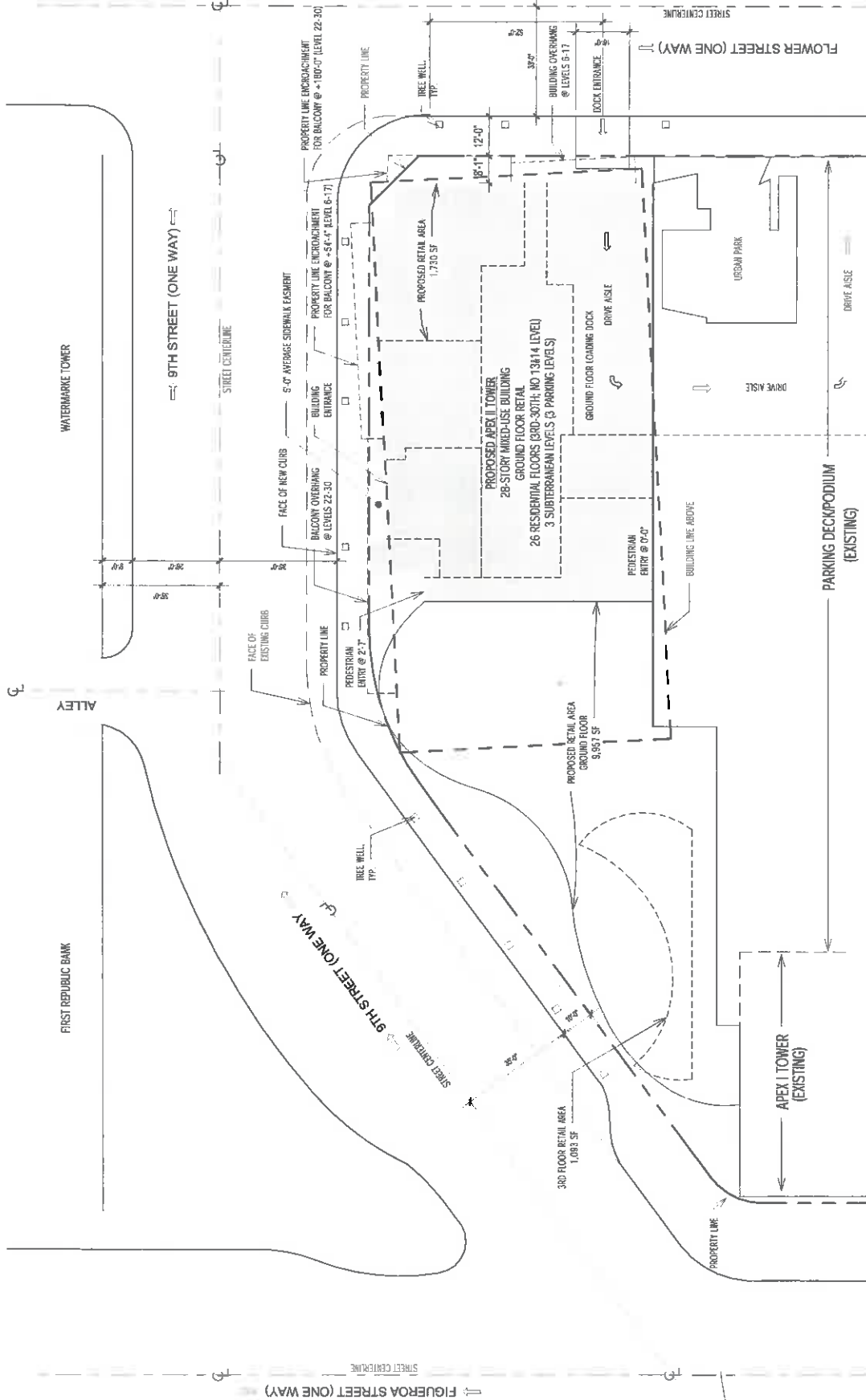


EXHIBIT "A"
Page No. 4 of 51
Case No. D18-305-98-310

1 Enlarged Plot Plan
1" = 30'-0"
NORTH



**PRESTON
ARCHITECTS, PC**
A MULTI-DISCIPLINARY DESIGN FIRM

6000 TERRACES
SUITE 200
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FAX: 770.388.2813
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**PROJECT
APEX II**

770 W. 17TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



6000 E SPRINGS ST. STE 800
LONG BEACH, CA 90805
882.285.5304

DATE 10/7/15
JOB NUMBER 15-02
DRAWN BY NP
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SHEET TITLE AREA TOTALS

SHEET NUMBER

SP-05

COMMENTS
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OPEN SPACE			
Per ZA 2005-1673-ZV-ZAA-SPR Provided per ZV	Units 629	SF Total Required 39,208	
PROPOSED			
Increased for Apex II Proposed Total	80	13,535	
Percent Change	889	52,743	
	9.5%	34%	
Open Space Amenity/Indoor Balconies	1,059 SF		
Red top	5,300 SF		
Street Level Resident Lounge	4,048 SF		
3rd Floor Lounge	821 SF		
Total Proposed	1,059 SF		
	13,535 SF		
TREES			
Trees required per ZA 2005-1673 Required 1 per 4 units	Units 629	Trees 20	
Total required for Apex II	80	15	
BICYCLE PARKING			
REQUIRED (for Apex II)			
Residential	Short Term (1 per 10 Units)	Long Term (1 per 50 Units)	Total
	34	341	375
Retail/Commercial	Short Term (1 per 2000 SF)	Long Term (1 per 2000 SF)	Total
	5.6	5.6	12
Retail/Commercial	4.0	34.7	388
Total Bicycle Parking Required			
PROPOSED			
Residential	Short Term (1 per 10 Units)	Long Term (1 per 50 Units)	Total
	34	341	375
Retail/Commercial	6	6	12
Total Bicycle Parking Proposed	40	347	387
VEHICULAR PARKING			
PREVIOUS APPROVAL (CASE NO. VTT-8287-MT)	Unit Type	# of Units / SF	Stalls/Units/SF
Residential	All Units	25,023	1/1,000 SF
Commercial			
Total			
Existing Spaces			
Existing Residential			
Existing Commercial			
Sub-total			
Spaces lost during Apex I construction			
Revised total			
Proposed Ratio			
Residential	# of Units / SF	Stalls/Units/SF	
Apex I (Maintain Existing Ratio)	271	1/52	
Lot (Maintain Existing Ratio)	117	1/52	
Apex II (Proposed Ratio)	341	1/25	
Total Residential	659		
Retail			
Apex I & Lot (Existing Square Footage)	11,278	1/1,000 SF	
Apex II - ground level & retail pad (Proposed SF)	11,687	1/1,000 SF	
Total Retail	22,965		
Total Parking Required			
PROPOSED SPACES			
Existing Parking Structure			
Apex II (Proposed New Spaces)			
Total Proposed Parking			

NOTE:
* LAMC 12.21 A4(c)(3) Exception for Downtown Business District requires 1 sq per 1,000 over 7,500 sq
** Per Vesting Tentative Tract No 62357, Department of City Planning - Site Specific Condition 12: 20 stalls were required for up to 25,023 square feet of retail.
December 17, 2014

PROJECT DATA - APEX II LOTT/BUILDABLE AREA			
Total Lot/Buildable Area (QURS-4D) C2-4D Total	Pre Dedication	Post Dedication	
	40,433	40,433	
	60,521	59,058	
	100,954	99,491	
Apex I - Loft Building (Lot 1, Phase I) Concerto Figueroa Tower (Lot 2, Phase II) Apex II - Proposed (Lot 3, Phase III) Total	Pre Dedication	Post Dedication	
	22,738	22,738	
	30,069	38,161	
	39,128	35,594	
	100,954	96,491	
DENSITY			
PERMITTED (Unlimited, Per Downtown Housing Incentive)			
PRIOR APPROVALS			
ZA 2005-1673-ZV-ZAA-SPR-PA1	Units	Units	Units
	281	77	271
PROPOSED			
Difference	888	77	271
60 Units			
FLOOR AREA			
Per ZA 2005-1673-ZV-ZAA-SPR-PA1, Letter of Modification (2012)			
Total Approved	TOTAL SF		
	750,810	339,008	98,928
			315,888
APEX II - PROPOSED			
Ground Floor Tower & Retail bldg	11,887		
Residential	328,411		
Project Total	340,298		
BUILDING HEIGHT			
Permitted	Unlimited		
Proposed	Unlimited		
	317' Tower	Unlimited	
	45' Retail bldg	66'	312'-4"



**THE PRESTON
PARTNERSHIP, LLC**
A MULTI-DISCIPLINARY DESIGN FIRM
SOUTH TERRACES
115 PERIMETER CENTER PLACE SUITE 800
LOS ANGELES, CA 90015
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FAX: 770 388 2945
WWW.THEPRESTONPARTNERSHIP.COM

**PROJECT
APEX II**

770 W. 8TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP

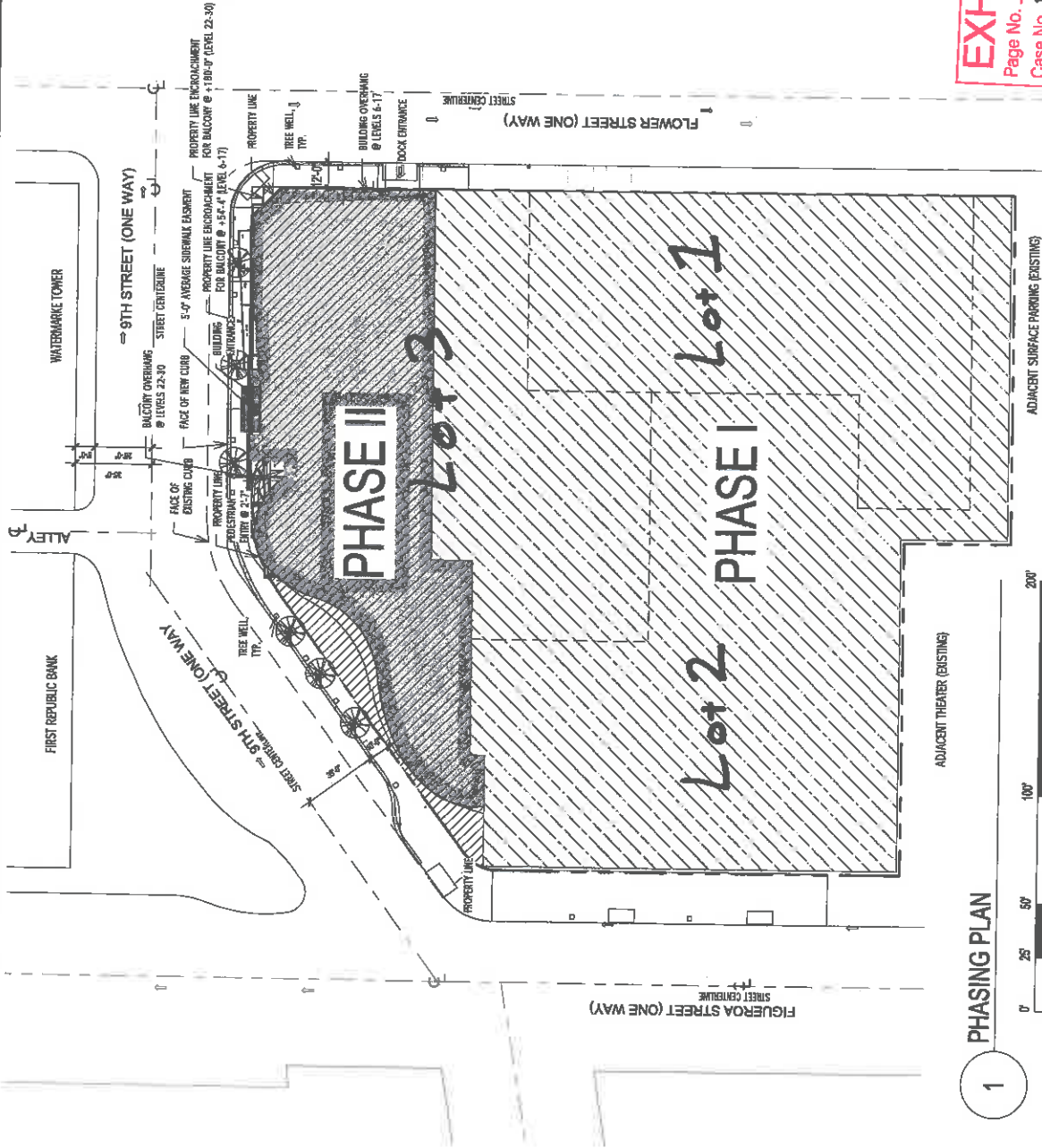


DATE 10/22/2015
JOB NUMBER 145986
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SHEET TITLE PHASING PLAN

SHEET NUMBER
SP-08

COMMENTS
NOT ISSUED FOR CONSTRUCTION
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EXHIBIT "A"
Page No. **6** of **51**
Case No. **D12-2015-00-370**



1 PHASING PLAN

0 25 50 100 200
SCALE: 1" = 50'-0"





**PRESTON
ARCHITECTS PC**
A MULTIDISCIPLINARY DESIGN FIRM
SOUTH TERRACE
115 PERIMETER DRIVE, SUITE 800
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PROJECT
APEX II
700 W. 8TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



5000 E SPRING ST. STE. 800
LONG BEACH, CA 90805
952.285.5304

DATE 10/27/15
JOB NUMBER 15-02
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SHEET TITLE
BASEMENT LEVEL 1

SHEET NUMBER
A1-B1

COMMENTS
NOT ISSUED FOR CONSTRUCTION
EXHIBIT "A" OF 51



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Page No. 9 of 51
Case No. 15R-2015-52-521



BASEMENT LEVEL 1





**PRESTON
ARCHITECTS, PC**
A MULTI-DISCIPLINARY DESIGN FIRM

SOUTH TERRACE
1115 PERIMETER CENTER PLACE, SUITE 600
ATLANTA, GEORGIA 30346
TELEPHONE: 404.770.3967
WWW.PRESTONARCHITECTS.COM

PROJECT
APEX II

100 W. 7TH STREET
LOS ANGELES, CA 90076

FOR
HOLLAND PARTNER
GROUP



800 E SPRING ST. STE 600
LONG BEACH, CA 90805
562.597.5004

DATE 10/27/15
JOB NUMBER 1027
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SHEET TITLE
GROUND FLOOR PLAN

SHEET NUMBER
A1-01A

COMMENTS
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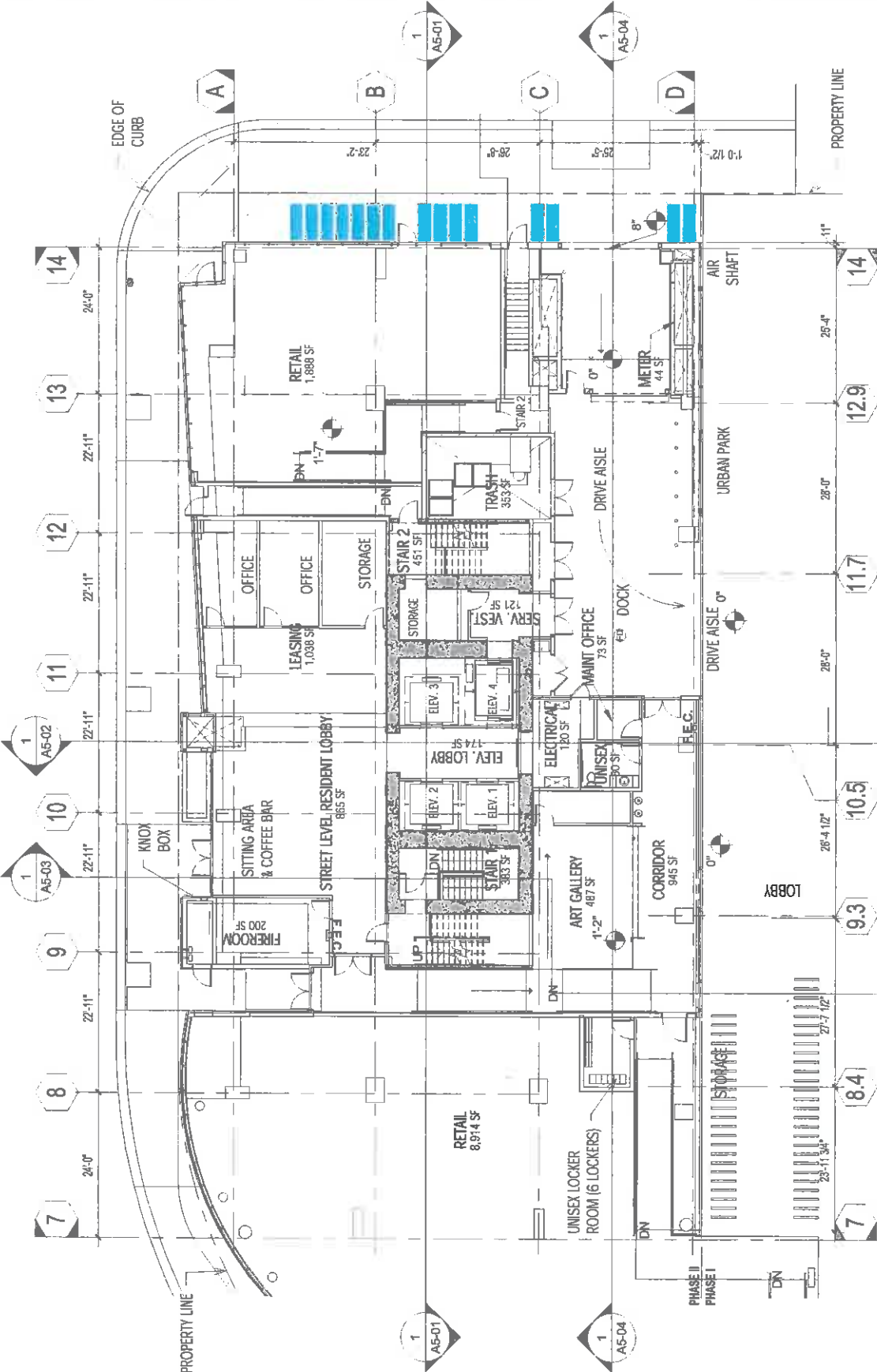


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Page No. 10 of 51
Case No. D18-2311-C-19-572

GROUND FLOOR





**PRESTON
ARCHITECTS PC**
A MULTIDISCIPLINARY DESIGN FIRM

5000 E SPRING ST. STE. 620
LONG BEACH, CA 90815
800-268-3324

115 PERIMETER CENTER, SUITE 800
ATLANTA, GEORGIA 30346
TELEPHONE: 770.357.7248
FAX: 770.357.7249
WWW.PRESTON-ARCHITECTS.COM

PROJECT
APEX II

700 W. 8TH STREET
LOS ANGELES, CA 90015

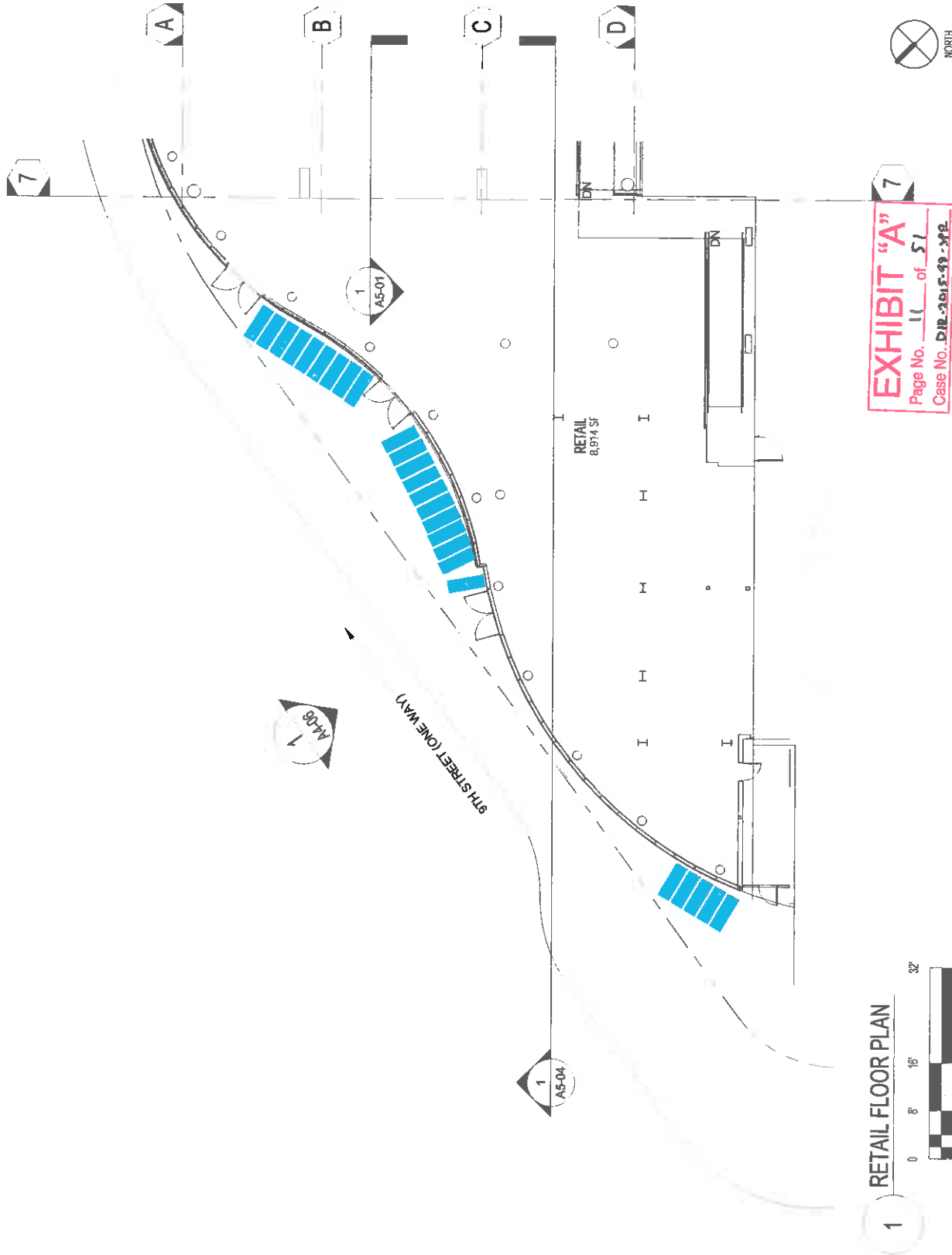
FOR
HOLLAND PARTNER
GROUP



5000 E SPRING ST. STE. 620
LONG BEACH, CA 90815
800-268-3324

DATE 10/27/15
JOB NUMBER 1017
DRAWN BY CP
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SHEET TITLE
GROUND FLOOR
PLAN-RETAIL

SHEET NUMBER
A1-01B
COMMENTS
NOT ISSUED FOR CONSTRUCTION
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**PRESTON
ARCHITECTS, PC**
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TELEPHONE: 770.388.7248
FAX: 770.388.2845
WWW.PRESTONARCHITECTS.COM

PROJECT
APEX II
700 W. 5TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



800 E SPRING ST. STE 600
LONG BEACH, CA 90805
800.285.5304

DATE 12/14/14
JOB NUMBER 12
DRAWN BY CP
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SHEET TITLE
UNIT AREA PLAN - 3RD FLOOR

SHEET NUMBER
A1-03
COMMENTS
NOT ISSUED FOR CONSTRUCTION
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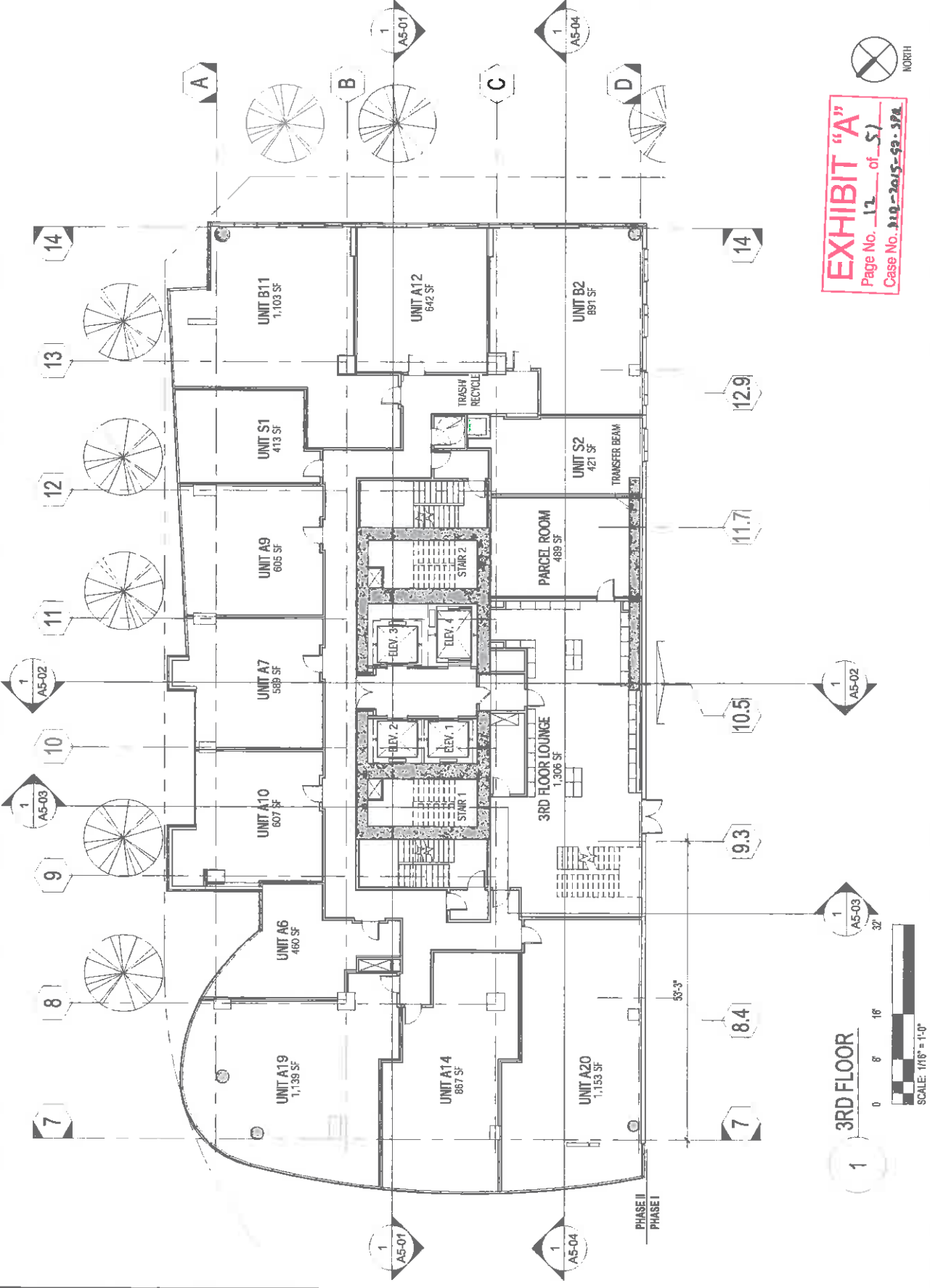


EXHIBIT "A"
Page No. 12 of 51
Case No. 310-2015-99-SPA

3RD FLOOR

1

0 8' 16' 32'
SCALE: 1/16" = 1'-0"



**PRESTON
ARCHITECTS, PC**
A MULTIDISCIPLINARY DESIGN FIRM

SOUTH TERRACES
1115 PERIMETER CENTER PLACE, SUITE 950
ATLANTA, GEORGIA 30346
TELEPHONE: 770.390.1724
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**PROJECT
APEX II**

720 W. 9TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



6000 E SPRING ST. STE 600
LONG BEACH, CA 90805
JAC@HGP.COM

DATE 12/17/2014
JOB NUMBER 1212140014
DRAWN BY
CHECKED BY
AUTHOR
CHECKER
SHEET TITLE 3RD FLOOR PLAN-RETAIL

SHEET NUMBER
A1-03B

COMMENTS
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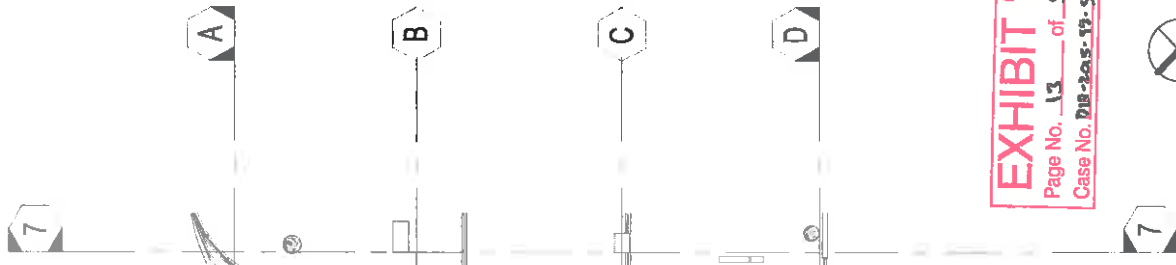
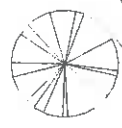
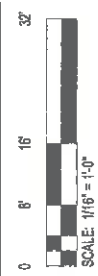


EXHIBIT "A"
Page No. 13 of 51
Case No. D18-245-19-SF11



POTENTIAL RETAIL MEZZANINE

1 3RD FLOOR PLAN-RETAIL





**PRESTON
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A MULTI-DISCIPLINARY DESIGN FIRM
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FAX: 770.398.2845
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PROJECT
APEX II

700 W. 9TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



800 E SPRING ST. STE. 600
LONG BEACH, CA 90801
882-285-5304

DATE 12/1/14
JOB NUMBER 121
DRAWN BY NP
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SHEET TITLE UNIT AREA PLAN - 4TH FLOOR

SHEET NUMBER
A1-04

COMMENTS
NOT ISSUED FOR CONSTRUCTION

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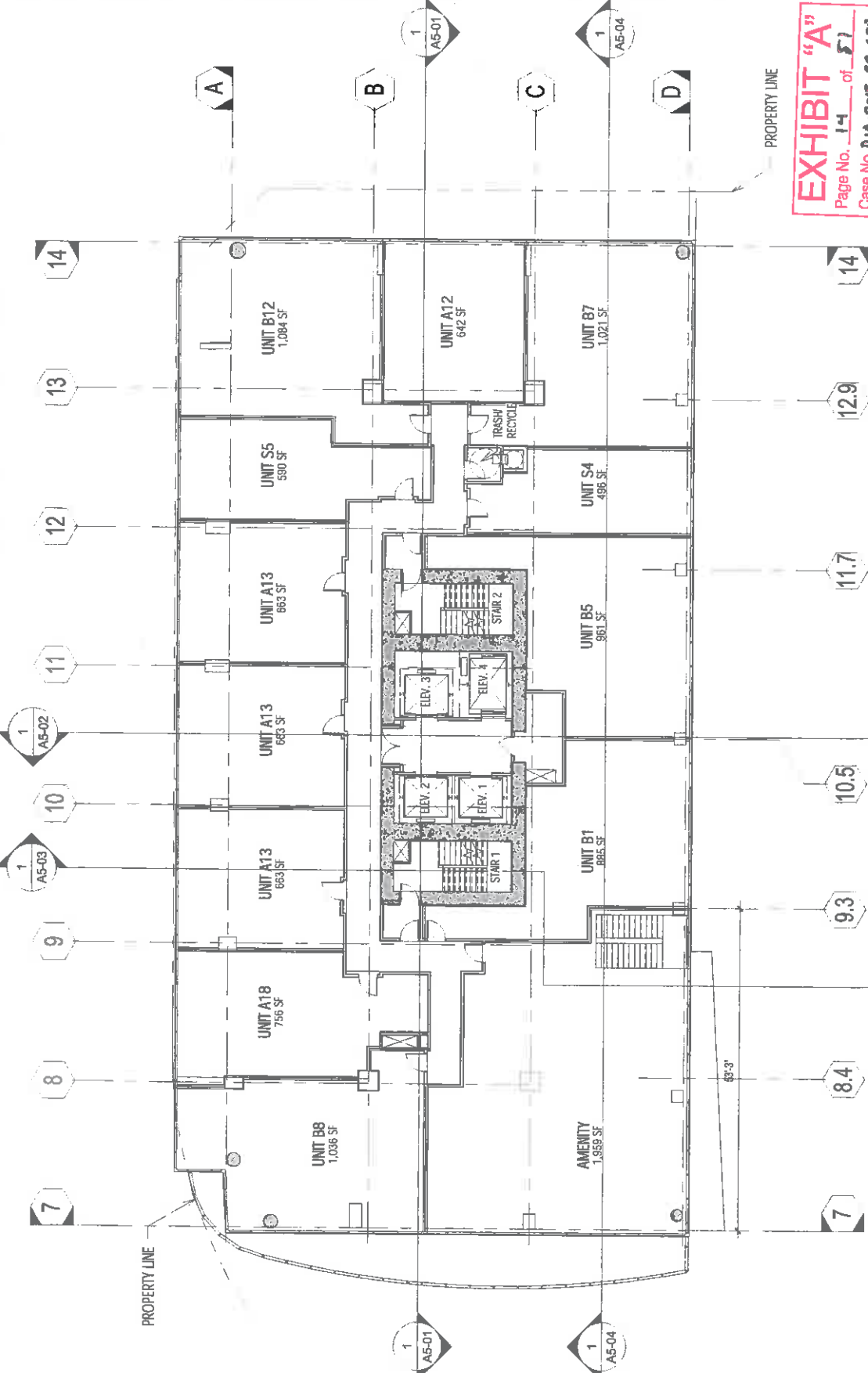
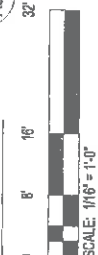
EXHIBIT "A"
Page No. 1-4 of 5
Case No. DIA-2013-90-SP2



PROPERTY LINE

PROPERTY LINE

4TH FLOOR





**PRESTON
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A MULTIDISCIPLINARY DESIGN FIRM

SOUTH TERRACES
115 PERMANENT AVENUE, SUITE 800
ATLANTA, GEORGIA 30346
TELEPHONE: 770.392.7248
FAX: 770.392.2285
WWW.THEPRESTONARCHITECTS.COM

PROJECT
APEX II

700 W. 8TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



5000 E SPRING ST. STE. 830
LONG BEACH, CA 90815
562.285.5304

DATE 12/1/14
JOB NUMBER 1214
DRAWN BY CP
CHECKED BY AN
SHEET TITLE
UNIT AREA PLAN -
6TH-17TH FLOOR

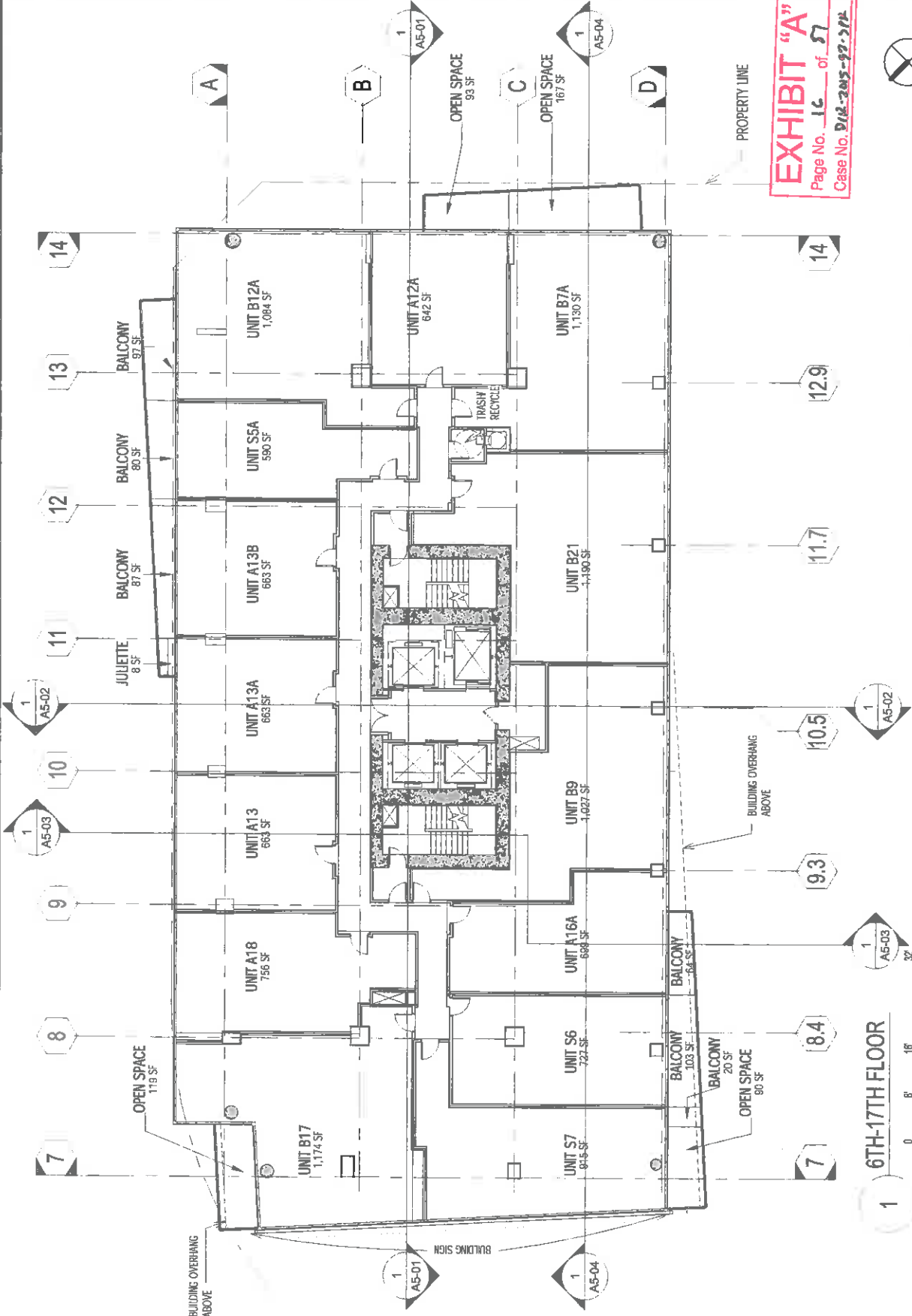
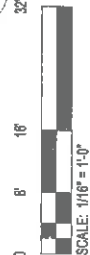
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A1-06

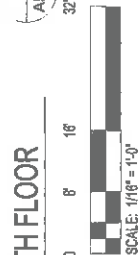
COMMENTS
NOT ISSUED FOR CONSTRUCTION
PST PRELIM ARCHITECT, PC

EXHIBIT "A"
Page No. 16 of 57
Case No. D12-2015-00-212



6TH-17TH FLOOR







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SOUTH TERRACES
115 PERIMETER DRIVE, SUITE 800
ATLANTA, GEORGIA 30348
TELEPHONE: 770.367.7248
FAX: 770.368.2545
WWW.PRESTONARCHITECTS.COM

PROJECT
APEX II

700 W. 8TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



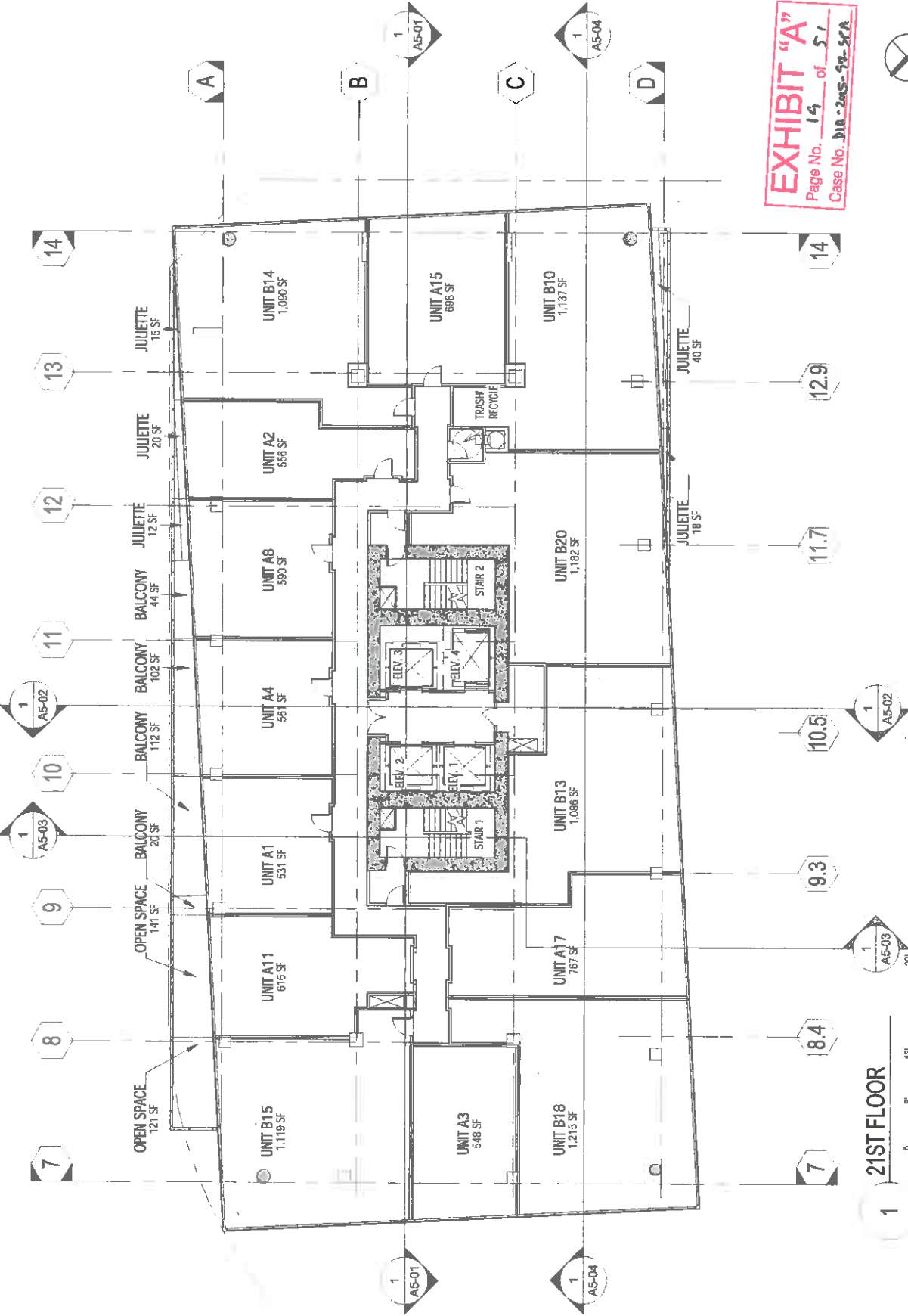
5000 E SPRING ST. STE 600
LONG BEACH, CA 90805
562.266.5304

DATE 12/1/14
JOB NUMBER 12172014-93340 AM
DRAWN BY CP
CHECKED BY AN
SHEET TITLE UNIT AREA PLAN - 21ST FLOOR

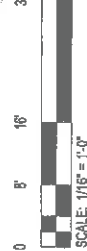
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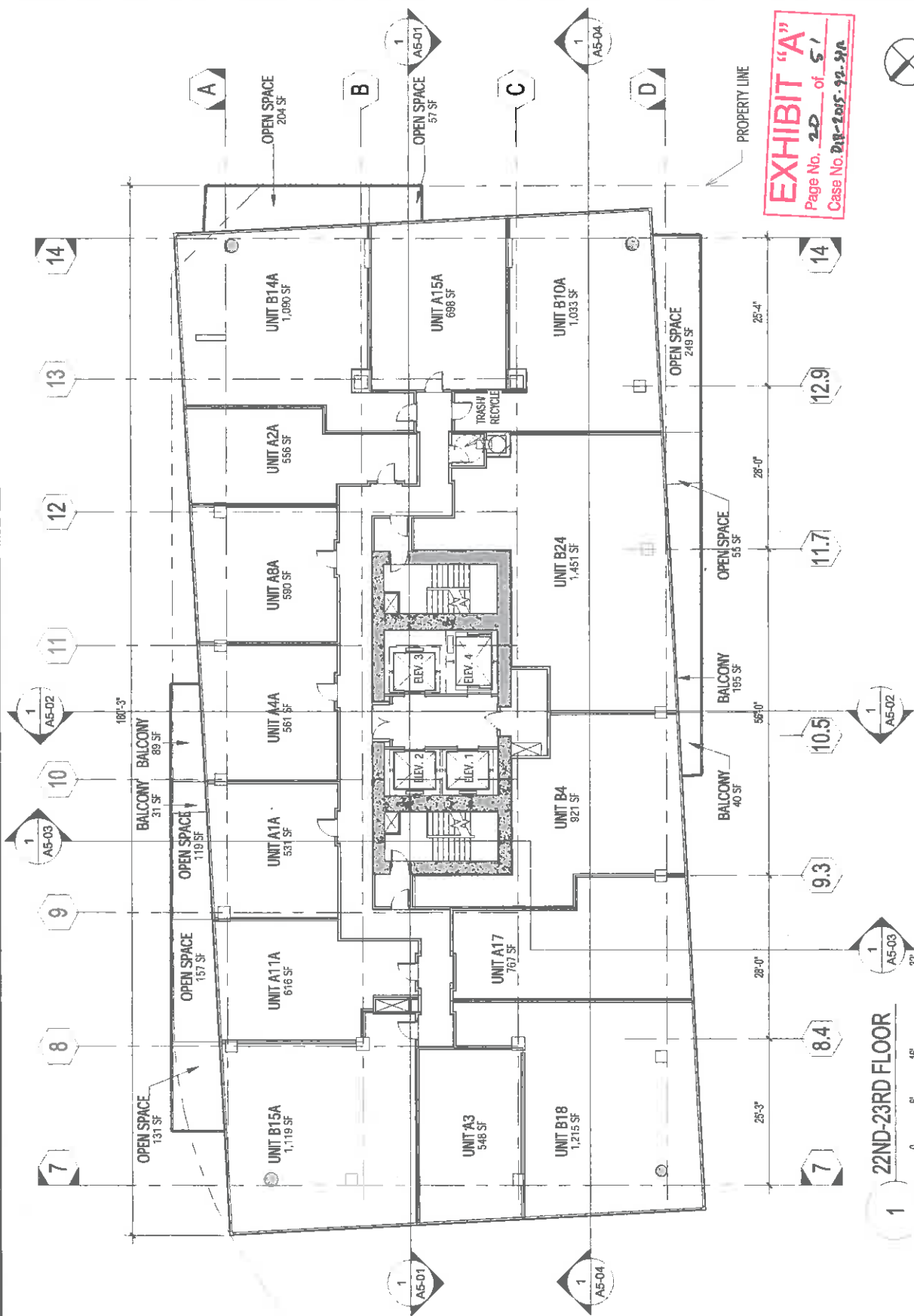
COMMENTS
NOT ISSUED FOR CONSTRUCTION
COURTESY OF PRESTON, PC

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Page No. 14 of 51
Case No. 110-2005-92-SFA



21ST FLOOR







SOUTH TERRACES
15 PERIMETER CENTER PLACE, SUITE 960
ATLANTA, GEORGIA 30346
TELEPHONE: 770 396 7249
FAX: 770 395 2945

PROJECT
APEX II

60 W. 9TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



1000 E SPRING ST., STE 630
LONG BEACH, CA 90815
562.285.5304

DATE 12/14/04
JOB NUMBER
DRAWN BY NP
CHECKED BY AN
SHEET TITLE UNIT AREA PLAN -
24TH-28TH FLOOR

HEET NUMBER
A1-24

COMMENTS _____
NOT ISSUED FOR CONSTRUCTION

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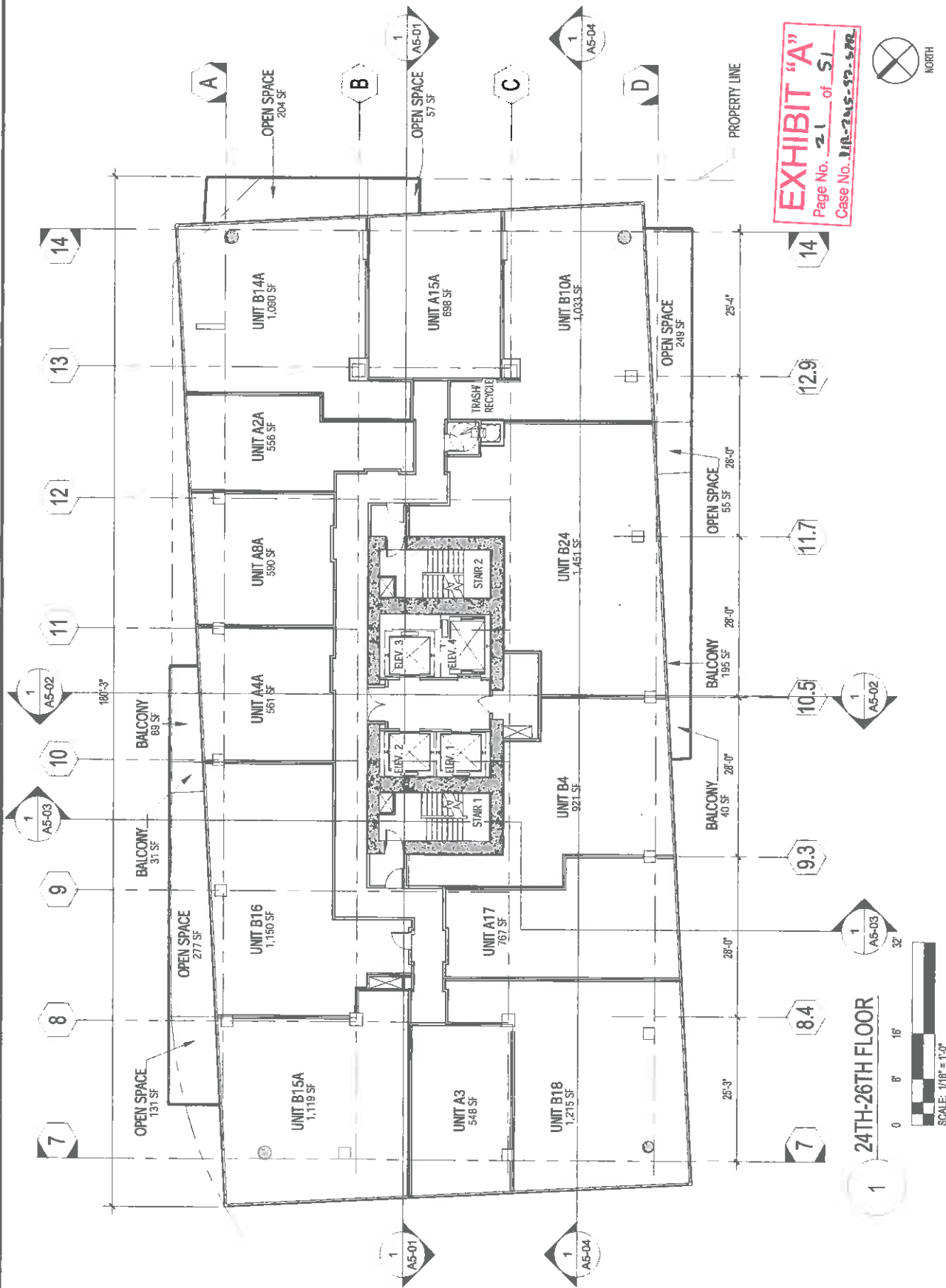


EXHIBIT "A"
Page No. 21 of 51
Case No. 11A-245-93-572

A1-24

COMMENTS
NOT ISSUED

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SOUTH TOWER
115 PERIMETER CENTER PLACE, SUITE 800
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WWW.THEPRESTONPARTNERSHIP.COM

PROJECT
APEX II
700 W. 9TH STREET
LOS ANGELES, CA 90015

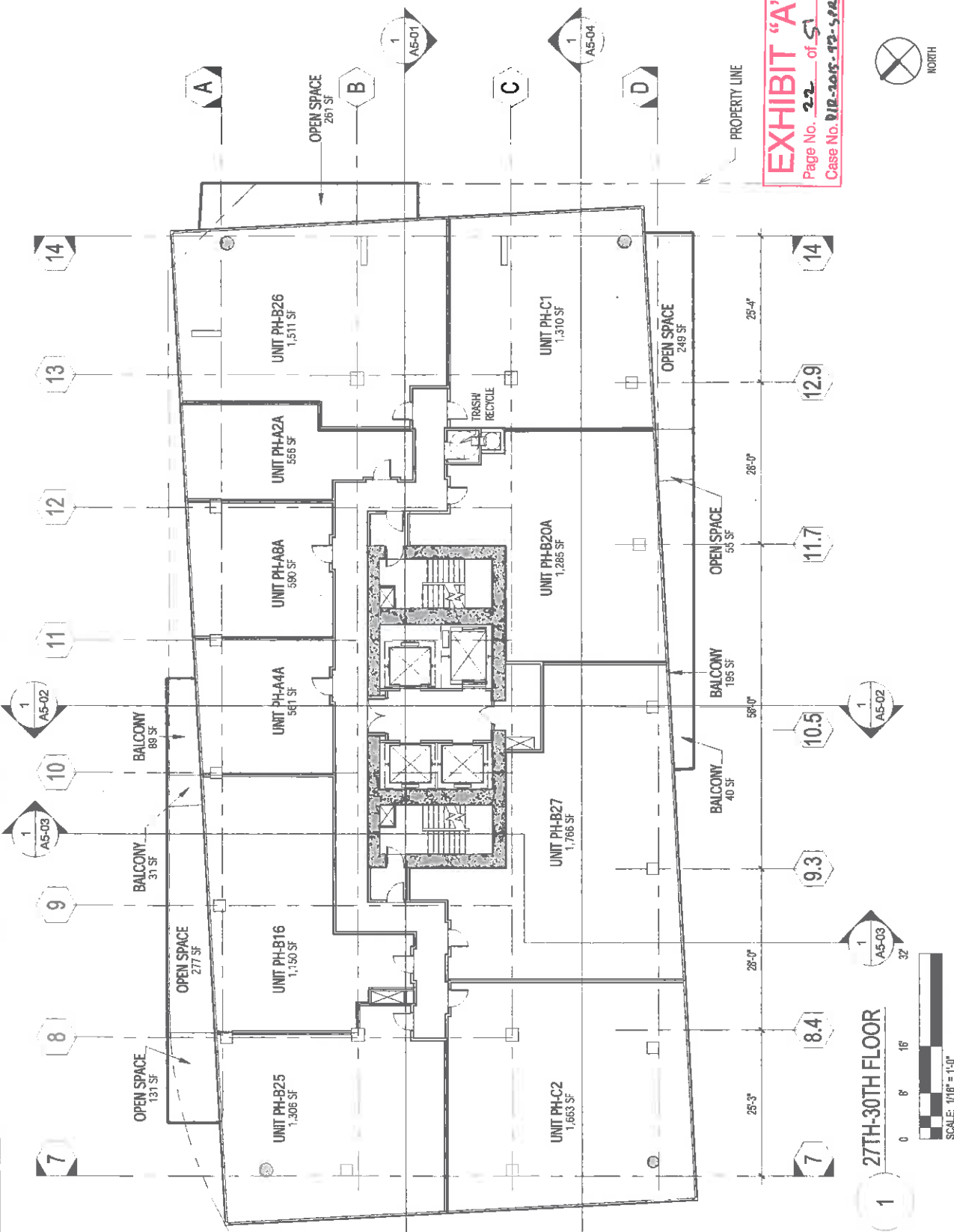
FOR
HOLLAND PARTNER
GROUP



8000 E SPRING ST. STE. 800
LONG BEACH, CA 90816
562.265.5554

DATE 12/11/14
JOB NUMBER 12-14
DRAWN BY NP
CHECKED BY AN
SHEET TITLE UNIT AREA PLAN -
27TH-30TH FLOOR

SHEET NUMBER
A1-27
COMMENTS
NOT ISSUED FOR CONSTRUCTION
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A MULTI-DISCIPLINARY DESIGN FIRM

SOUTH TERRACES
115 PERIMETER CENTER PLACE, SUITE 160
LOS ANGELES, CA 90015
TELEPHONE: 770.385.7246
FAX: 770.385.2945
WWW.THEPRESTONPARTNERSHIP.COM

**PROJECT
APEX II**

700 W. 9TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



500 E SPRING ST. STE 500
LONG BEACH, CA 90801
862-365-3304

DATE 12/14/14
JOB NUMBER 1214
DRAWN BY CP
CHECKED BY AN
SHEET TITLE ROOF PLAN

SHEET NUMBER **A1-31**
COMMENTS
NOT ISSUED FOR CONSTRUCTION

© 2014 PRESTON ARCHITECTS, PC

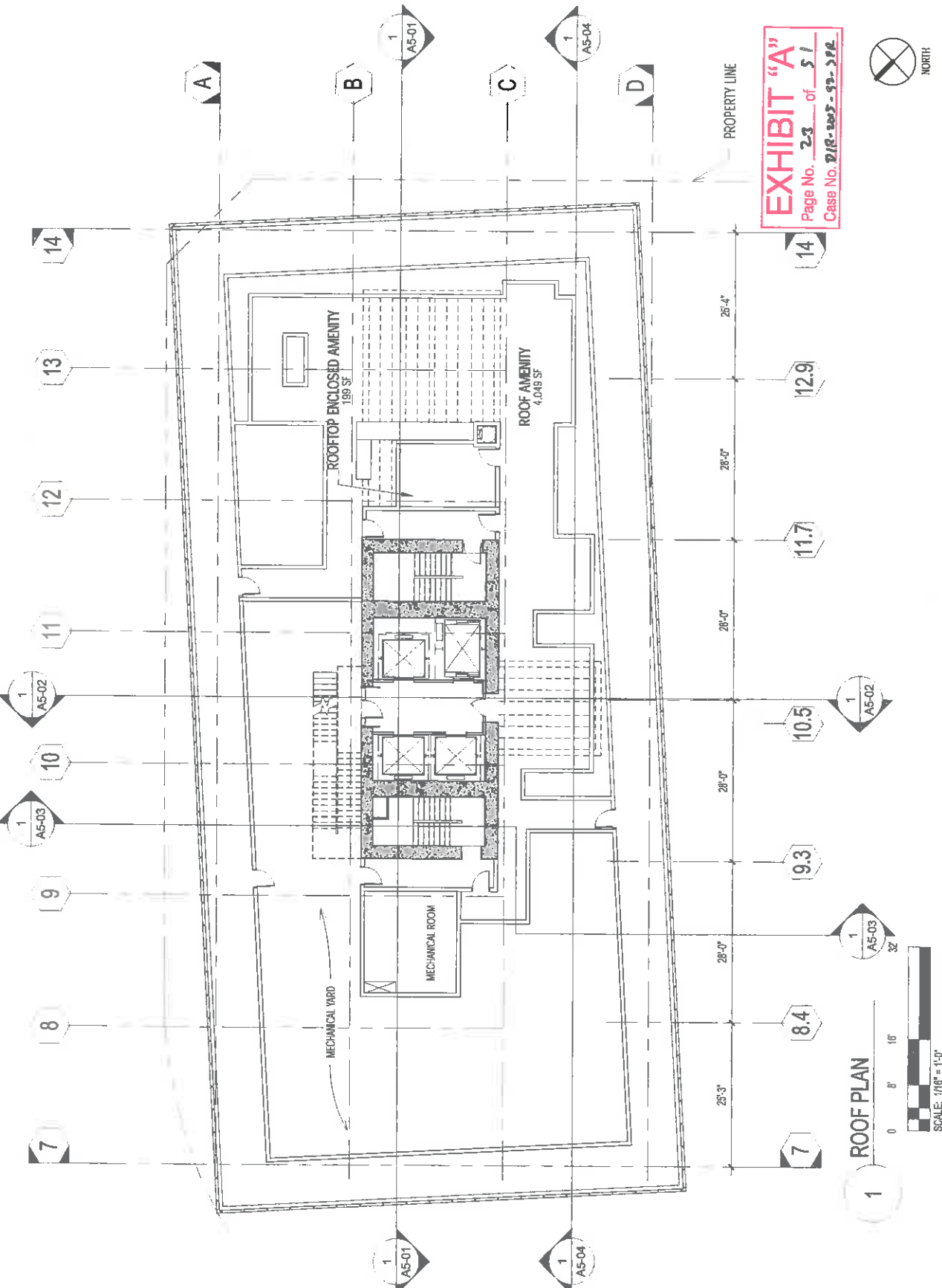


EXHIBIT "A"
Page No. 23 of 51
Case No. 218-005-99-302

ROOF PLAN
1
SCALE: 1/16" = 1'-0"



**PRESTON
ARCHITECTS, PC**
A MULTI-DISCIPLINARY DESIGN FIRM

SOUTH TERRACES
115 PERIMETER CENTER PLACE, SUITE 550
LOS ANGELES, CA 90015
TELEPHONE: 710.385.1245
FAX: 710.385.2945
WWW.THEPRESTONPARTNERSHIP.COM

**PROJECT
APEX II**

700 W. 5TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



5000 E SPRING ST. SUITE 400
LONG BEACH, CA 90815
909.285.4304

DATE 12/1/14
JOB NUMBER 1214-001
DRAWN BY CP
CHECKED BY AN
SHEET TITLE HIGH ROOF PLAN

SHEET NUMBER
A1-31.2

COMMENTS
NOT ISSUED FOR CONSTRUCTION
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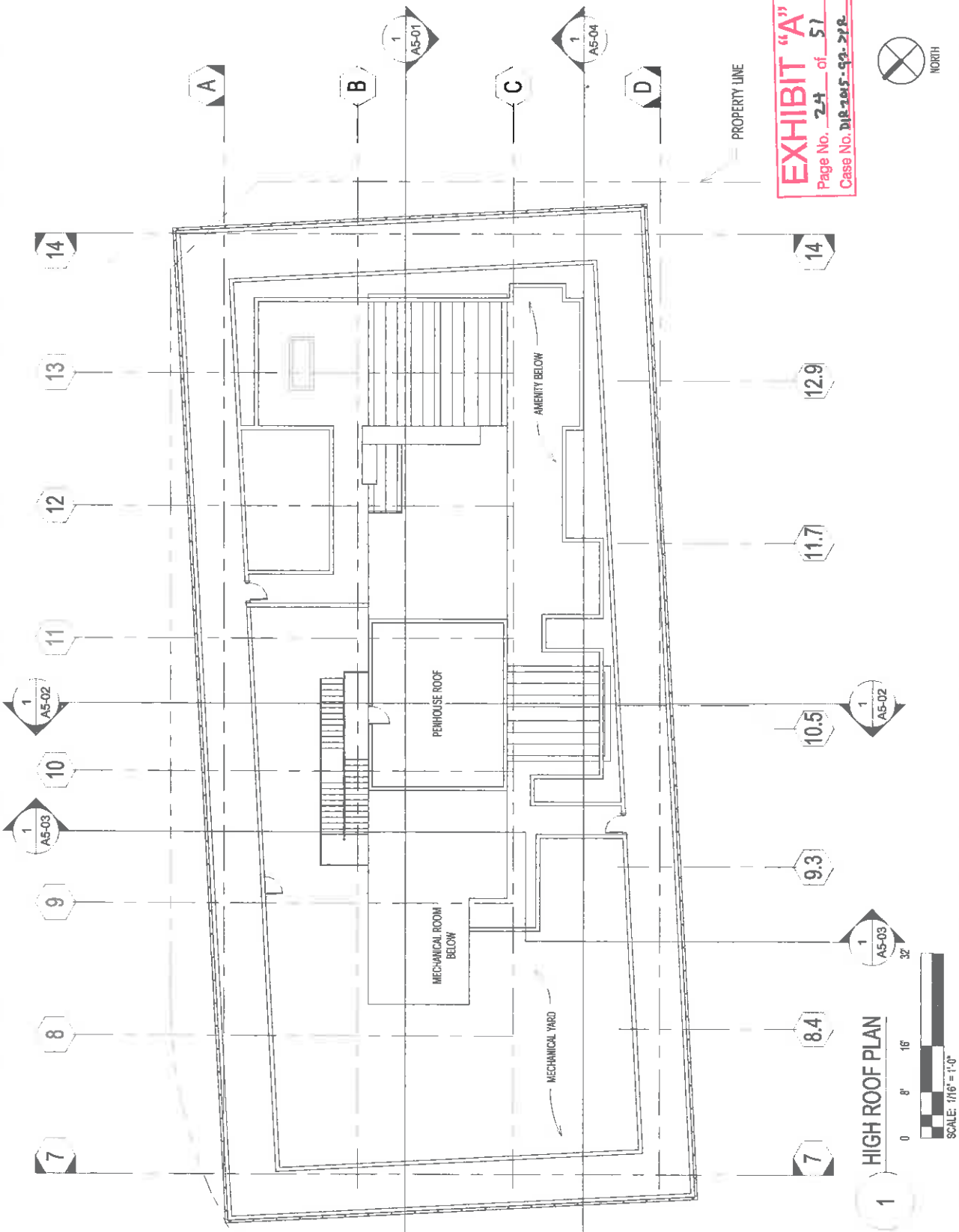


EXHIBIT "A"
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Case No. D18-045-99-278



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8001 TERRACES
SUITE 600
ATLANTA, GEORGIA 30346
TELEPHONE: 770.390.7243
FAX: 770.390.7245
WWW.THEPRESTONPARTNERSHIP.COM

**PROJECT
APEX II**

700 W. 17TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



8200 P. SPRING ST. STE. 600
LONG BEACH, CA 90805
909.484.5304

DATE 12/11
JOB NUMBER
DRAWN BY CP
CHECKED BY AN
SHEET TITLE
NORTH ELEVATION

SHEET NUMBER
A4-01

COMMENTS
NOT ISSUED FOR CONSTRUCTION
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1 NORTH ELEVATION (9TH STREET)

SCALE: 1/32" = 1'-0"

0 16 32 64

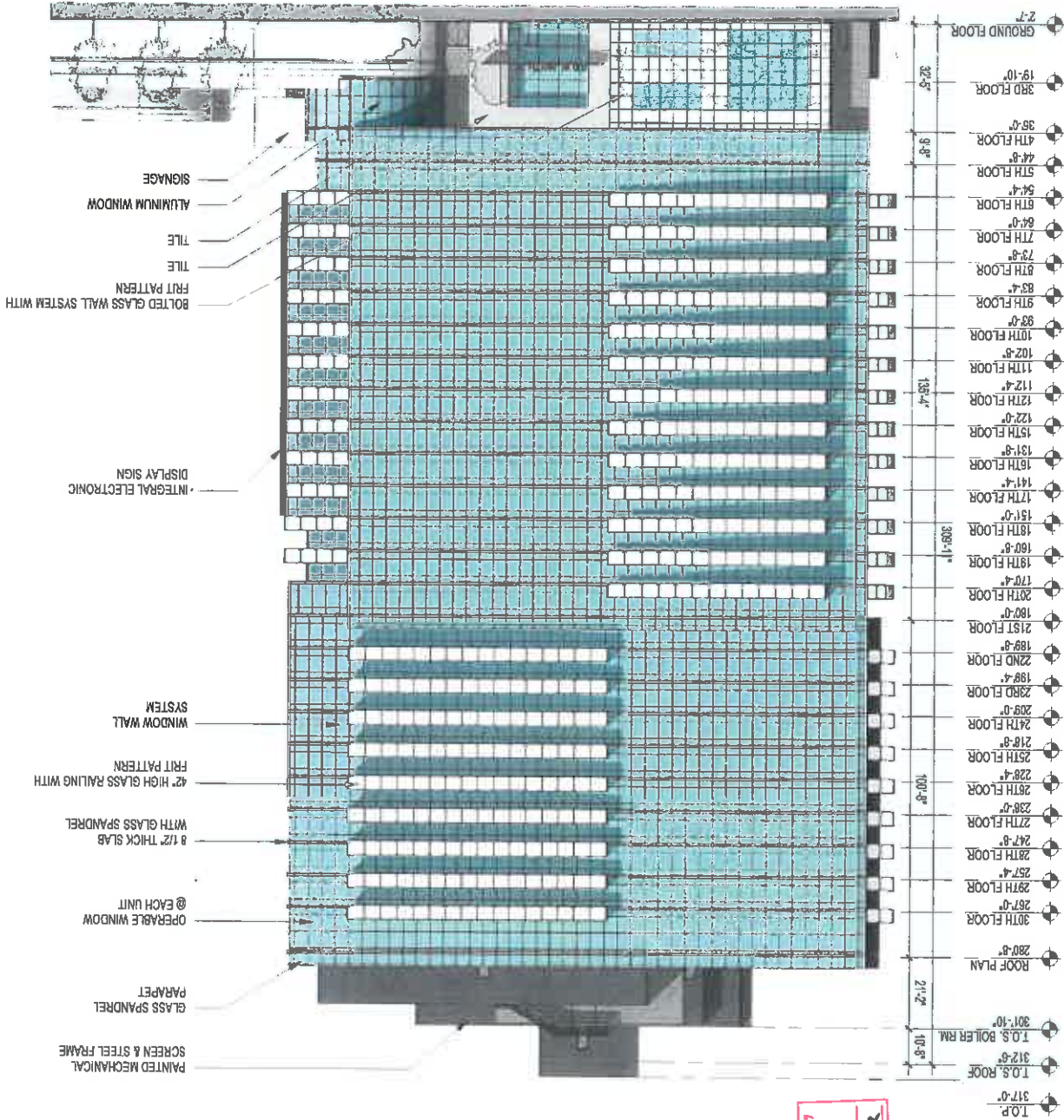


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Page No. 25 of 51
Case No. D18-2015-07-XA



**PRESTON
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SOUTH TERRACES
115 PENNIMONT CENTER PLACE, SUITE 160
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TELEPHONE: 770.382.7248
FAX: 770.382.2845
WWW.THEPRESTONPARTNERSHIP.COM

**PROJECT
APEX II**

700 W. 4TH STREET
LOS ANGELES CA 90015

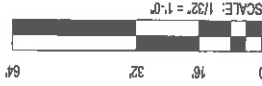
FOR
HOLLAND PARTNER
GROUP



5002 E SPRING ST. STE. 400
LONG BEACH, CA 90805
562.285.5304

DATE 12/1/01
JOB NUMBER 1
DRAWN BY CP
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SHEET TITLE SOUTH ELEVATION
SHEET NUMBER A4-02

COMMENTS
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SOUTH ELEVATION

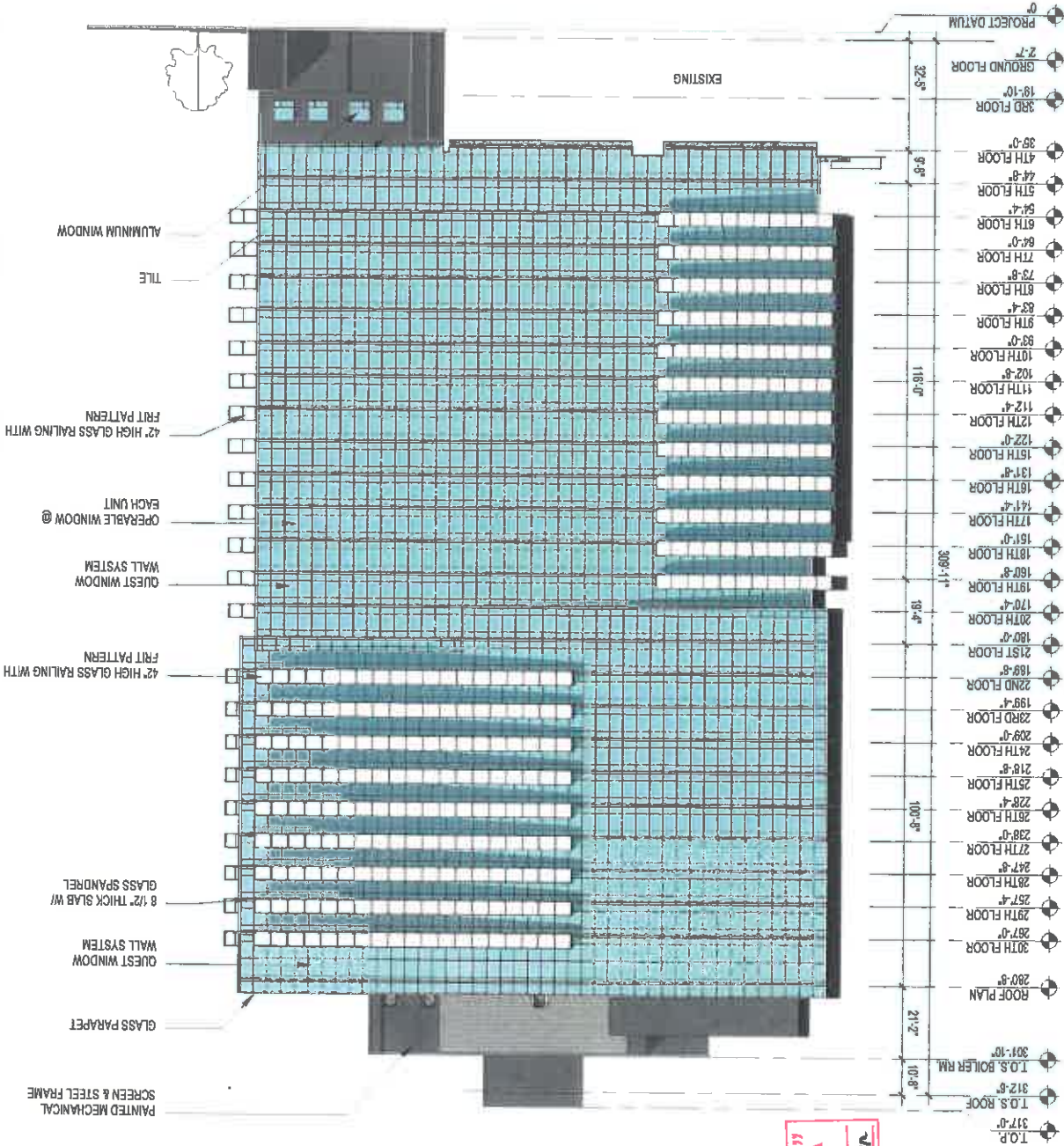


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115 PERIMETER CENTER PLACE, SUITE 600
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FAX: 404.525.7266
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PROJECT
APEX II

700 W. 6TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP

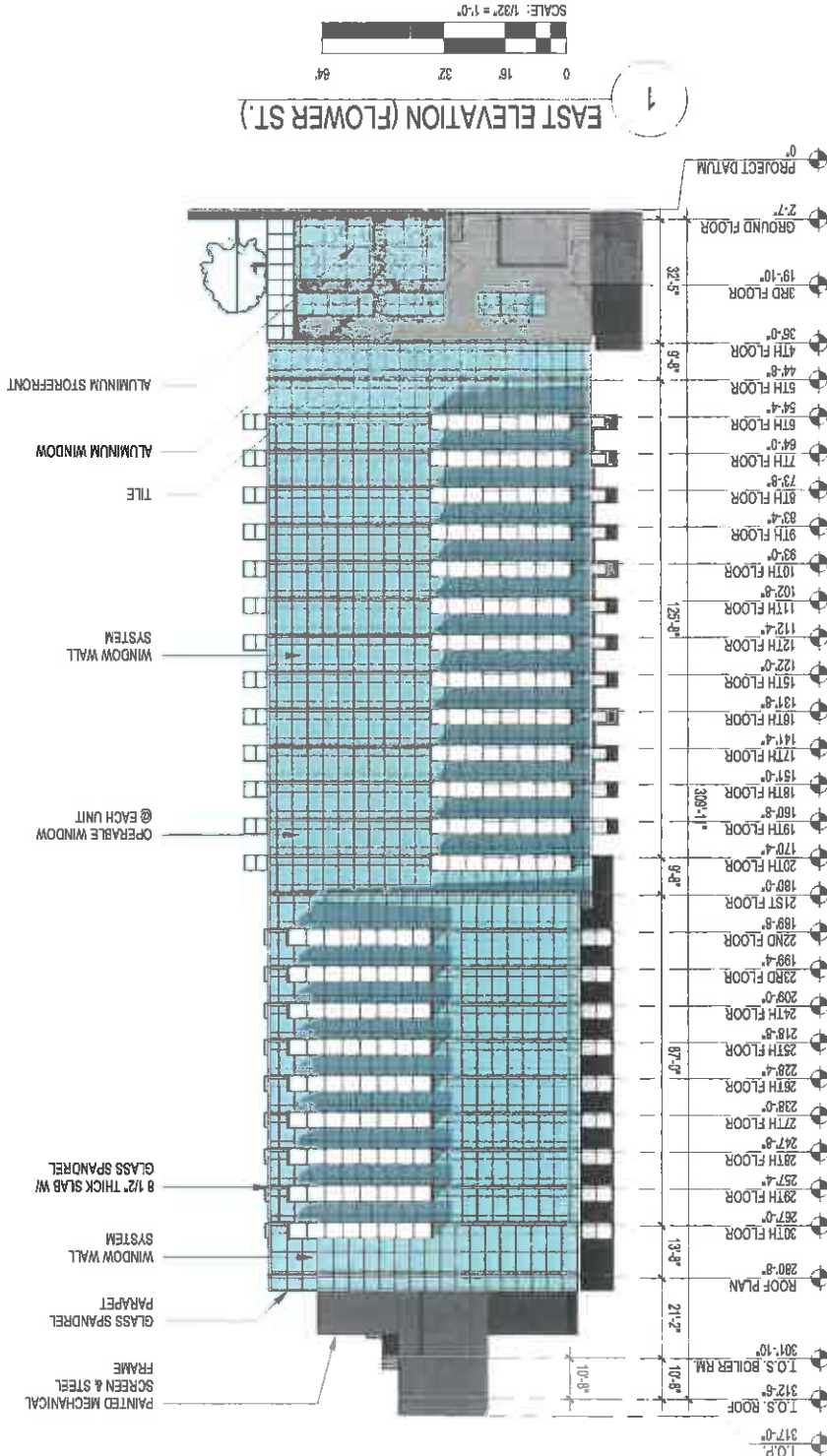


5000 E SPRING ST. STE 800
LONG BEACH, CA 90805
909.495.2000

DATE 12/17/2014
JOB NUMBER
DRAWN BY CP
CHECKED BY AN
SHEET TITLE EAST ELEVATION

SHEET NUMBER
A4-03

COMMENTS
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EAST ELEVATION (FLOWER ST.)

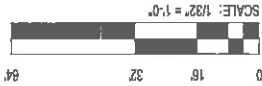


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Page No. 2-2 of 51
Case No. DIR-2015-52-SPA

FOR
HOLLAND PARTNER
GROUP



DATE 12/17/2014
JOB NUMBER 2
DRAWN BY CP
CHECKED BY AN
SHEET TITLE WEST ELEVATION

SHEET NUMBER **A4-04**

COMMENTS
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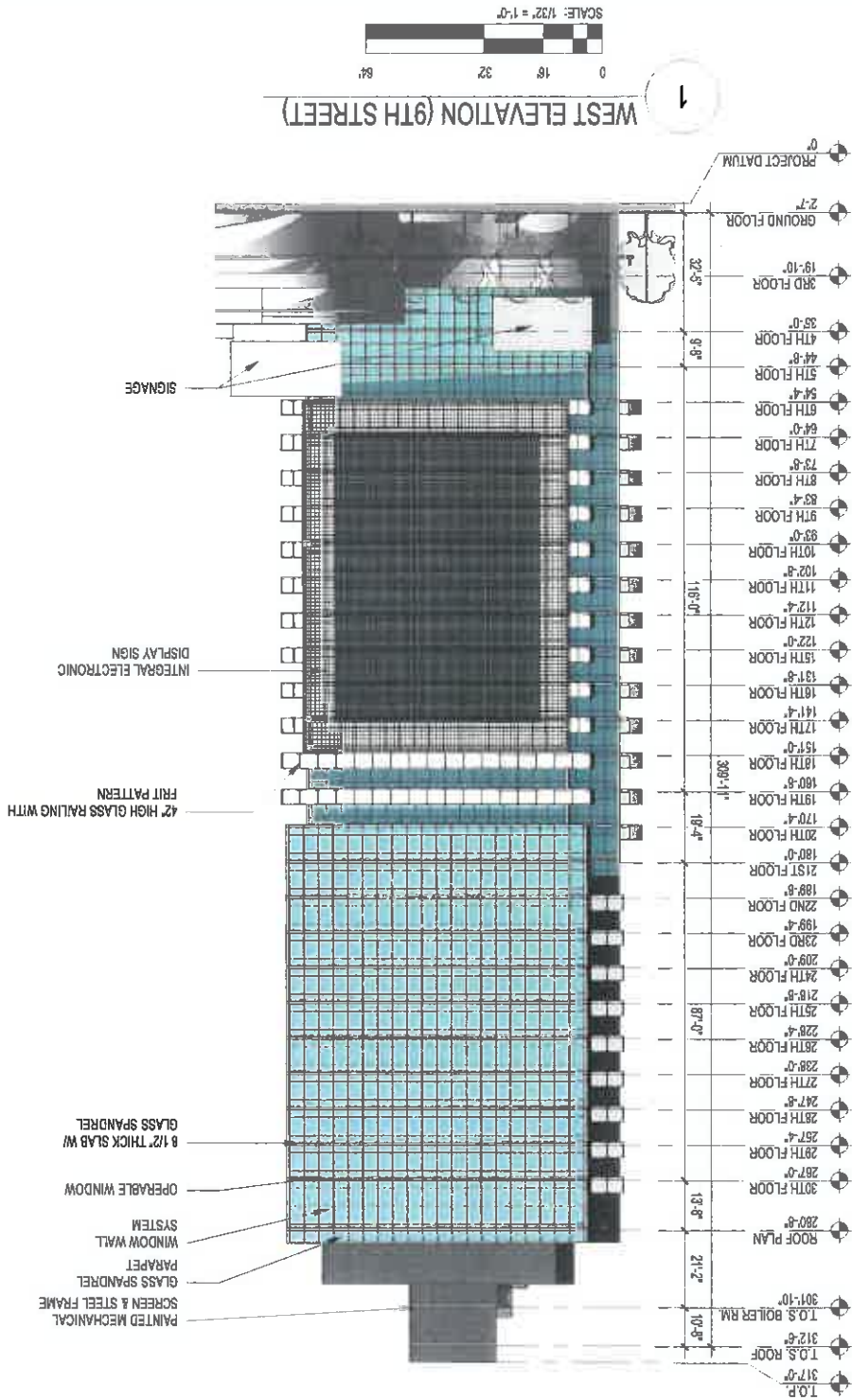


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Case No. 012-2015-52-572



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TELEPHONE: 770.392.7246
FAX: 770.392.7247
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PROJECT
APEX II

1700 W. 9TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP

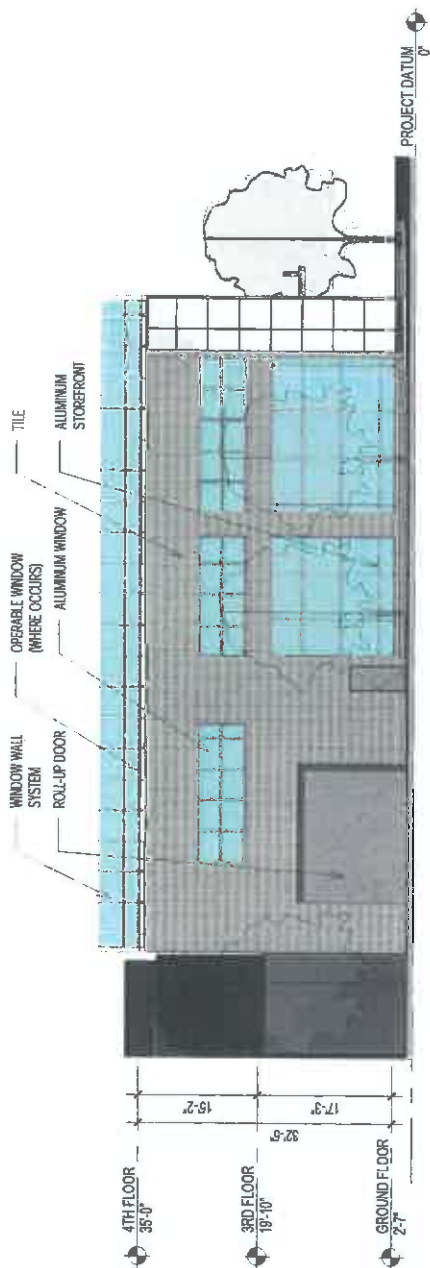


5000 E SPRING ST., STE. 800
LONG BEACH, CA 90801
(562) 430-5334

DATE 12/11/14
JOB NUMBER 12-0014
DRAWN BY CP
CHECKED BY AN
SHEET TITLE STREET ELEVATIONS

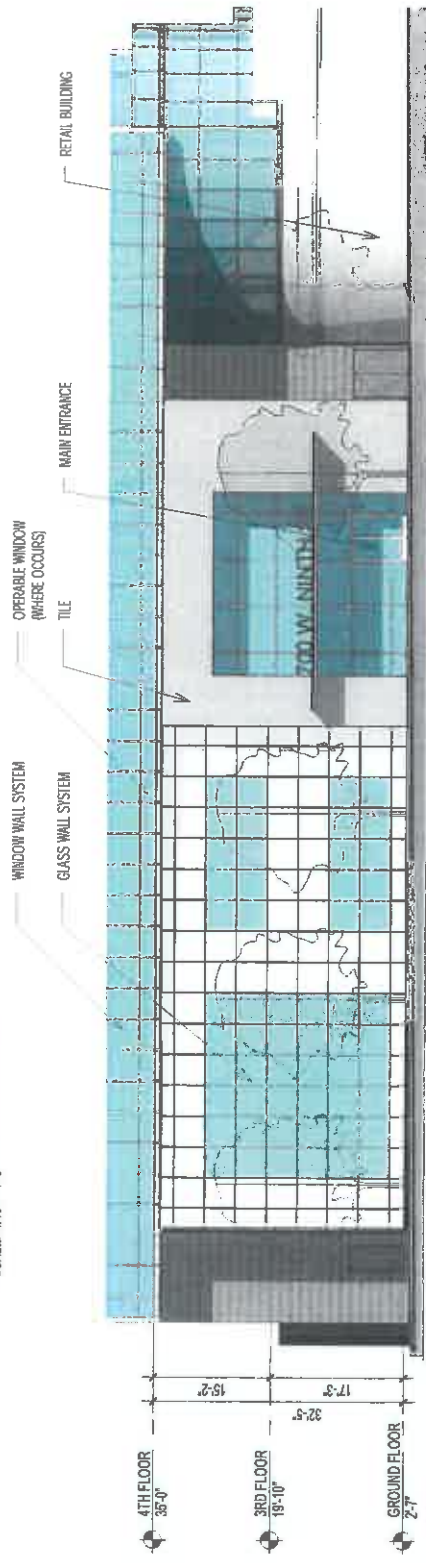
SHEET NUMBER
A4-05

COMMENTS
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EAST STREET ELEVATION (FLOWER)

1 ST.



NORTH STREET ELEVATION (9TH STREET)

2

EXHIBIT "A"
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Case No. DA-2015-42-SFR



**PRESTON
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A MULTI-DISCIPLINARY DESIGN FIRM

601 IN TERRACES
1115 PERIMETER CENTER PLACE, SUITE 400
ATLANTA, GEORGIA 30346
TELEPHONE: 770 395 7248
FAX: 770 395 7249
WWW.THEPRESTONPARTNERSHIP.COM

**PROJECT
APEX II**

700 W. 5TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP

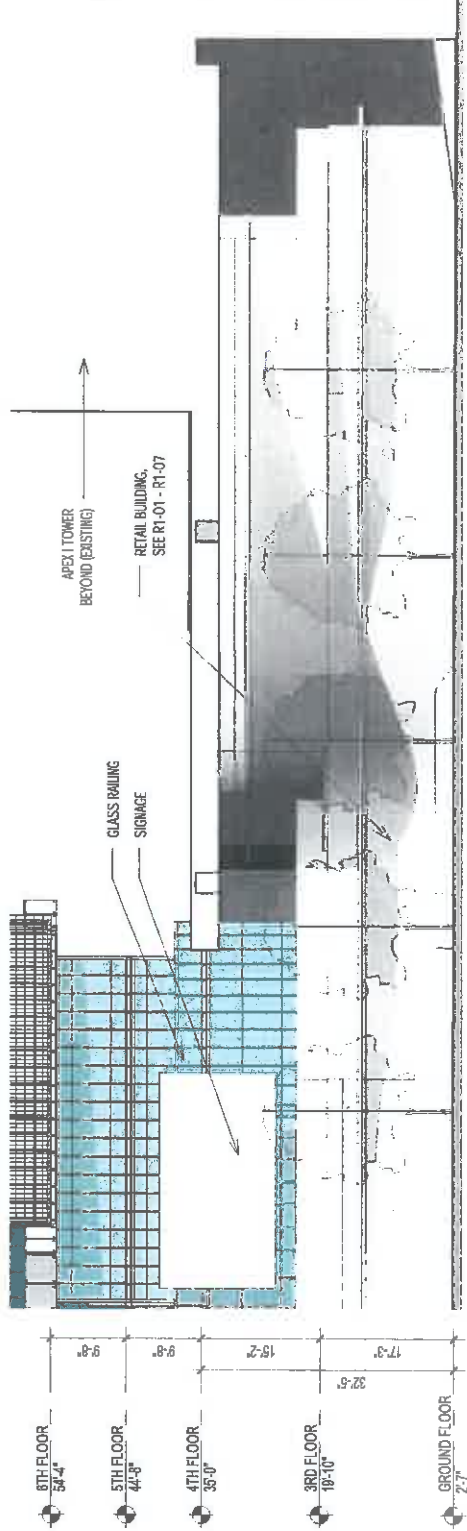


6000 E SPRING ST. STE 630
LONG BEACH, CA 90815
862-285-8324

DATE 12/17/2014
JOB NUMBER
DRAWN BY CP
CHECKED BY AN
SHEET TITLE
RETAIL ELEVATION

SHEET NUMBER
A4-06

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1 RETAIL ELEVATION (9TH ST.)

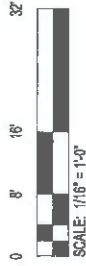


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Page No. 30 of 51
Case No. D18-245-99-5 PR



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1115 PERIMETER CENTER PLACE, SUITE 800
ATLANTA, GEORGIA 30346
TELEPHONE: 770.396.7248
FAX: 770.396.7249
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**PROJECT
APEX II**

770 W. 8TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



5000 E. SPRING ST. STE. 830
LONG BEACH, CA 90815
262-265-5384

DATE 12/11/04
JOB NUMBER
DRAWN BY CP
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SHEET TITLE NORTH EAST AXON

SHEET NUMBER
A4-90

COMMENTS
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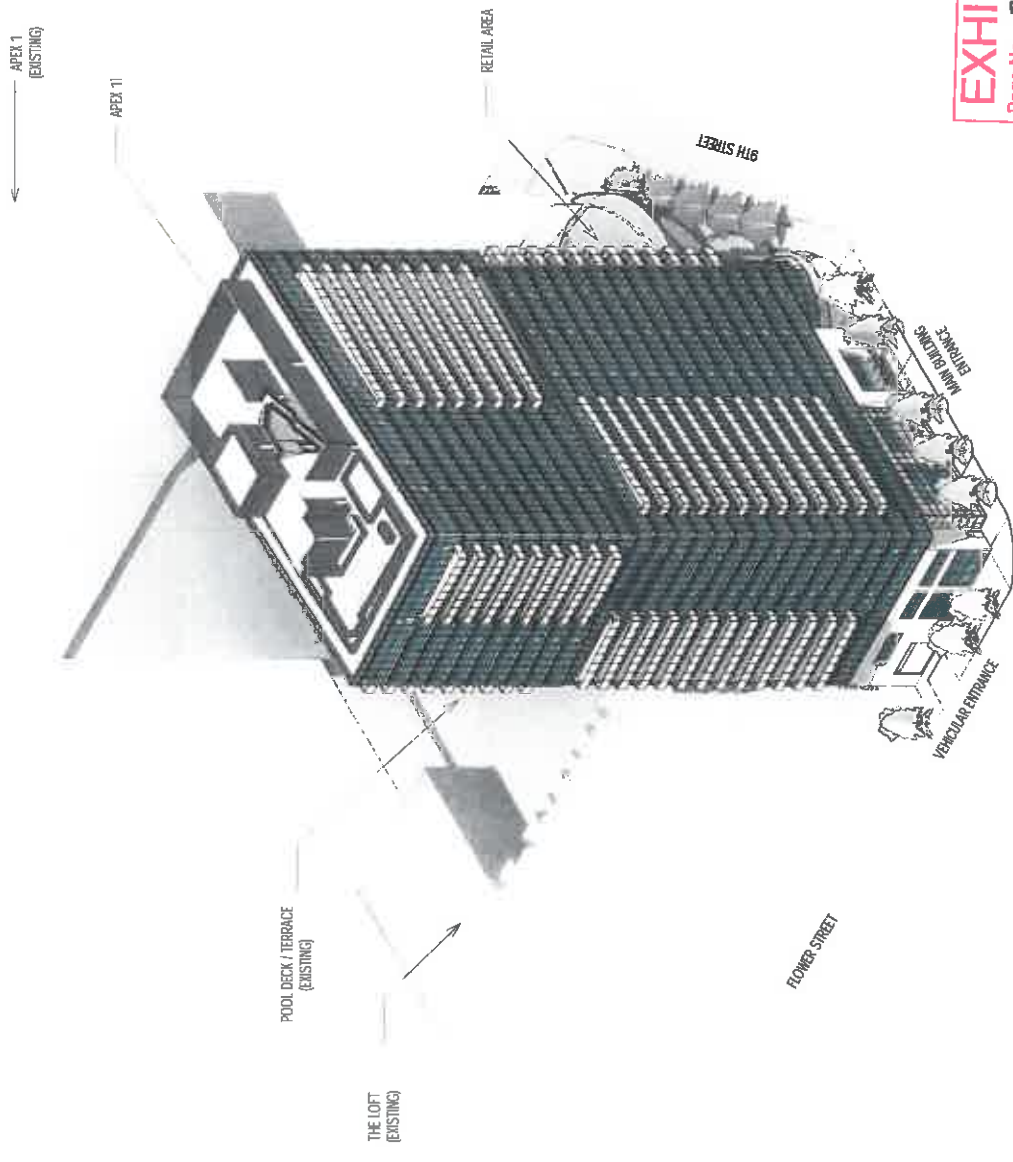


EXHIBIT "A"
Page No. 37 of 51
Case No. 318-2015-98-37A

1 NORTH EAST AXON



**PRESTON
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A MULTI-DISCIPLINARY DESIGN FIRM

SOUTH TERRACES
115 PERIMETER CENTER PLACE, SUITE 950
ATLANTA, GEORGIA 30346
TELEPHONE 404.525.7248
FAX 404.525.7249
WWW.THEPRESTONPARTNERSHIP.COM

PROJECT
APEX II

700 W. 8TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



5000 E. SPRING ST. STE. 600
LONG BEACH, CA 90803
656.285.5304

DATE 12/17/2014
JOB NUMBER
DRAWN BY CP
CHECKED BY AN
SHEET TITLE
NORTH WEST AXON

SHEET NUMBER
A4-91

COMMENTS
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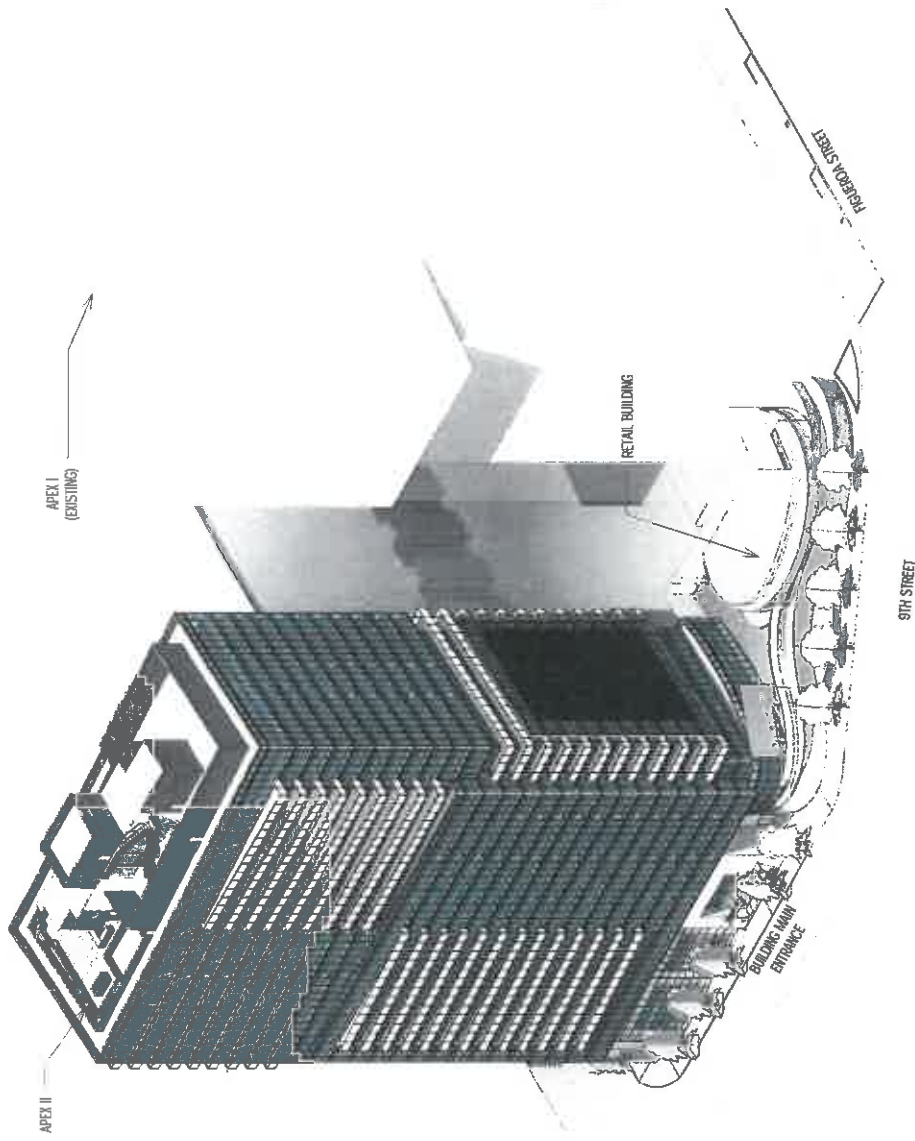


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Page No. 32 of 51
Case No. D18-JANIS-97-SPA

1 NORTH WEST AXON



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1115 PERIMETER CENTER PLACE, SUITE 800
ATLANTA, GEORGIA 30346
TELEPHONE: 770.385.7240
FAX: 770.385.7241
WWW.THEPRESTONPARTNERSHIP.COM

PROJECT
APEX II

700 W. 9TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



5000 E SPRING ST. STE 600
LONG BEACH, CA 90805
862.394.5574

DATE 12/17/2014
JOB NUMBER
DRAWN BY CP
CHECKED BY AN
SHEET TITLE
SOUTH WEST AXON

SHEET NUMBER
A4-92

COMMENTS
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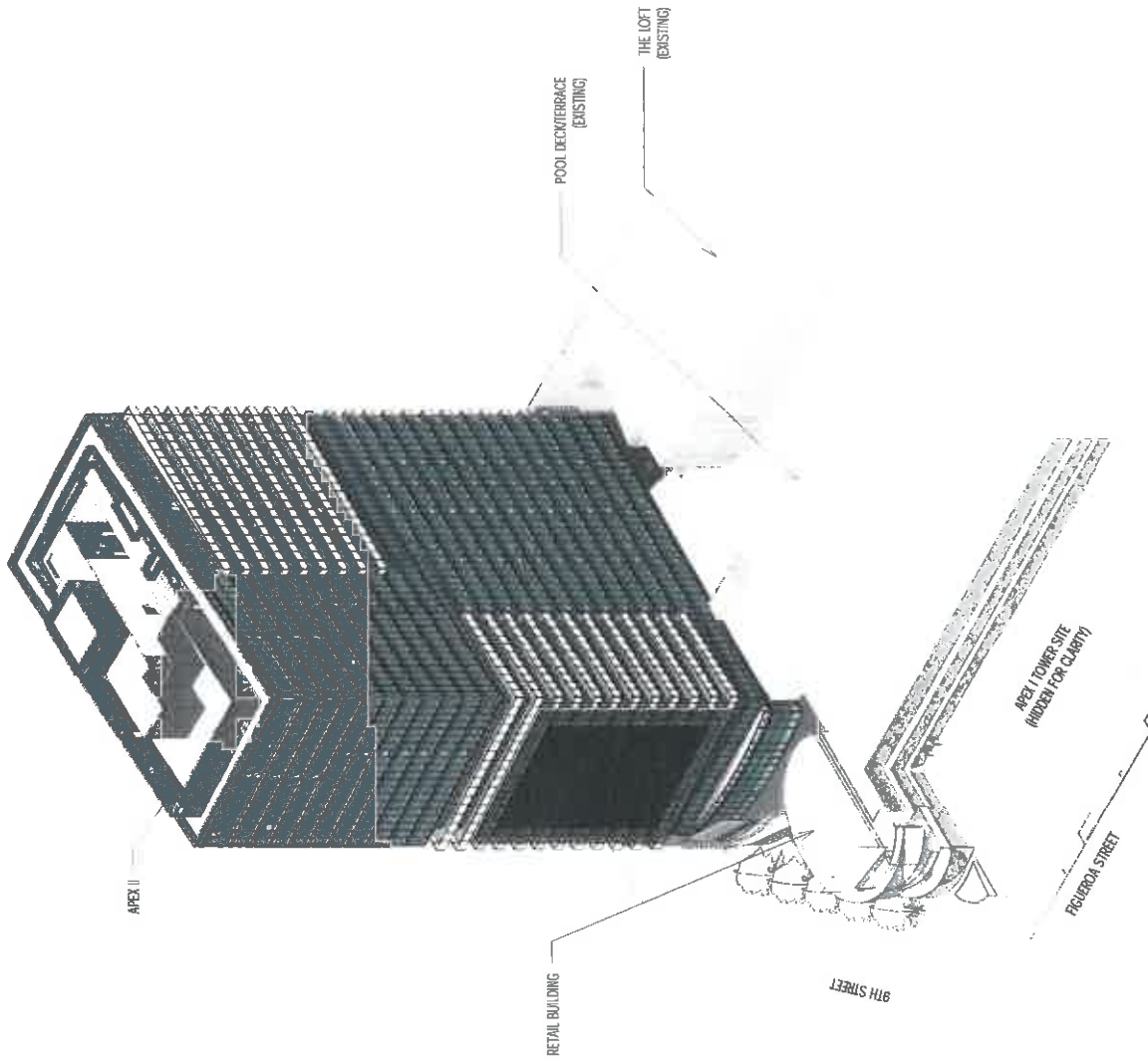


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Page No. **33** of **51**
Case No. **010-2015-09-512**

1 SOUTH WEST AXON



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A MULTIDISCIPLINARY DESIGN FIRM

SOUTH TERRACES
1115 PERIMETER CENTER PLACE, SUITE 850
ATLANTA, GEORGIA 30346
TELEPHONE: 770.985.7248
FAX: 770.985.7249
WWW.THEPRESTONPARTNERSHIP.COM

PROJECT
APEX II

700 W. 8TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



5000 E SPRING ST. STE. 820
LONG BEACH, CA 90805
(562) 599-2524

DATE 12/17/2014
JOB NUMBER 111111
DRAWN BY OP
CHECKED BY AN
SHEET TITLE SOUTH EAST AXON

SHEET NUMBER
A4-93

COMMENTS
NOT ISSUED FOR CONSTRUCTION
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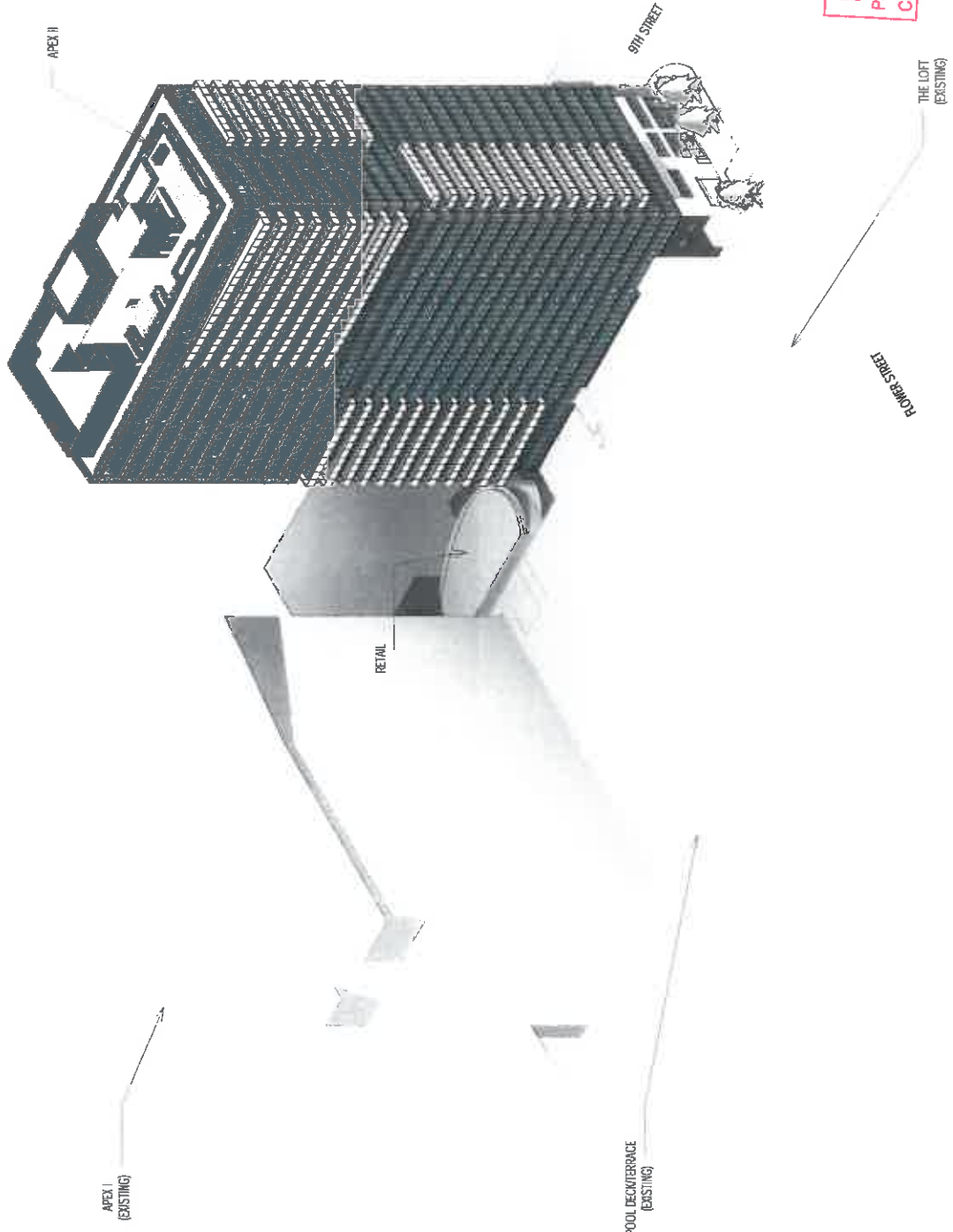


EXHIBIT "A"
Page No. 34 of 51
Case No. BIR-2015-92-52R

1 SOUTH EAST AXON



**PRESTON
ARCHITECTS, PC**
A MULTI-DISCIPLINARY DESIGN FIRM

SOUTH TERRACES
115 PERIMETER CENTER PLACE, SUITE 600
ATLANTA, GEORGIA 30346
TELEPHONE: 770.367.7268
WWW.PRESTONARCHITECTS.COM

PROJECT
APEX II

700 W 17TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP

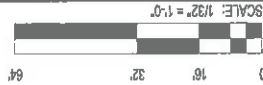


6000 E SPRING ST. STE. 600
LONG BEACH, CA 90815
310.439.5304

DATE 12/11/2014
JOB NUMBER 12172014
DRAWN BY CP
CHECKED BY AN
SHEET TITLE BUILDING SECTION E/W

SHEET NUMBER
A5-01
COMMENTS
NOT ISSUED FOR CONSTRUCTION

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BUILDING SECTION E/W

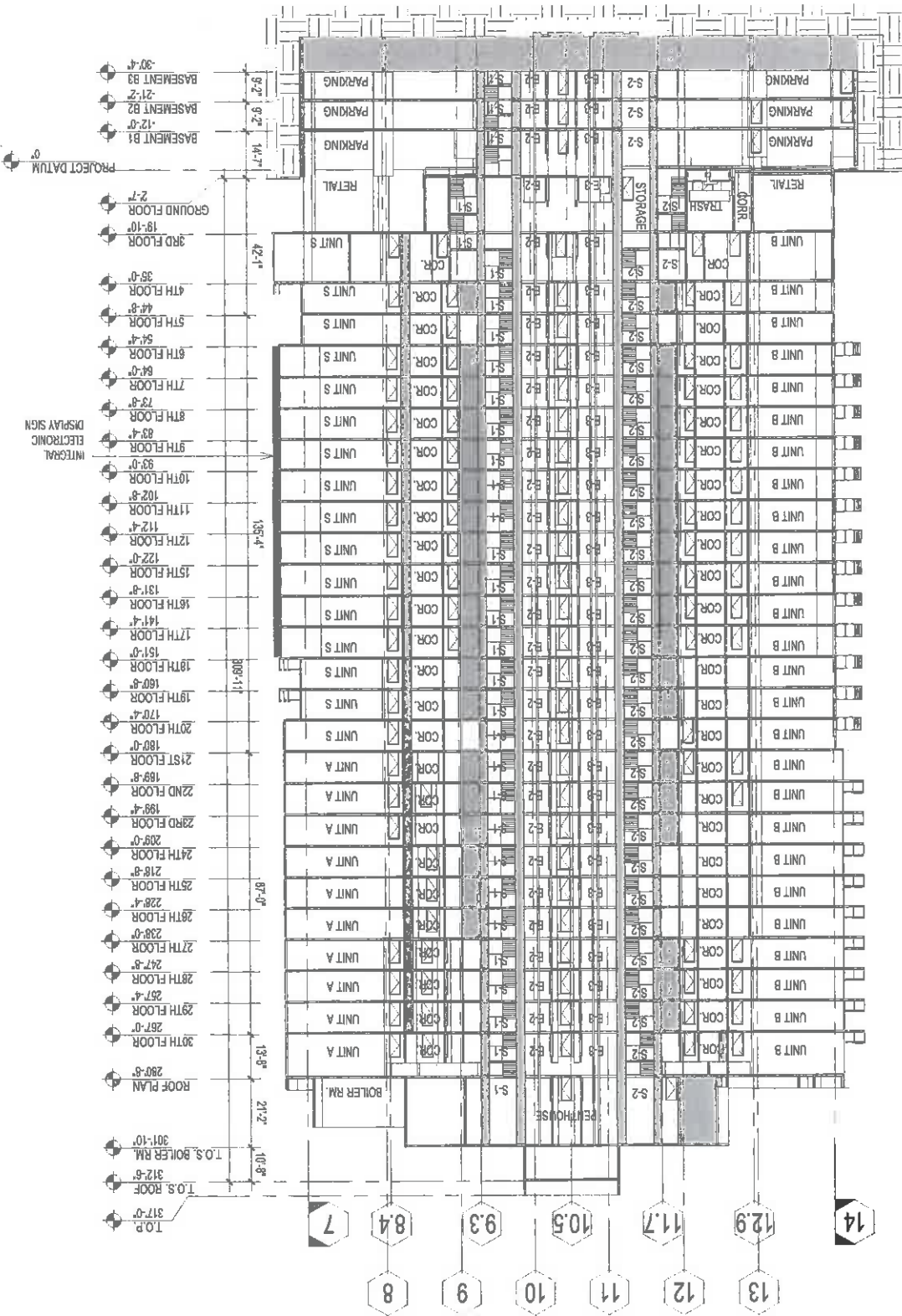


EXHIBIT "A"
Page No. 35 of 51
Case No. DA-2015-79-302

FLOWER ST.

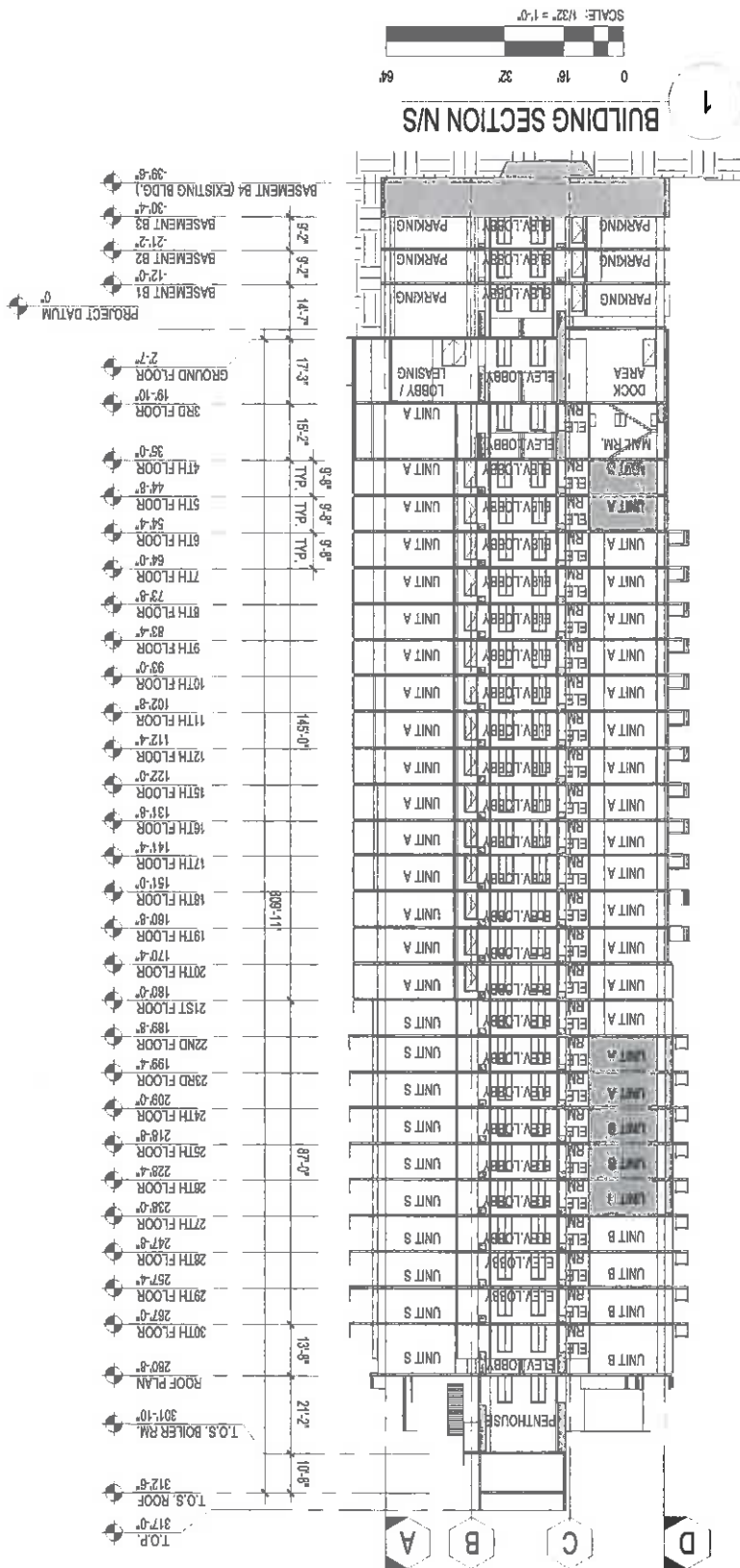


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Page No. 36 of 51
Case No. 312-2015-97-SPK

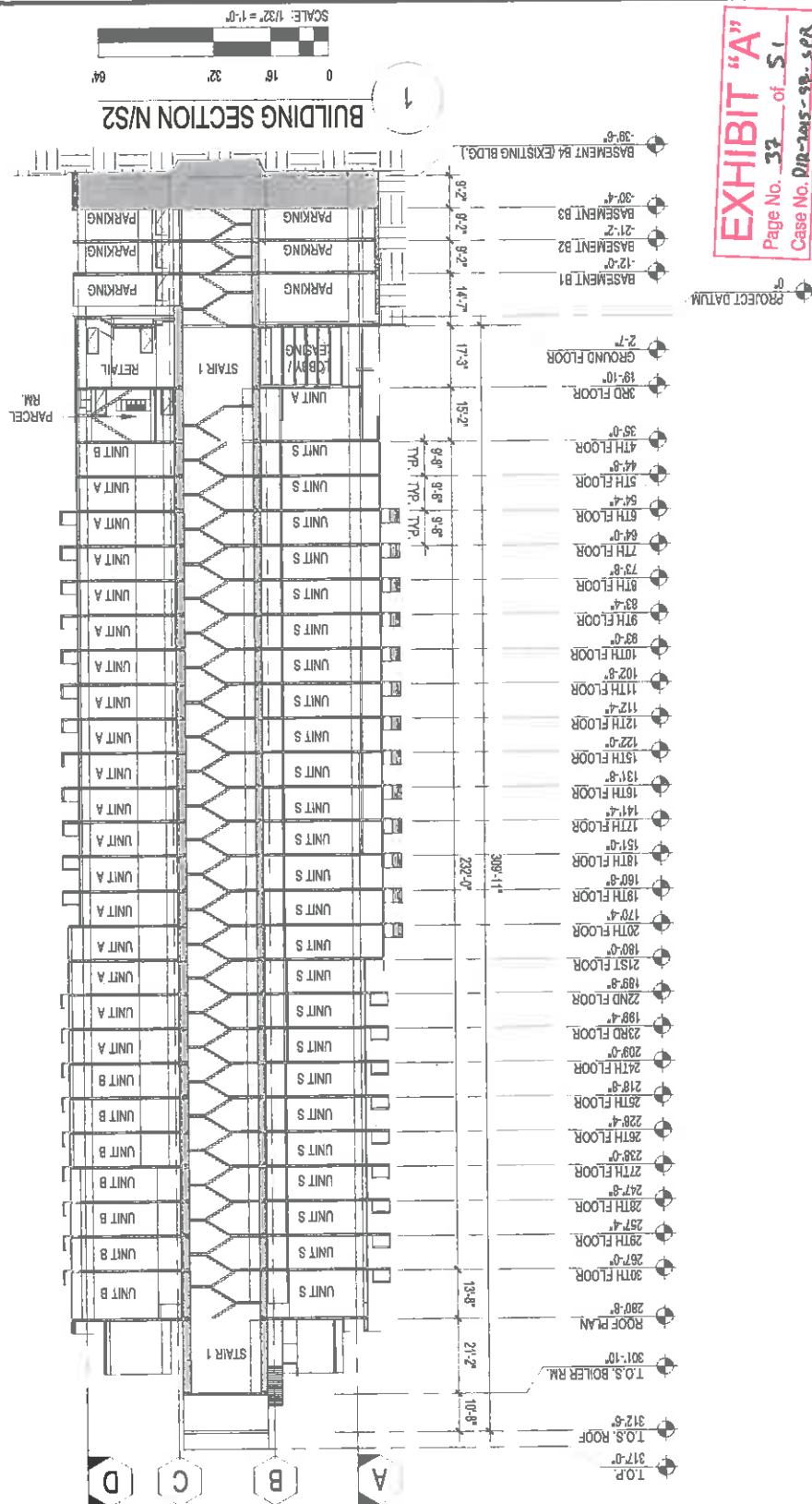


EXHIBIT "A"
Page No. 32 of 51
Case No. DUR-2015-98-SP2



COMMENTS
NOT ISSUED FOR CONSTRUCTION

5000 E. SPRING ST., STE 6030
LONG BEACH, CA 90815
562-285-5304

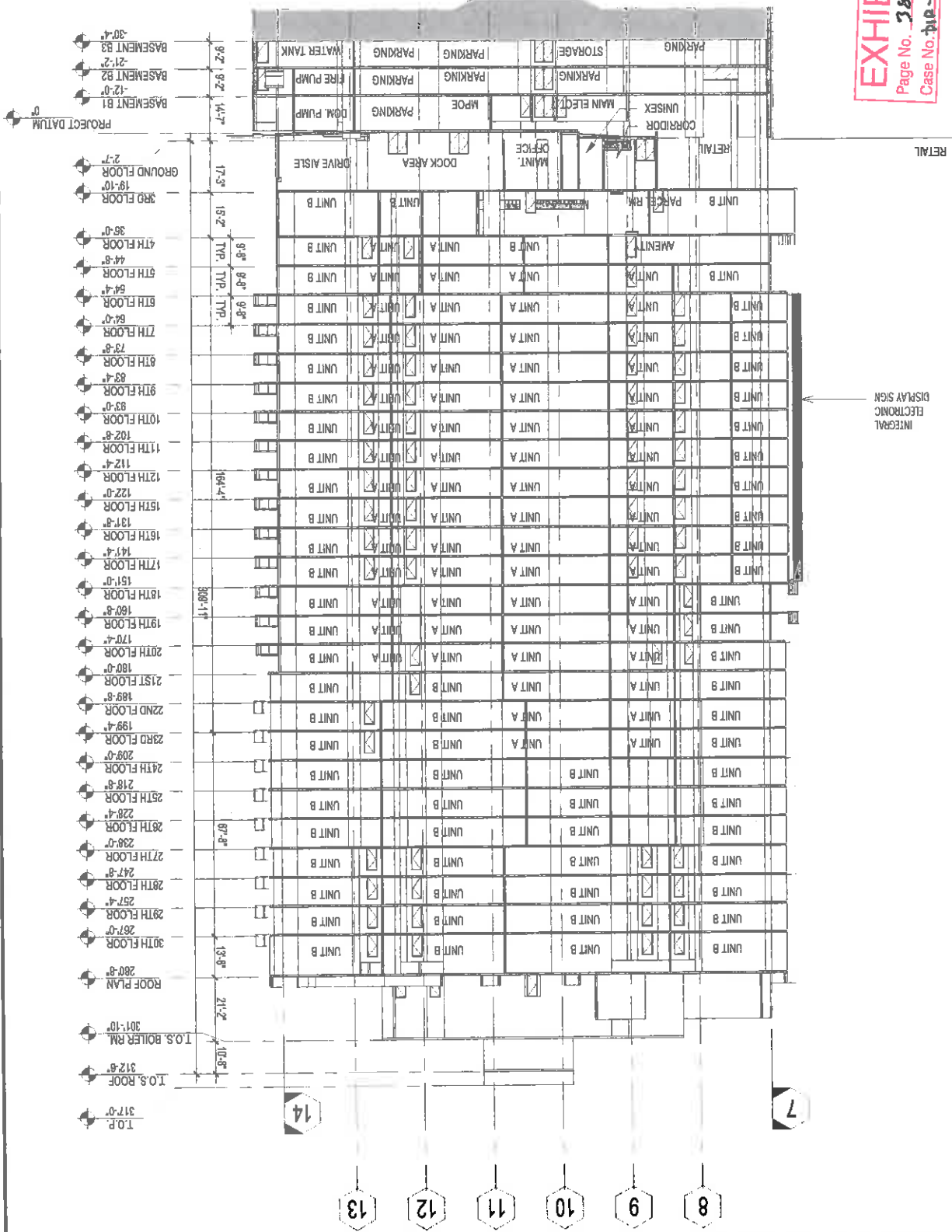
DATE 12/17/2014
 JOB NUMBER 1
 DRAWN BY CP
 CHECKED BY AN
 SHEET TITLE BUILDING SECTION EAW
 SHEET NUMBER A5-04

COMMENTS
NOT ISSUED FOR CONSTRUCTION

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BUILDING SECTION E/W2

EXHIBIT "A"
Page No. 38 of 51
Case No. 110-1015-94-382

INTEGRAL
ELECTRONIC
DISPLAY SIGN

14



13

12



10

6

8

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900111 TERRACES
1115 PERIMETER CENTER PLACE, SUITE 900
FARMINGTON, CT 06030-3406
TEL: 860.270.0832 FAX: 860.270.0832
WWW.THEPRESTONPARTNERSHIP.COM

PROJECT
APEX II

700 W. 9TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



5500 E. SPRING ST. STE. 200
LONG BEACH, CA 90803
855.285.5304

DATE
12/17/2014

JOB NUMBER

DRAWN BY
GENSLER

CHECKED BY
AN

SHEET TITLE
PLAN LEVEL 1 - MAXIMIZED

SHEET NUMBER

R1-01

COMMENTS

© 2014 PRESTON ARCHITECTS, PC

9th street

RETAIL AREA

Total = 11,687 SF



9th street

B
8,957 SF

LINE OF POTENTIAL
MEZZANINE AREA

400 SF PLAZA

PROPERTY LINE
5 FT SETBACK

Figueroa street

700 WEST 9TH ST | 9TH & FIGUEROA | DOWNTOWN LOS ANGELES

PLAN LEVEL 1 - MAXIMIZED

TERRACES

EXHIBIT "A"
Page No. 29 of 51
Case No. D18-2015-03-Spa



**PRESTON
ARCHITECTS, PC**
A MULTI-DISCIPLINARY DESIGN FIRM

SOUTH TERRACES
115 PERIMETER CENTER PLACE, SUITE 900
ATLANTA, GEORGIA 30308
TELEPHONE: 770.388.7246
FAX: 770.388.3945
WWW.THEPRESTONPARTNERSHIP.COM

PROJECT
APEX II
730 W. 9TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



9025 E SPRING ST. STE 400
LONG BEACH, CA 90803
909.262.5304

DATE 12/17/2014
JOB NUMBER 2
DRAWN BY GENSLER
CHECKED BY AN
SHEET TITLE PLAN LEVEL 3

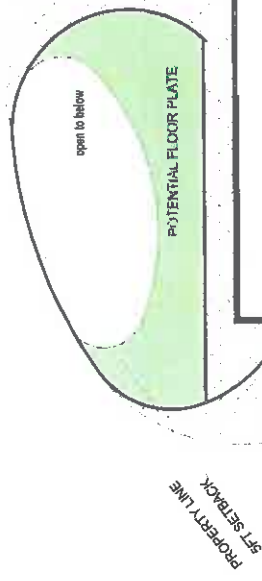
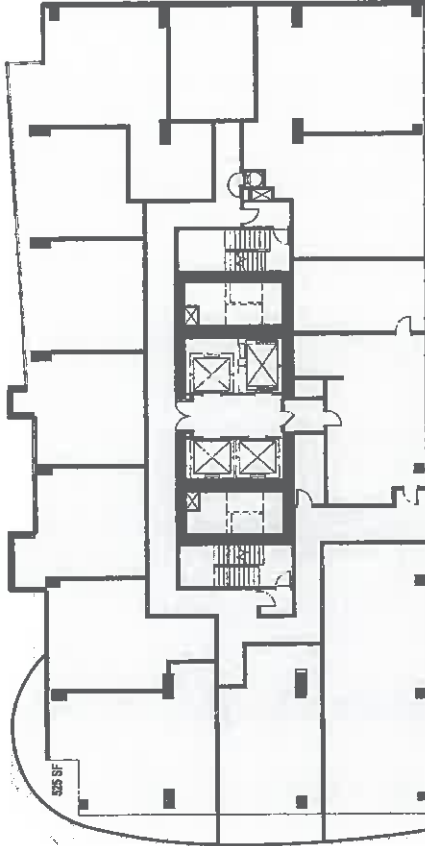
SHEET NUMBER R1-02
COMMENTS

© 2013 PRESTON ARCHITECT, PC

RETAIL AREA

Total = 11,687 SF

BILLBOARD LOCATION



PROPERTY LINE
5 FT SETBACK

TERRACES

PLAN LEVEL 3

700 WEST 9TH ST | 9TH & FIGUEROA | DOWNTOWN LOS ANGELES Gensler

EXHIBIT "A"
Page No. 40 of 51
Case No. DIA-2015-92-570



**PRESTON
ARCHITECTS, PC**
A MULTI-DISCIPLINARY DESIGN FIRM
SOUTH TERRACES
115 PENNIMETER CENTER PLACE, SUITE 650
ATLANTA, GEORGIA 30346
TELEPHONE 404.527.7248
FAX 404.527.7248
WWW.THEPRESTONFIRM.COM

PROJECT
APEX II
700 W. 9TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



3000 E SPRING ST. STE 100
LONG BEACH, CA 90805
408.265.5334

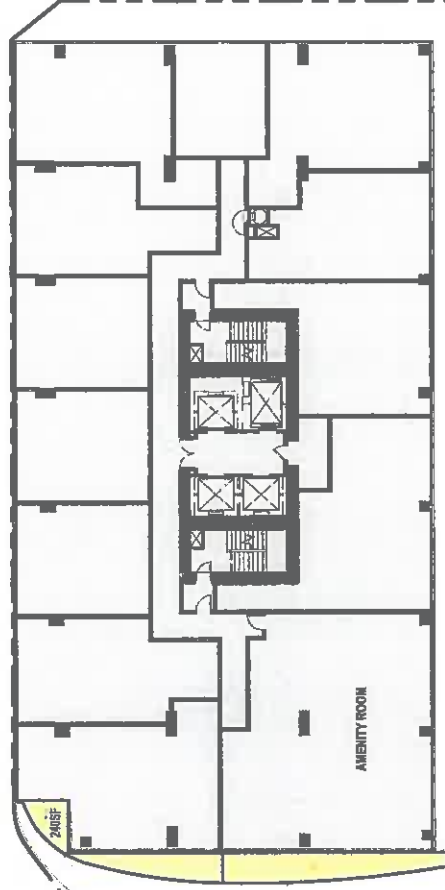
DATE 12/17/2014
JOB NUMBER
DRAWN BY GENSLER
CHECKED BY AN
SHEET TITLE
PLAN LEVEL 4

SHEET NUMBER
R1-03
COMMENTS

© 2014 Preston Architects, PC

RETAIL AREA

Total = 11,687 SF



BILLBOARD LOCATION

outdoor balcony

outdoor balcony

TERRACES

PLAN LEVEL 4

700 WEST 9TH ST | 9TH & FIGUEROA | DOWNTOWN LOS ANGELES Gender

EXHIBIT "A"
Page No. 41 of 51
Case No. 018-2015-57-2112



**PRESTON
ARCHITECTS, PC**
A MULTIDISCIPLINARY DESIGN FIRM
SOUTH TERRACES
115 PERIMETER CENTER PLACE, SUITE 800
ATLANTA, GEORGIA 30346
TELEPHONE 404.770.3842
FAX 404.770.3842
WWW.THEPRESTONPARTNERSHIP.COM
PROJECT
APEX II
700 W. 9TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP

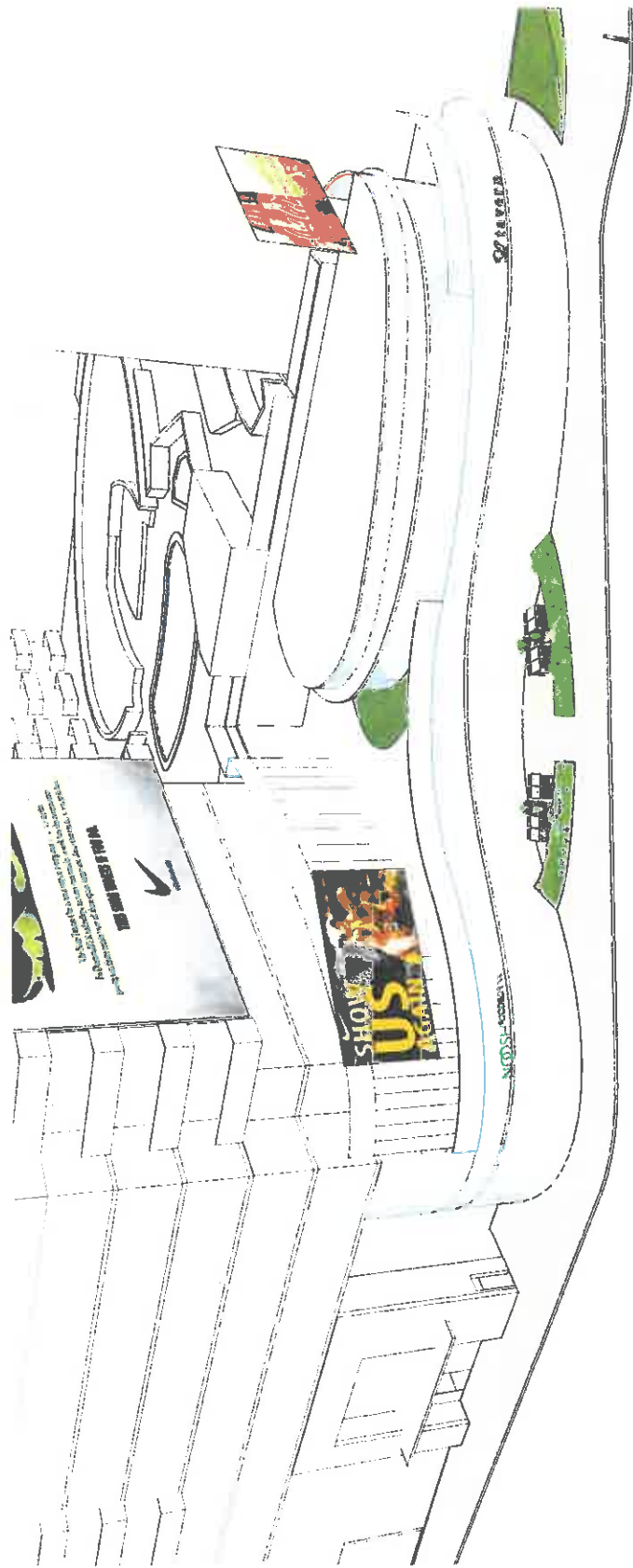


9000 E SPRING ST. STE 600
LONG BEACH, CA 90803
656-285-9324

DATE 12/17/2014
JOB NUMBER
DRAWN BY GENSLER
CHECKED BY AN
SHEET TITLE
AERIAL FROM 9TH ST.

SHEET NUMBER
R1-04
COMMENTS

© 2004 PRESTON ARCHITECTS, PC



TERRACES AERIAL FROM 9TH ST. 700 WEST 9TH ST | 9TH & FIGUEROA | DOWNTOWN LOS ANGELES Gensler

EXHIBIT "A"
Page No. 42 of 51
Case No. DIR-2015-72-SPN



**PRESTON
ARCHITECTS, PC**
A MULTIDISCIPLINARY DESIGN FIRM
SOUTH TERRACES
115 PERIMETER CENTER PLACE, SUITE 850
ATLANTA, GEORGIA 30346
TELEPHONE: 770.393.7248
WWW.THEPRESTONPARTNERSHIP.COM
**PROJECT
APEX II**
700 WEST 9TH STREET
LOS ANGELES, CA 90015

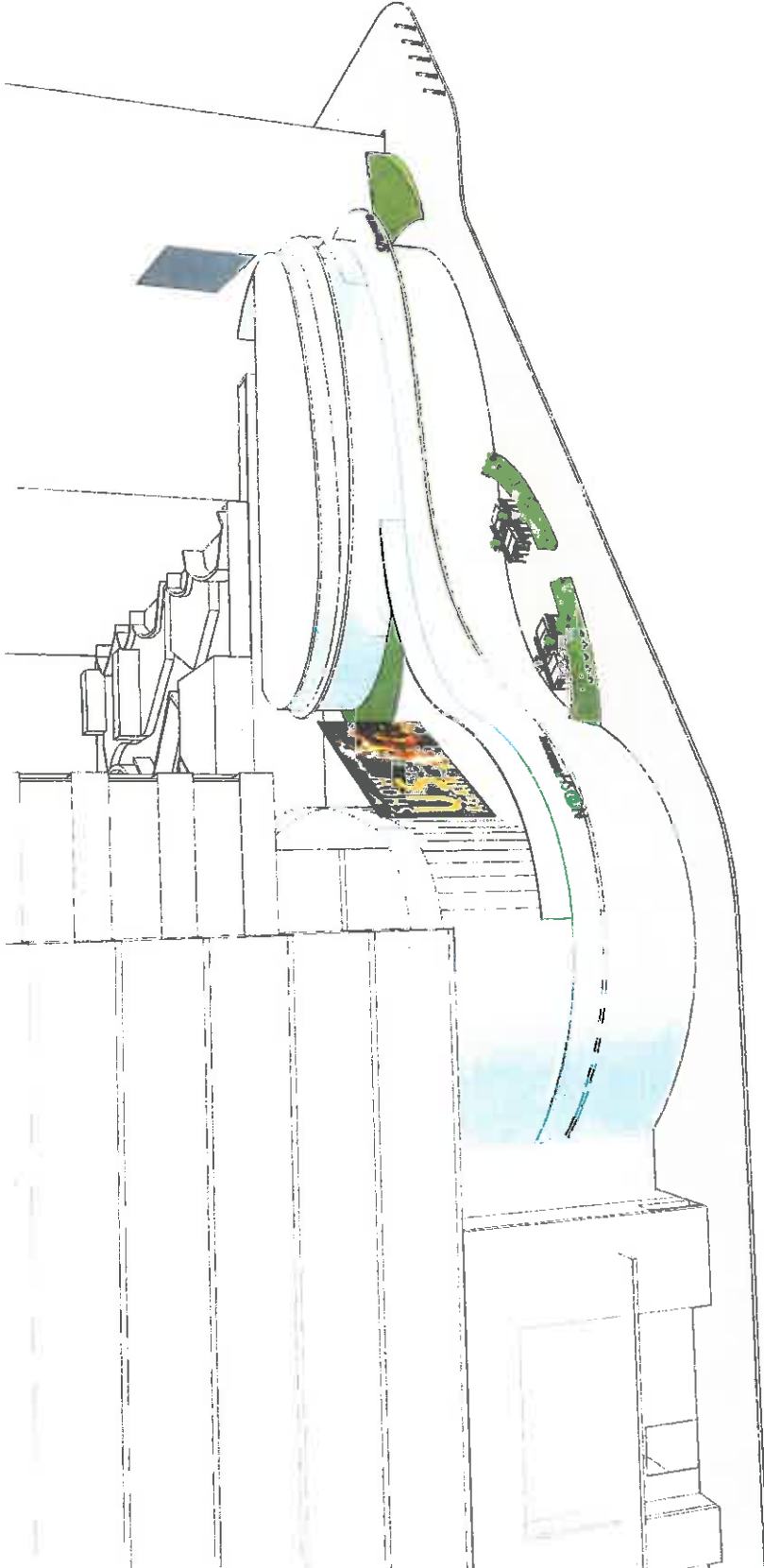
FOR
**HOLLAND PARTNER
GROUP**



5000 E SPRING ST., STE. 600
LONG BEACH, CA 90805
(562) 595-3334

DATE 12/17/2014
JOB NUMBER
DRAWN BY GENSLER
CHECKED BY AN
SHEET TITLE AERIAL FROM 9TH ST. 2
SHEET NUMBER
R1-05
COMMENTS

© 2013 Preston Architects, PC



TERRACES 700 WEST 9TH ST | 9TH & FIGUEROA | DOWNTOWN LOS ANGELES **Gender**

EXHIBIT "A"
Page No. **43** of **51**
Case No. **D18-2045-93-SPA**



**PRESTON
ARCHITECTS, PC**
A MULTIDISCIPLINARY DESIGN FIRM

SOUTH TERRACE SUITE 800
115 PRINCE STREET, SUITE 800
ATLANTA, GEORGIA 30304
TELEPHONE: 770 395 7248
FAX: 770 395 7245
WWW.PRESTONARCHITECTS.COM

**PROJECT
APEX II**
700 W. 9TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP

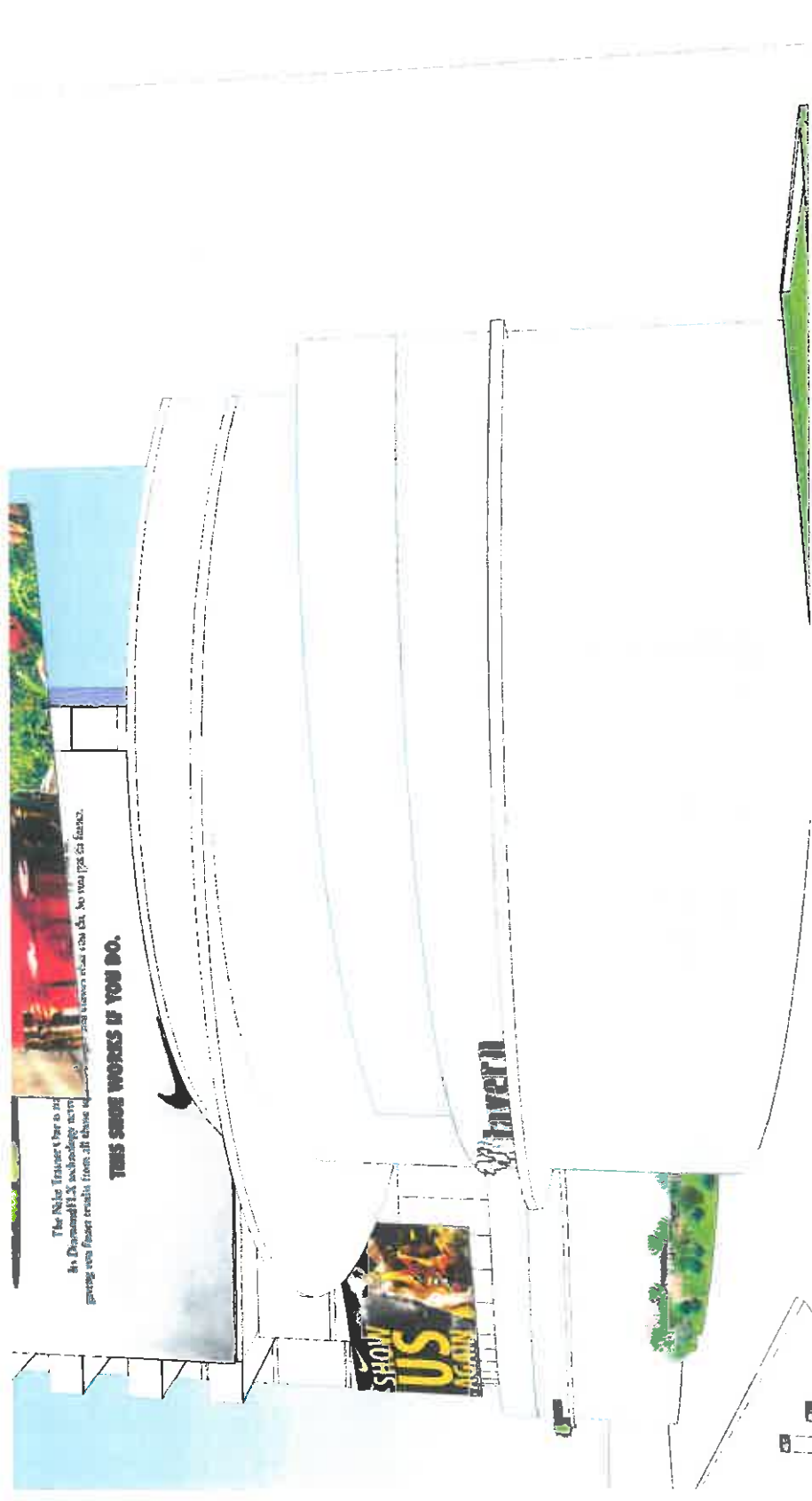


5000 E SPRING ST. STE 630
LONG BEACH, CA 90805
(562) 288-5304

DATE 12/11/14
JOB NUMBER 2
DRAWN BY GENSLER
CHECKED BY AN
SHEET TITLE
VIEW FROM 9TH ST. &
FIGUEROA 2

SHEET NUMBER
R1-06
COMMENTS

© 2014 Preston Architects, PC



The Nike Trainer 4 bar is not
in. Diagram 11.1. A technology team
growing our brand results from all these
and more ideas that do you [?] to France.

THIS SENSE WORKS IF YOU DO.

VIEW FROM 9TH ST. & FIGUEROA 700 WEST 9TH ST | 9TH & FIGUEROA | DOWNTOWN LOS ANGELES **Gensler**

TERRACES

EXHIBIT "A"
Page No. 44 of 51
Case No. 012-2015-12-00



PRESTON
ARCHITECTS, PC
A LIMITED LIABILITY COMPANY
115 PIERCE STREET, SUITE 500
LOS ANGELES, CA 90015
TELEPHONE: 773-241-1241
FAX: 773-241-2953
WWW.PRESTONARCHITECTS.COM

PROJECT
300 WEST STREET
LOS ANGELES, CA 90015

DATE
10/1/00

BY
JANUARY 1, 2000

FOR
ENTIREMENT

DATE
10/1/00

BY
JANUARY 1, 2000

FOR
ENTIREMENT

DATE
10/1/00

BY
JANUARY 1, 2000

FOR
ENTIREMENT

DATE
10/1/00

BY
JANUARY 1, 2000

FOR
ENTIREMENT

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10/1/00

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JANUARY 1, 2000

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10/1/00

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JANUARY 1, 2000

FOR
ENTIREMENT

DATE
10/1/00

BY
JANUARY 1, 2000

FOR
ENTIREMENT

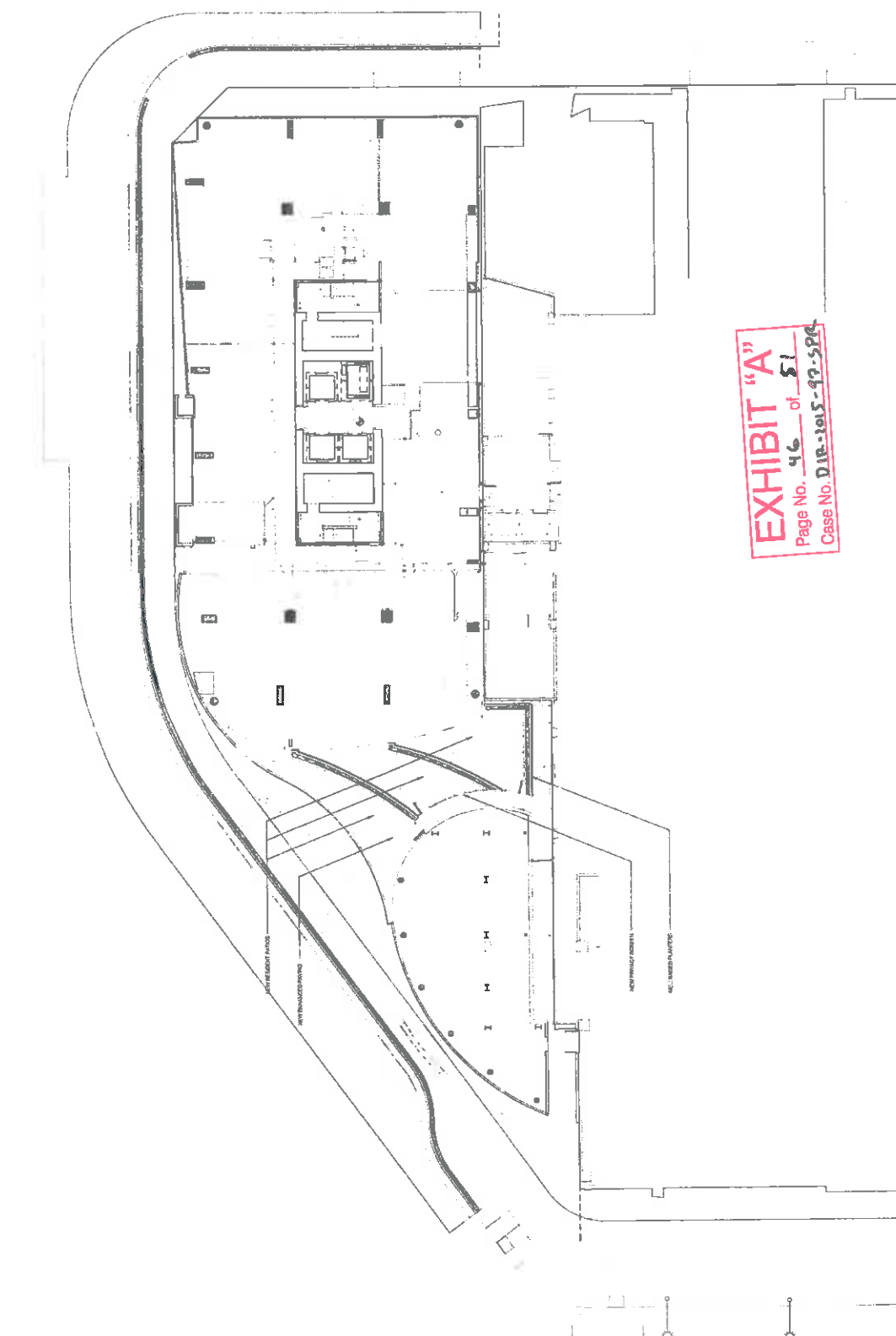


EXHIBIT "A"
Page No. 46 of 51
Case No. D18-1015-93-SPC

DATE
10/1/00

BY
JANUARY 1, 2000

FOR
ENTIREMENT

DATE
10/1/00

BY
JANUARY 1, 2000

FOR
ENTIREMENT

DATE
10/1/00

BY
JANUARY 1, 2000

FOR
ENTIREMENT

DATE
10/1/00

BY
JANUARY 1, 2000

FOR
ENTIREMENT

DATE
10/1/00

BY
JANUARY 1, 2000

FOR
ENTIREMENT



**PRESTON
ARCHITECTS, PC**
A UNIT OF PRESTON ARCHITECTS, INC.
115 PERIMETER CENTER PLAZA, SUITE 800
ATLANTA, GEORGIA 30338
TEL: 404.525.1000
FAX: 404.525.1001
WWW.PRESTONARCHITECTS.COM

DATE

PROJECT

THE NEW PROJECT
LOS ANGELES, CA 90015

FILE



OWNER: BROWN & CAL
115 PERIMETER CENTER PLAZA
LOS ANGELES, CA 90015

SCALE

ENTITLEMENT PLOT 10/17/15

DATE: 10/22/2015
PROJECT: 1455502
DRAWN BY: LRM/LTD
CHECKED BY: AN
SHEET: 4TH FLOOR
SHEET NUMBER: L1-03

CONTRACT: 1455502 FOR CONSTRUCTION

NOT FOR CONSTRUCTION

1/2" = 1'-0"

1/4" = 1'-0"

1/8" = 1'-0"

1/16" = 1'-0"

1/32" = 1'-0"

1/64" = 1'-0"

1/128" = 1'-0"

1/256" = 1'-0"

1/512" = 1'-0"

1/1024" = 1'-0"

1/2048" = 1'-0"

1/4096" = 1'-0"

1/8192" = 1'-0"

1/16384" = 1'-0"

1/32768" = 1'-0"

1/65536" = 1'-0"

1/131072" = 1'-0"

1/262144" = 1'-0"

1/524288" = 1'-0"

1/1048576" = 1'-0"

1/2097152" = 1'-0"

1/4194304" = 1'-0"

1/8388608" = 1'-0"

1/16777216" = 1'-0"

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1/134217728" = 1'-0"

1/268435456" = 1'-0"

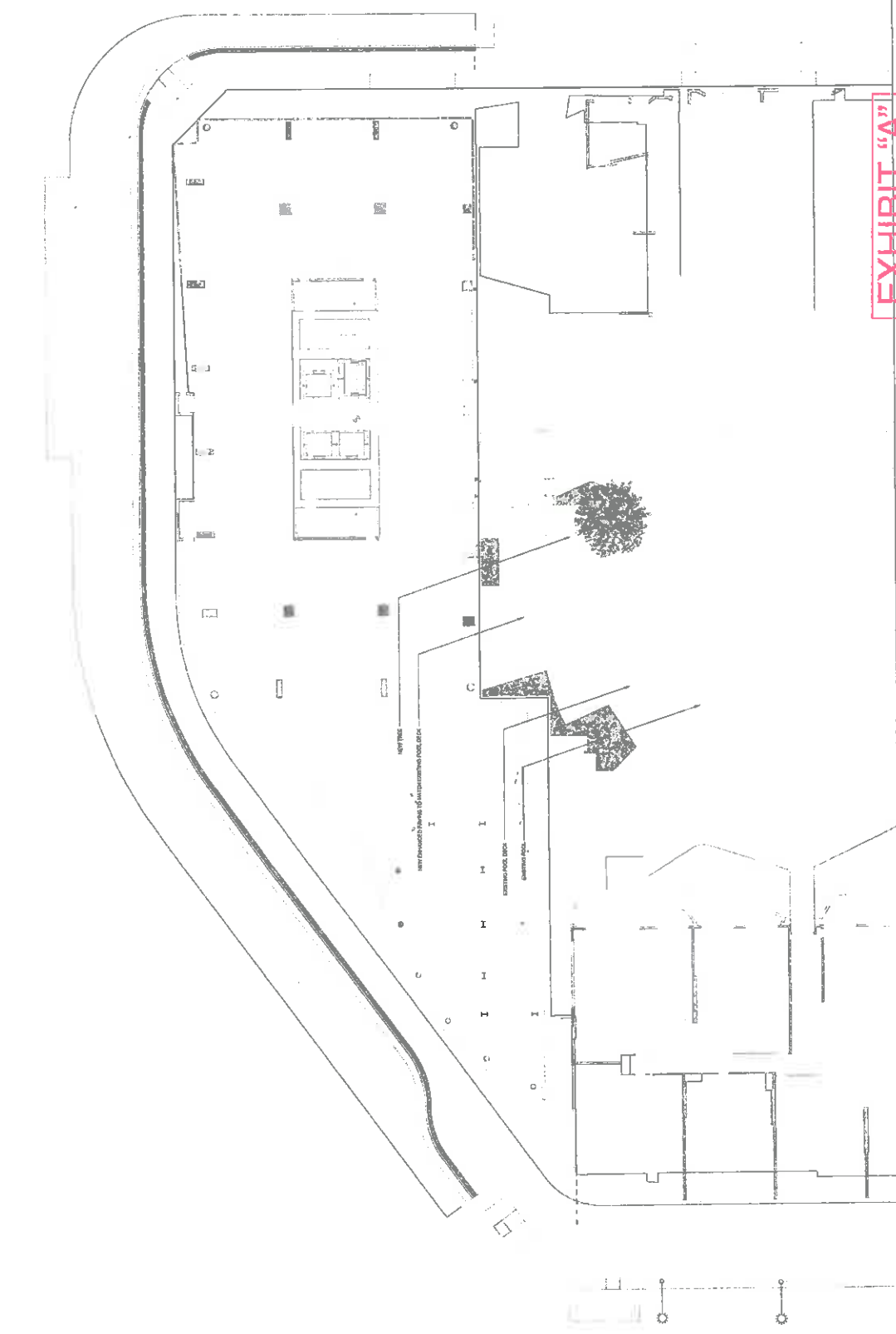


EXHIBIT "A"
Page No. 417 of 51
Case No. DLR-2015-92-502



**PRESTON
ARCHITECTS, PC**
A MULTI-OCCUPANCY DESIGN FIRM

SOUTH TERRACES
115 FREEMETER CENTER PLACE, SUITE 500
SAN ANTONIO, TEXAS 78204
TELEPHONE: 781.388.7245
FAX: 781.388.7245
WWW.THEPRESTONPARTNERSHIP.COM

**PROJECT
APEX II**

770 W. 5TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



990 E SPRING ST., STE 550
LOS ANGELES, CA 90015
800.285.5004

DATE 12/17/2014
JOB NUMBER
DRAWN BY LRM/LD
CHECKED BY AN
SHEET TITLE PLANT PALETTE

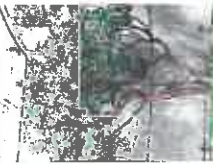
SHEET NUMBER
L2.01

COMMENTS
NOT ISSUED FOR CONSTRUCTION
© 2014 PRESTON ARCHITECTS, PC

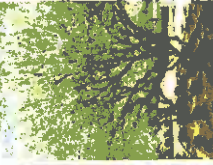
TREES & PALMS



PLATANUS ACERIFOLIA
London Plane Tree



ARISTIDA MARITIMA
Savannah Tree



QUERCUS LAEVIS
White Oak



QUERCUS LAEVIS
White Oak



QUERCUS LAEVIS
White Oak



QUERCUS LAEVIS
White Oak



QUERCUS LAEVIS
White Oak

SHRUBS & GROUNDCOVER



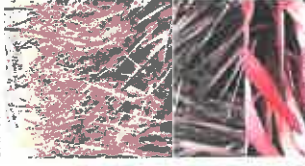
PTELEA TRIFOLIATA
Blackberry Tree



PTELEA TRIFOLIATA
Blackberry Tree



PTELEA TRIFOLIATA
Blackberry Tree



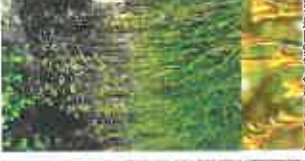
PTELEA TRIFOLIATA
Blackberry Tree



PTELEA TRIFOLIATA
Blackberry Tree



PTELEA TRIFOLIATA
Blackberry Tree



PTELEA TRIFOLIATA
Blackberry Tree



PTELEA TRIFOLIATA
Blackberry Tree



PTELEA TRIFOLIATA
Blackberry Tree



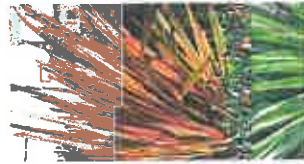
PTELEA TRIFOLIATA
Blackberry Tree



PTELEA TRIFOLIATA
Blackberry Tree



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Blackberry Tree



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Blackberry Tree



PTELEA TRIFOLIATA
Blackberry Tree



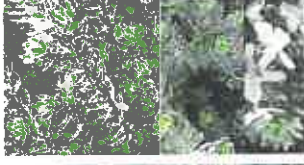
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Blackberry Tree



PTELEA TRIFOLIATA
Blackberry Tree



PTELEA TRIFOLIATA
Blackberry Tree



PTELEA TRIFOLIATA
Blackberry Tree



PTELEA TRIFOLIATA
Blackberry Tree



PTELEA TRIFOLIATA
Blackberry Tree

LRM

Proposed Plant Palette
5/1/2014

EXHIBIT "A"
Page No. 45 of 51
Case No. 14-2015-14-374



**THE PRESTON
PARTNERSHIP, LLC**
A MULTI-DISCIPLINARY DESIGN FIRM
116 PENNSYLVANIA AVENUE, SUITE 800
ATLANTA, GEORGIA 30304
TELEPHONE: 770-388-7248
FAX: 770-388-2940

WWW.THEPRESTONPARTNERSHIP.COM
PROJECT
APEX II

700 W. 8TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



DATE 10/22/2015
JOB NUMBER 2
DRAWN BY NP
CHECKED BY AN
SHEET TITLE
BIKE PARKING DIAGRAM
LOWER LEVEL 1 (BT)

SHEET NUMBER BP-01

COMMENTS
NOT ISSUED FOR CONSTRUCTION
© 2015 The Preston Partnership, LLC

LONG TERM PARKING

100 SF BICYCLE
MAINTENANCE AREA

35, 2-TIER, 5 BIKE RACKS FOR TOTAL
OF 350 LONG TERM BIKE STALLS

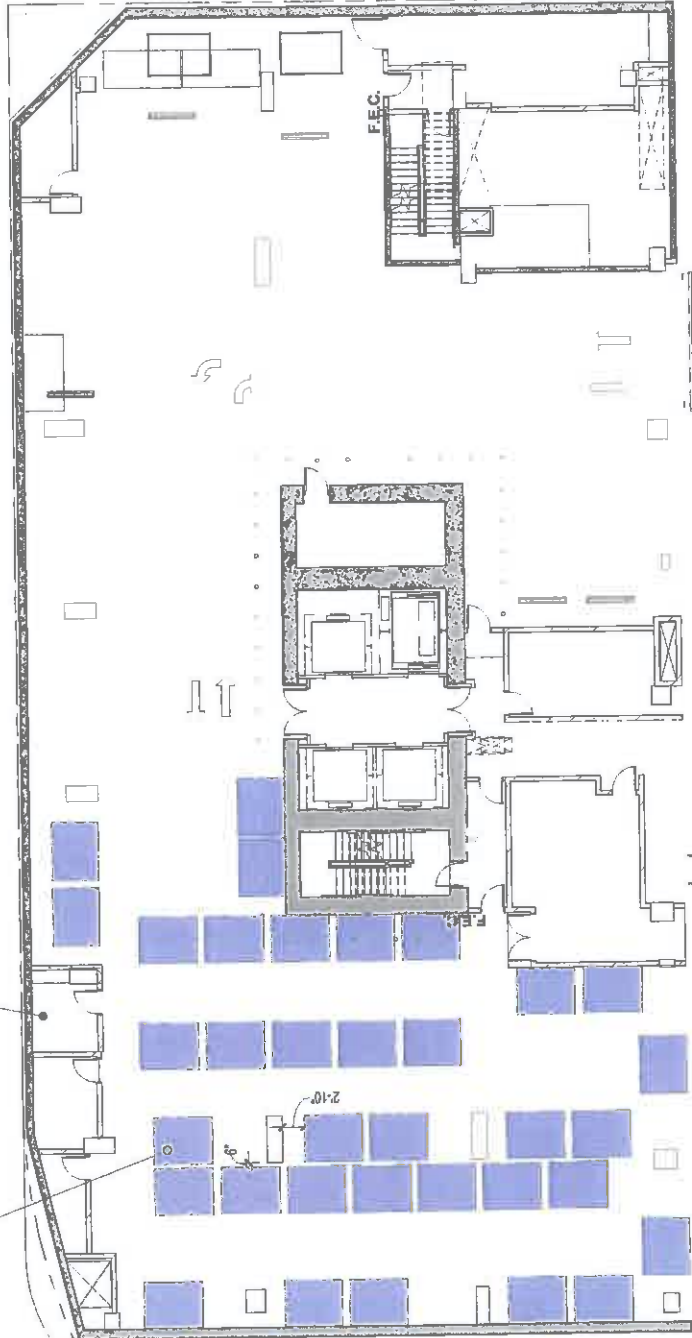


EXHIBIT "A"
Page No. 56 of 51
Case No. 10-1015-92-SPR



THE PRESTON
PARTNERSHIP, LLC
A MULTI-DISCIPLINARY DESIGN FIRM
115 PIONEER BLVD., SUITE 600
ALHAMBRA, CALIFORNIA 91801
TELEPHONE: 770.367.7244
FAX: 770.385.2945

WWW.THEPRESTONPARTNERSHIP.COM
PROJECT
APEX II

700 W. 5TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



DATE 10/22/2015
JOB NUMBER 10222015
DRAWN BY AP
CHECKED BY AN
SHEET TITLE
BIKE PARKING DIAGRAM
GROUND FLOOR

SHEET NUMBER
BP-02

COMMENTS
NOT ISSUED FOR CONSTRUCTION
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SHORT TERM PARKING

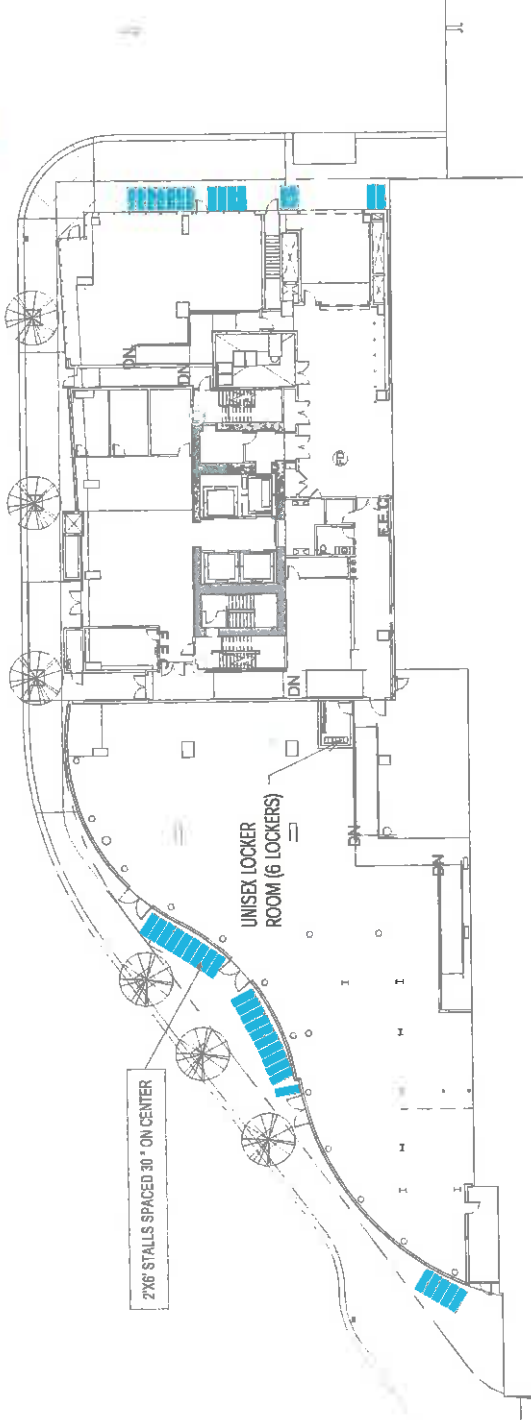
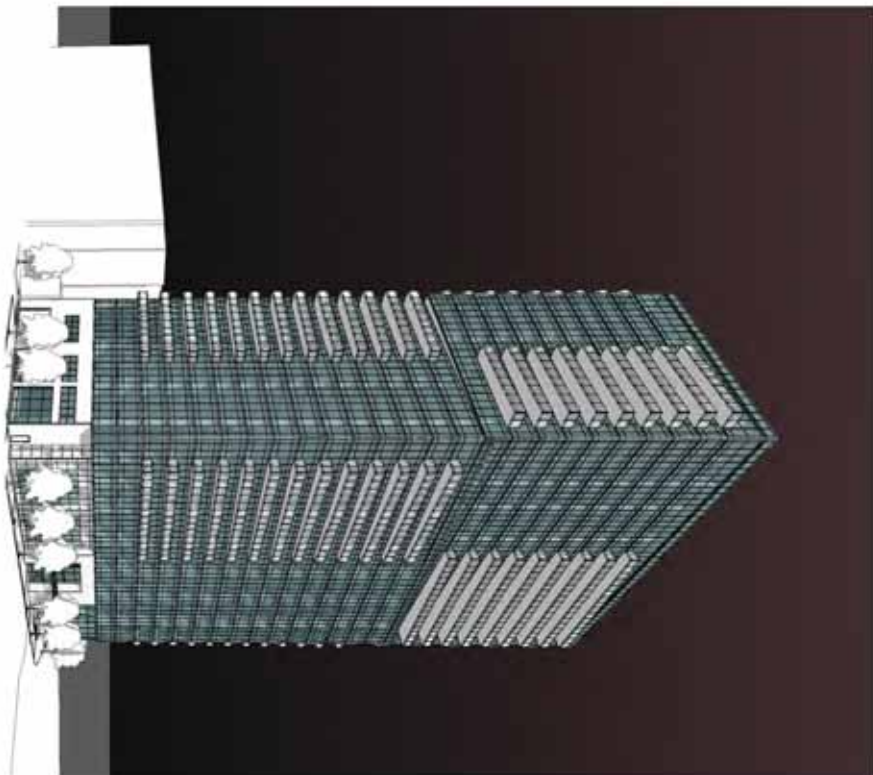


EXHIBIT "A"
Page No. 51 of 51
Case No. DIR-2015-99-SPR

Exhibit 5

**Site Plan, Floor Plans,
Elevations, Sections
and Landscape Plans**



APEX II
700 W. 9TH STREET
LOS ANGELES, CA 90015
ENTITLEMENT SET
DECEMBER 17, 2014
WITH SOME SHEETS DATED OCTOBER 22, 2015



**PRESTON
ARCHITECTS, PC**

A MULTI-DISCIPLINARY DESIGN FIRM

110-TH TERRACES
118 PEARL STREET CENTER PLAZA, SUITE 300
LOS ANGELES, CA 90071
TELEPHONE: 713.298.7248
FAX: 775.398.2945
WWW.PRESTONARCHITECTS.COM

PROJECT
APEX II

700 W 9TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



1000 E. MAIN ST. STE 200
LOS ANGELES, CA 90012
310.263.5200

DATE 12/17/2014
JOB NUMBER 1409602
DRAWN BY CP
CHECKED BY AN
SHEET TITLE COVER SHEET
SHEET NUMBER CS-01
COMMENTS
NOT ISSUED FOR CONSTRUCTION
© 2014 PRESTON ARCHITECTS, PC

INDEX

SHEET NAME

GENERAL	
CS-01	COVER SHEET
CS-02	INDEX
SP-01	SITE - CONTEXT DIAGRAM
SP-02	SITE - ADJACENT BUILDINGS
SP-03	PLOT PLAN
SP-04	ENLARGED PLOT PLAN
SP-05	PROJECT DATA
SP-08	PHASING PLAN

ARCHITECTURE

A1-B3	BASEMENT LEVEL 3
A1-B2	BASEMENT LEVEL 2
A1-B1	BASEMENT LEVEL 1
A1-01A	GROUND FLOOR PLAN
A1-01B	GROUND FLOOR PLAN-RETAIL
A1-03	UNIT AREA PLAN - 3RD FLOOR
A1-03B	3RD FLOOR PLAN-RETAIL
A1-04	UNIT AREA PLAN - 4TH FLOOR
A1-05	UNIT AREA PLAN - 5TH FLOOR
A1-06	UNIT AREA PLAN - 6TH-17TH FLOOR
A1-18	UNIT AREA PLAN - 18TH-19TH FLOOR
A1-20	UNIT AREA PLAN - 20TH FLOOR
A1-21	UNIT AREA PLAN - 21ST FLOOR
A1-22	UNIT AREA PLAN - 22ND-23RD FLOOR
A1-24	UNIT AREA PLAN - 24TH-26TH FLOOR
A1-27	UNIT AREA PLAN - 27TH-30TH FLOOR
A1-31	ROOF PLAN
A1-31.2	HIGH ROOF PLAN
A4-01	NORTH ELEVATION
A4-02	SOUTH ELEVATION
A4-03	EAST ELEVATION
A4-04	WEST ELEVATION

(CONTINUED)

SHEET NAME

A4-05	STREET ELEVATIONS
A4-06	RETAIL ELEVATION
A4-90	NORTH EAST AXON
A4-91	NORTH WEST AXON
A4-92	SOUTH WEST AXON
A4-93	SOUTH EAST AXON
A5-01	BUILDING SECTION E/W
A5-02	BUILDING SECTION N/S
A5-03	BUILDING SECTION N/S
A5-04	BUILDING SECTION E/W

RETAIL

R1-01	PLAN LEVEL 1 - MAXIMIZED
R1-02	PLAN LEVEL 3
R1-03	PLAN LEVEL 4
R1-04	AERIAL FROM 9TH ST.
R1-05	AERIAL FROM 9TH ST. 2
R1-06	VIEW FROM 9TH ST. & FIGUEROA 2

LANDSCAPE

L1-02	MEZZANINE
L1-01	LANDSCAPE-GROUND FLOOR
L1-03	4TH FLOOR
L1-04	ROOF PLAN
L2.01	PLANT PALETTE

BIKE PLAN

BP-01	BIKE PARKING DIAGRAM-LEVEL B1
BP-02	BIKE PARKING DIAGRAM - GROUND FLOOR



**PRESTON
ARCHITECTS, PC**
A MULTIDISCIPLINARY DESIGN FIRM

SOUTH TERRACES
115 PERIMETER CENTER PLACE, SUITE 500
LOS ANGELES, CA 90015
TELEPHONE: 770.386.7248
FAX: 770.386.2845
WWW.THEPRESTONPARTNERSHIP.COM

PROJECT
APEX II

700 W. 9TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



500 E. SPRING ST. STE 600
LONG BEACH, CA 90815
562.285.5004

DATE	10/22/2015
JOB NUMBER	1499802
DRAWN BY	CP
CHECKED BY	AN
SHEET TITLE	INDEX

SHEET NUMBER
CS-02
COMMENTS
NOT ISSUED FOR CONSTRUCTION



A MULTI-DISCIPLINARY DESIGN FIRM

SOUTH TERRACES
115 PERIMETER CENTER PLACE, SUITE 950
TAMPA, FL 33604

TELEPHONE: 770 396 7248
FAX: 770 396 2945

PROJECT
APEX II

700 W. 9TH STREET
LOS ANGELES, CA 90015

FOR _____
HOLLAND PARTNER
GROUP



5000 E SPRING ST. STE 630
LONG BEACH, CA 90815
562-285-5304

DATE 12/17/2014

JOB NUMBER 4100803

DRAWN BY _____
CT _____

CHECKED BY _____

SHEET TITLE _____

PLOT PLAN

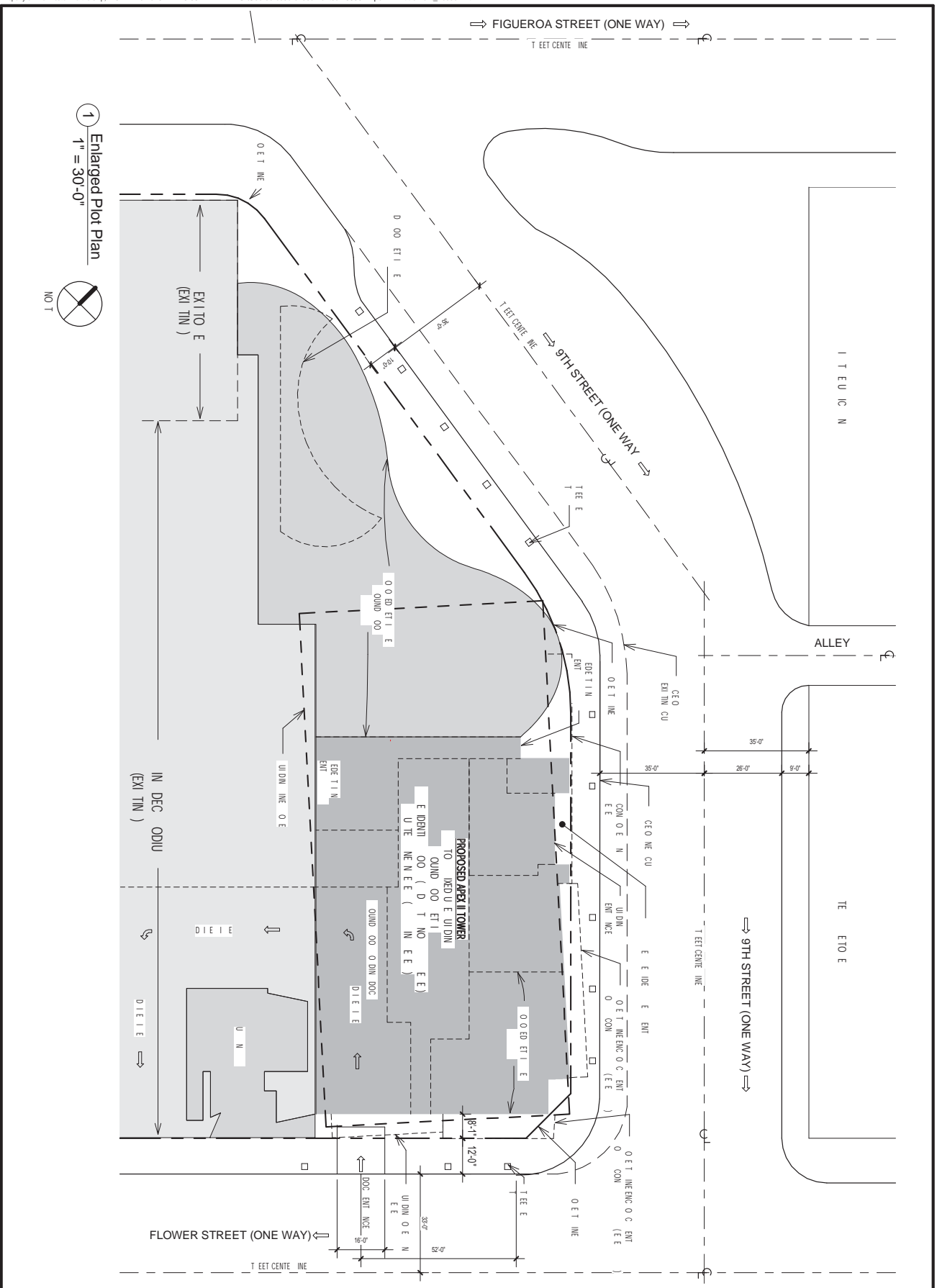
SHEET NUMBER _____

SP-03

COMMENTS

NOT ISSUED FOR CONSTRUCTION

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**PRESTON
ARCHITECTS, PC**
A MULTIDISCIPLINARY DESIGN FIRM
SOUTH TERRACES
115 PERIMETER CENTER PLACE, SUITE 900
LOS ANGELES, CA 90015
TELEPHONE: 773.386.7248
FAX: 773.386.2845
WWW.THEPRESTONPARTNERSHIP.COM

PROJECT
APEX II

700 W. 9TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



500 E. SPRING ST. STE. 500
LONG BEACH, CA 90815
562.285.5004

DATE 12/17/2014
JOB NUMBER 1499802
DRAIN BY CP
CHECKED BY AN
SHEET TITLE
ENLARGED PLOT PLAN

SHEET NUMBER
SP-04

COMMENTS
NOT ISSUED FOR CONSTRUCTION

8-2108 PRESTON ARCHITECTS, PC

PROJECT DATA - APEX II									
LOT/BUILDABLE AREA									
		Pre Dedication	Post Dedication						
Total Lot/Bldable Area		40,433	40,433						
C2P5-4D		60,921	56,058						
C2-4D		100,954	96,491						
Total									
Apex I - Lot Building (Lot 1, Phase I)									
Concerto Figuratn Tower (Lot 2, Phase II)									
Apex II - Proposed (Lot 3, Phase III)									
Total		22,736	22,736						
		36,089	38,161						
		39,129	35,594						
		100,954	96,491						
DENSITY PERMITTED Unlimited, Per Downtown Housing Incentive									
PRIOR APPROVAL \$ ZA-2005-1673-ZV-ZA-SPP-PA1		Total Units 629		Units 281	Units 77	Units 271			
PROPOSED Difference		639		341	77	271			
		60 Units							
FLOOR AREA									
Per ZA-2005-1673-ZV-ZA-SPP-PA1, Letter of Modification (2012) Total Approved		TOTAL SF 750,910		SF 338,098	SF 96,026	315,896			
APEX II - PROPOSED Ground Floor Tower & Retail Bldg Residential		11,687 326,411		SF 326,411					
Project Total		338,098		SF					
BUILDING HEIGHT									
Permitted Proposed		Unlimited		Unlimited 317 Tower 45 Retail Bldg	Unlimited 65'	Unlimited 312-4"			

OPEN SPACE		Units	SF Total Required
Per ZA 2005-1673-ZV-ZAA-SPR			
Provided per ZV		629	39,206
PROPOSED			
Increased for Apex II		60	13,535
Proposed Total		689	52,743
Percent Change		9.5%	34%
Open Space			
Amenity Indoor		1,959	SF
Balconies		5,300	SF
Roof Top		4,049	SF
Street Level Resident Lounge		921	SF
3rd Floor Lounge		1,306	SF
Total Proposed		13,535	SF

		Trees required per LA 2005-16/3 Required 1 per 4 units	
	629	20	
	60	15	
Total required for Apex II	15		
BICYCLE PARKING			
REQUIRED (for Apex II)			
Residential	Short Term (1 per 10 units) 34	Long Term (1 per unit) 341	Total 375
Retail/Commercial	Short Term (1 per 2000 SF) 5.6	Long Term (1 per 2000 SF) 5.6	Total 12
Total Bicycle Parking Required	40	347	388
PROPOSED			
Residential	Short Term 34	Long Term 341	Total 375
Retail/Commercial	Short Term 6	Long Term 6	Total 12
Total Bicycle Parking Proposed	40	347	387
VEHICLE PARKING			

PERMITS APPROVAL (CASE NO. VTT-62867401)				Total Required
Unit Type	# of Units / SF	Shalls/Unit/SF		
Residential	629	1.52		956
Commercial	25,023	1/1,000 SF*		18
Total				974
Existing Spaces				
Existing Residential				
Existing Commercial				
Sub-Total				941
Spaces lost during Apex II construction				
Revised total				951
Proposed Ratio				
Residential				
Apex I (Mountain Existing Ratio)	271	1.52		412
Lot1 (Mountain Existing Ratio)	77	1.52		117
Apex II (Proposed Ratio)	341	1.25		426
Total Residential				955
Retail *				
Apex I & Lot1 (Existing Square Footage)	11,276	1/1,000 SF		8
Apex II - ground level & retail pad (Proposed SF)	11,687	1/1,000 SF		8
Total Retail**	22,963			16
Total Parking Required				970
PROPOSED SPACES				
Existing Parking Structure				951
Apex II (Proposed New Spaces)				40
Total Proposed Parking**				991

NOTE:

* LAMC 12.21 A4(i)(3) Exception for Downtown Business District requires 1 sq per 1,000 over 7,500 sq

December 17, 2014



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PROJECT
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700 W. 9TH STREET
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**FOR
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562-285-5304

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JOB NUMBER	1493802
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SHEET TITLE	AREA TOTALS

SHEET NUMBER SP-05

COMMENTS
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SHEET NUMBER _____

SP-08

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DATE 10/22/2015

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SHEET III

PHASING PLAN

SHEET NUMBER _____

SP-08

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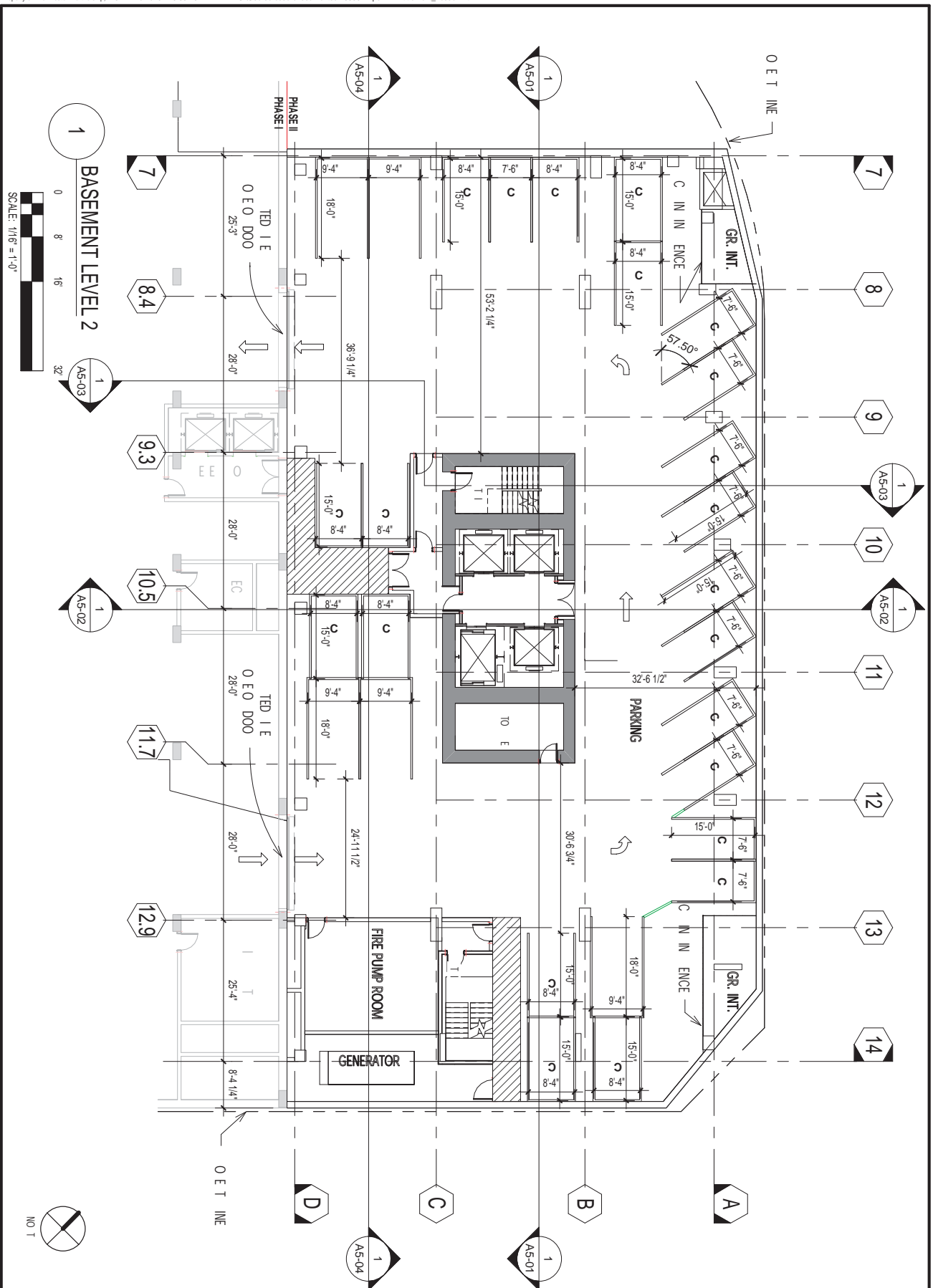
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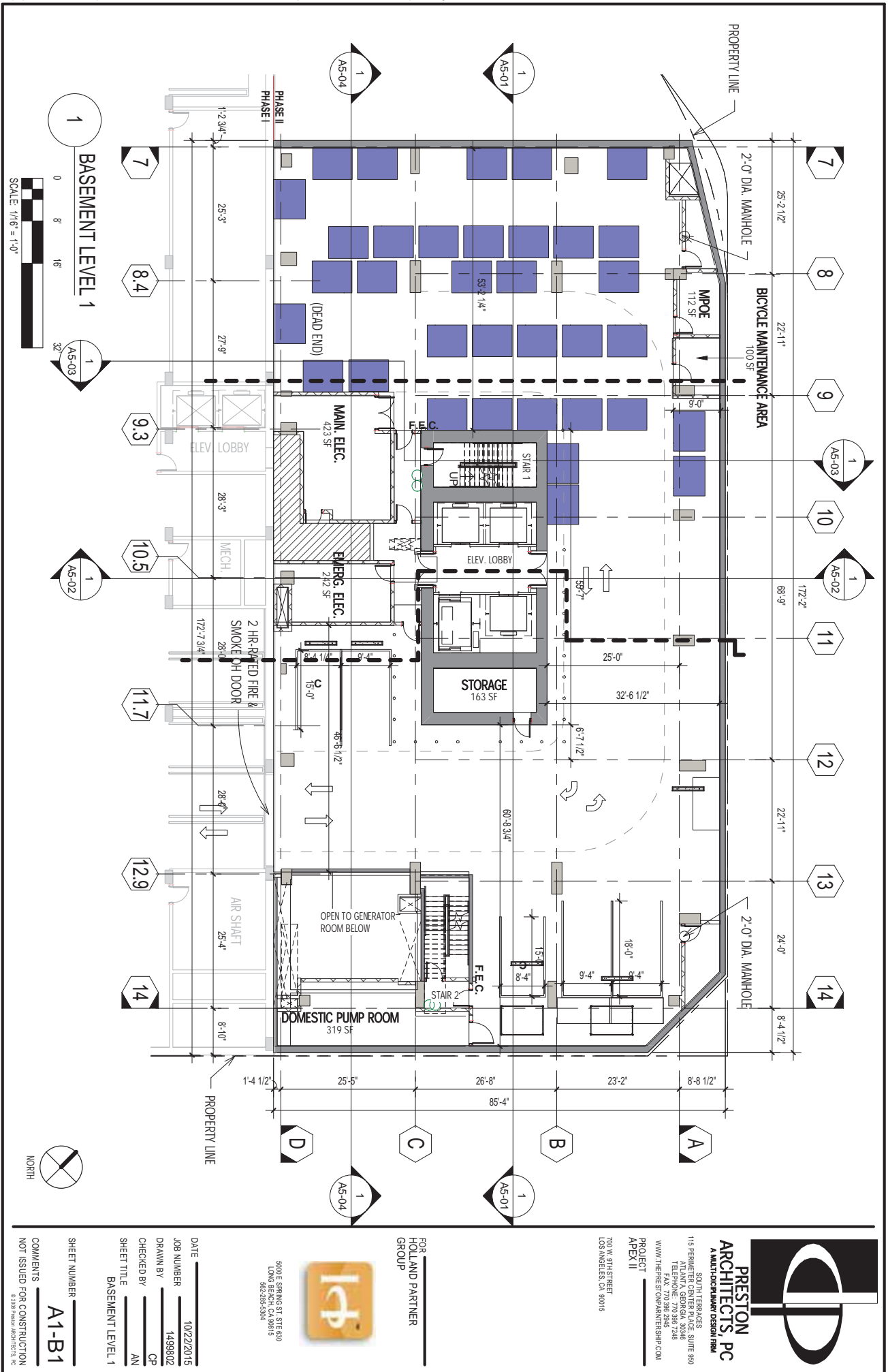
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BASEMENT LEVEL 2

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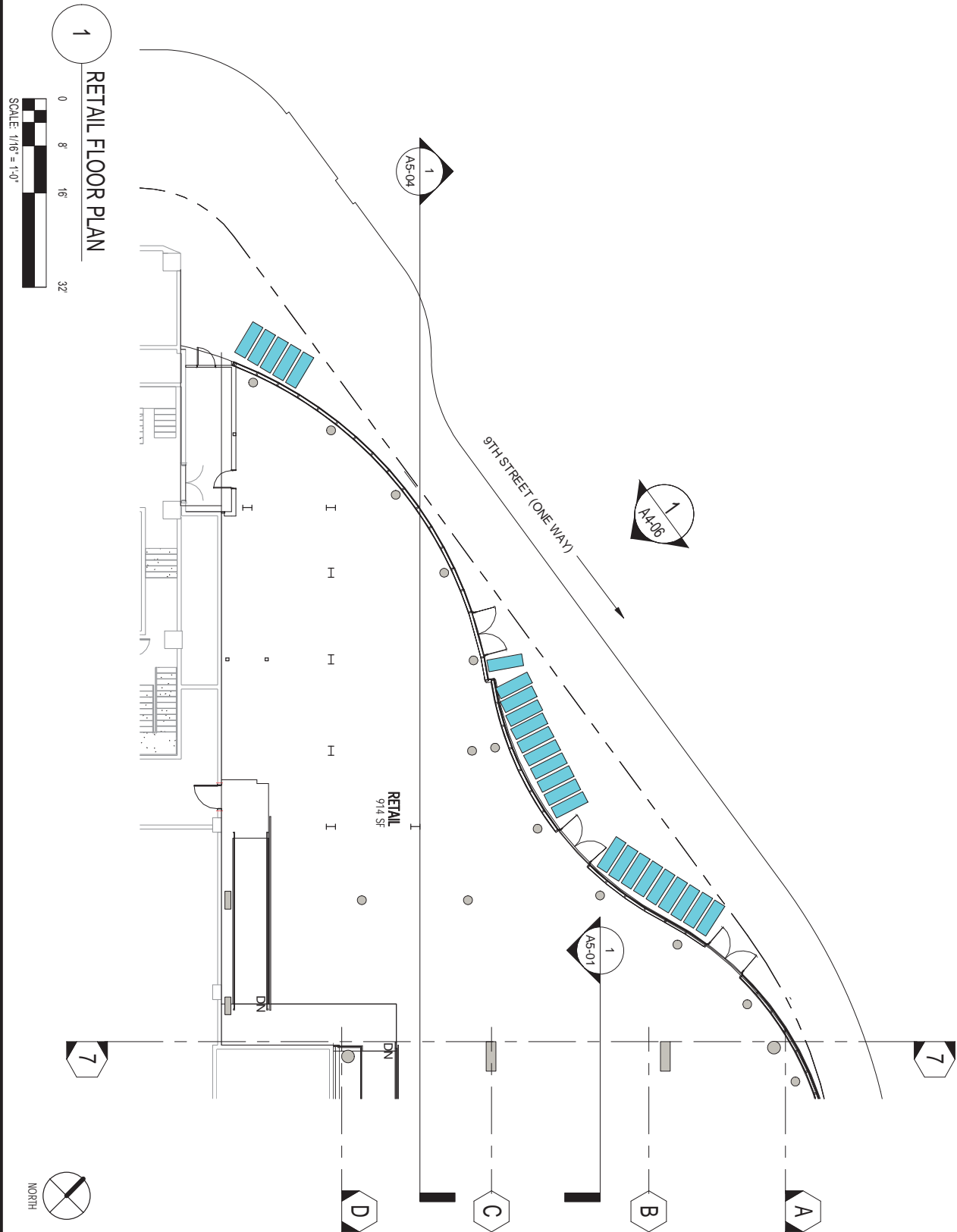
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SHEET TITLE: BASEMENT LEVEL 1
SHEET NUMBER: A1-B1
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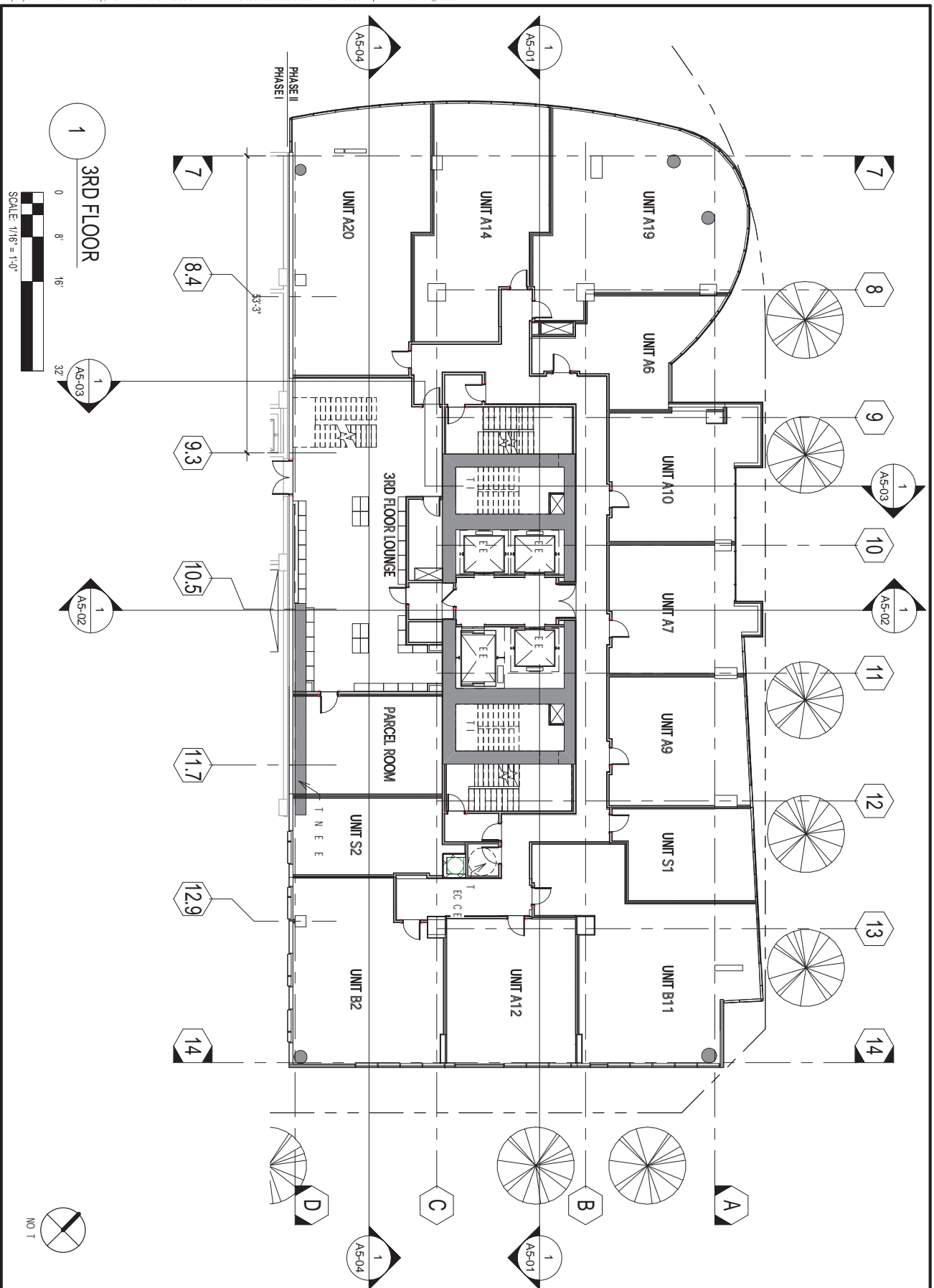
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PLAN-RETAIL
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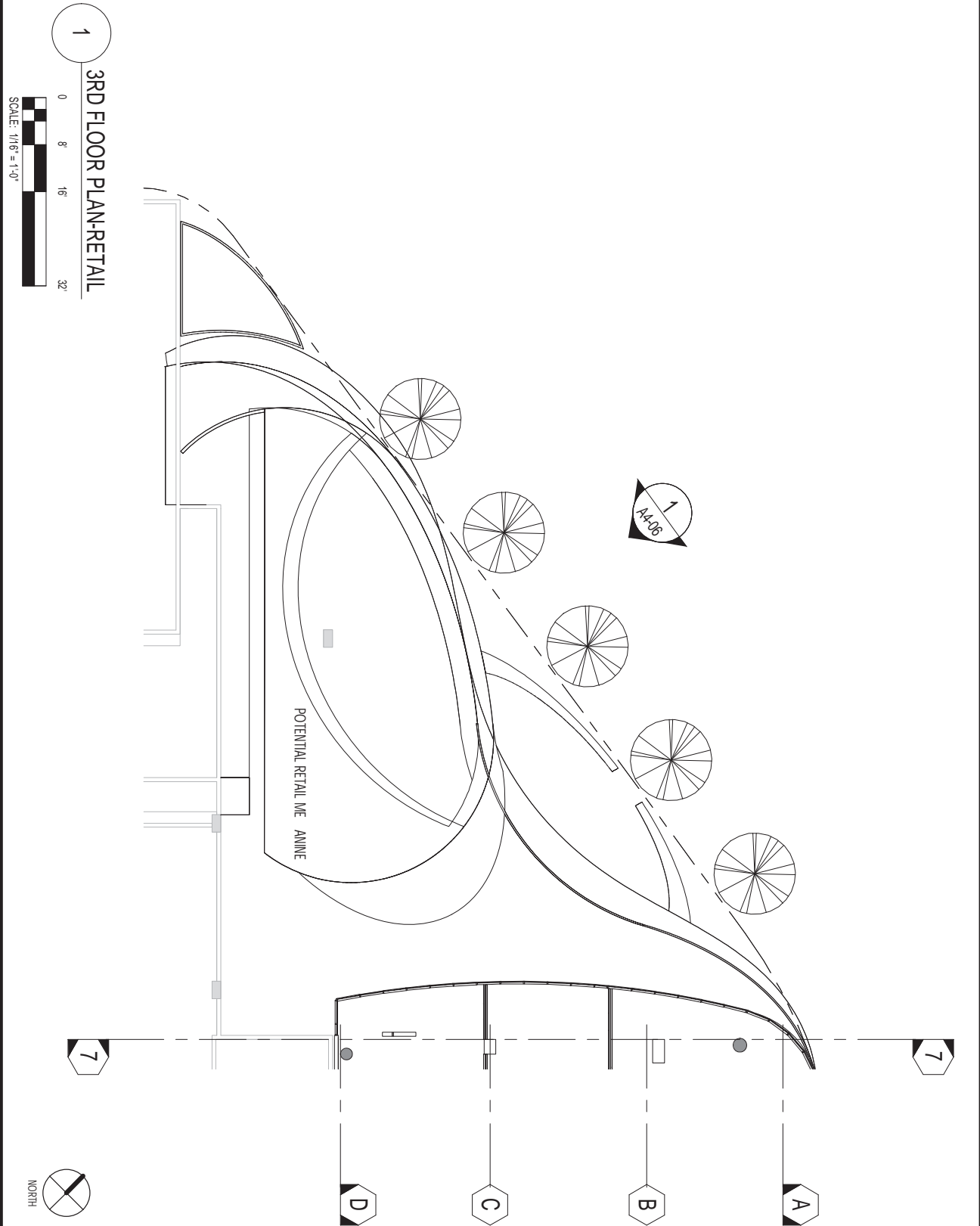


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SHEET NUMBER A1-03

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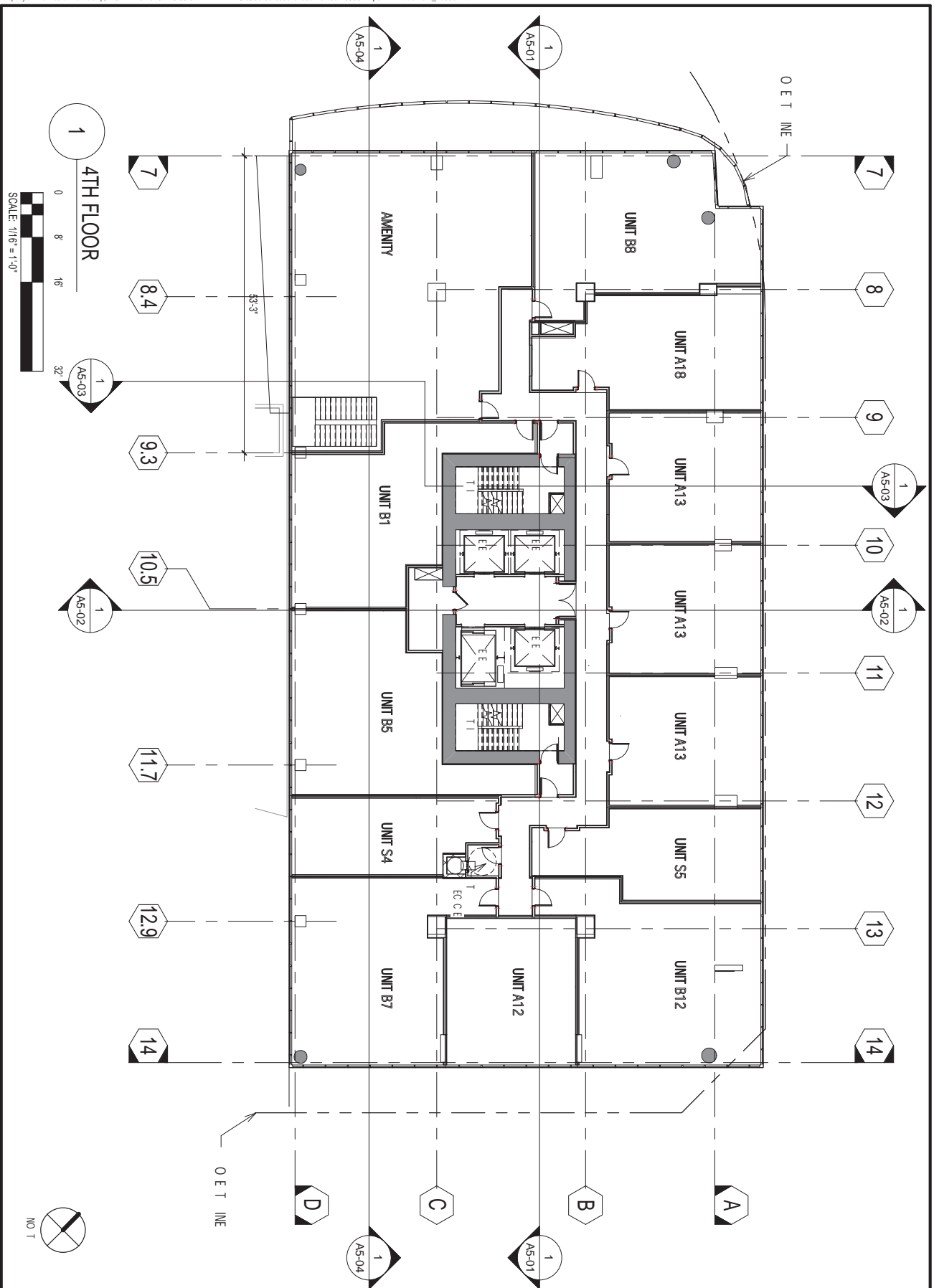
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SHEET NUMBER A1-04
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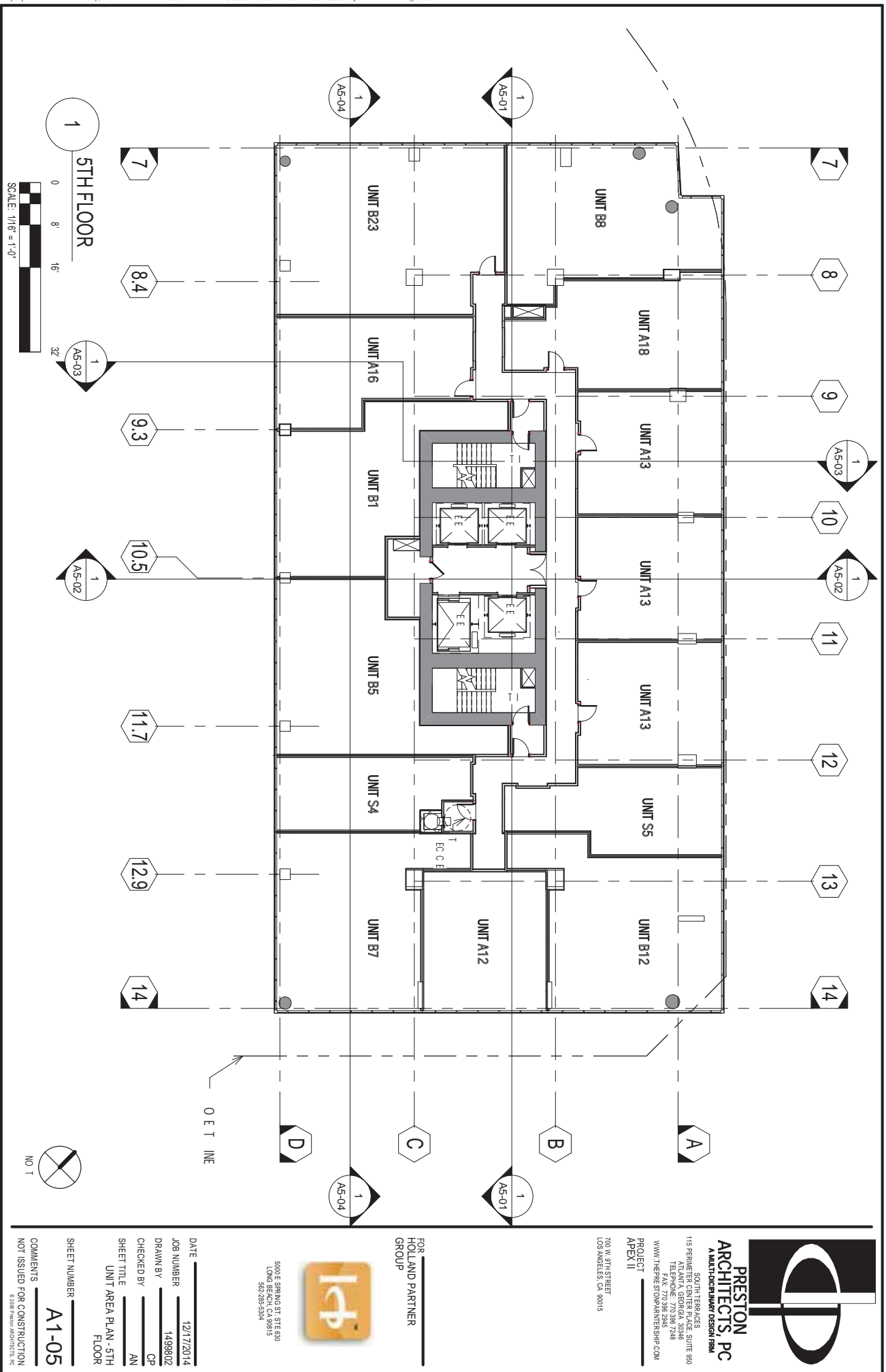
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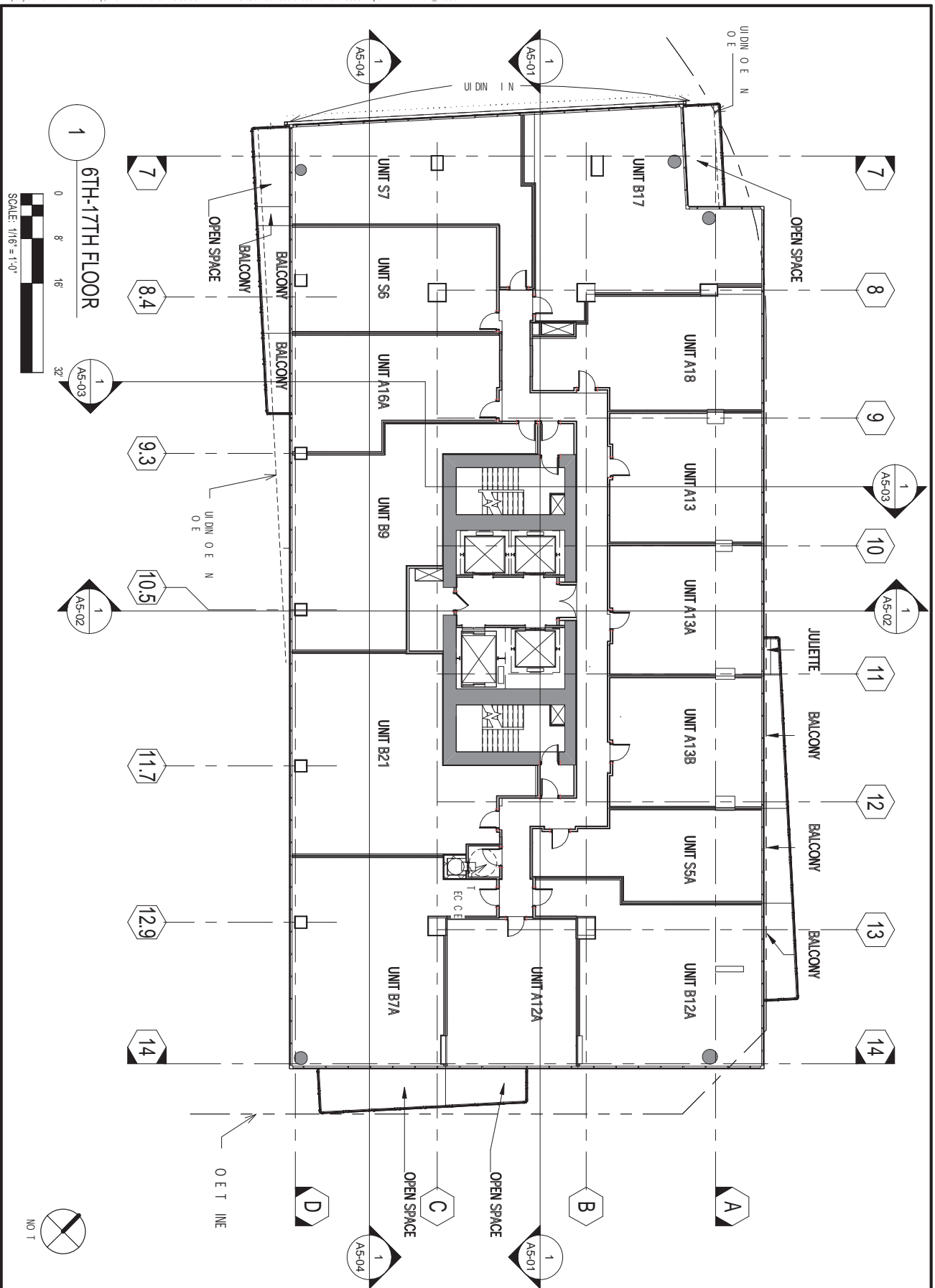
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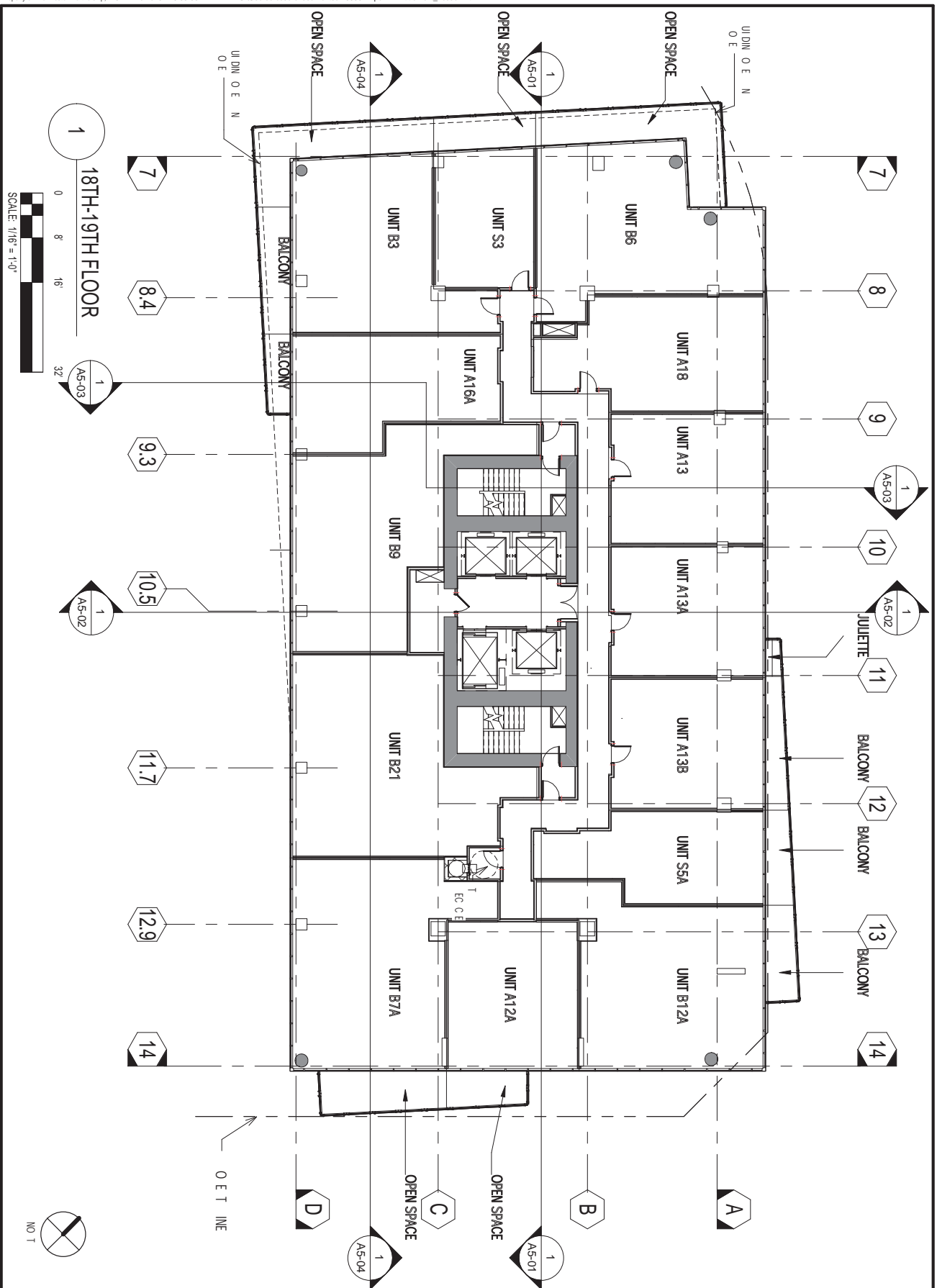
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SHEET TITLE
UNIT AREA PLAN -
6TH-17TH FLOOR
SHEET NUMBER
A1-06
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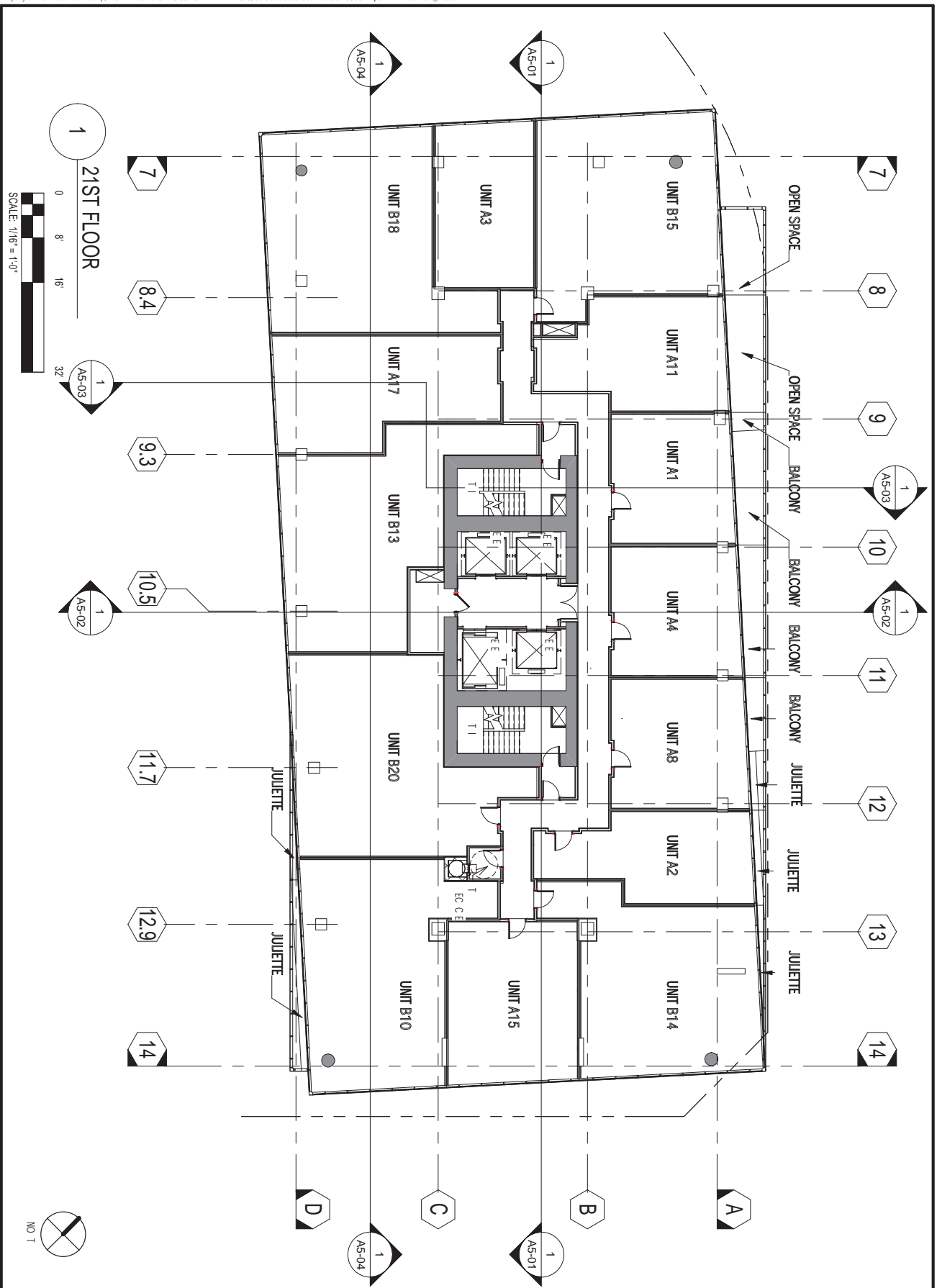
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SHEET TITLE UNIT AREA PLAN -
18TH-19TH FLOOR
SHEET NUMBER A1-18

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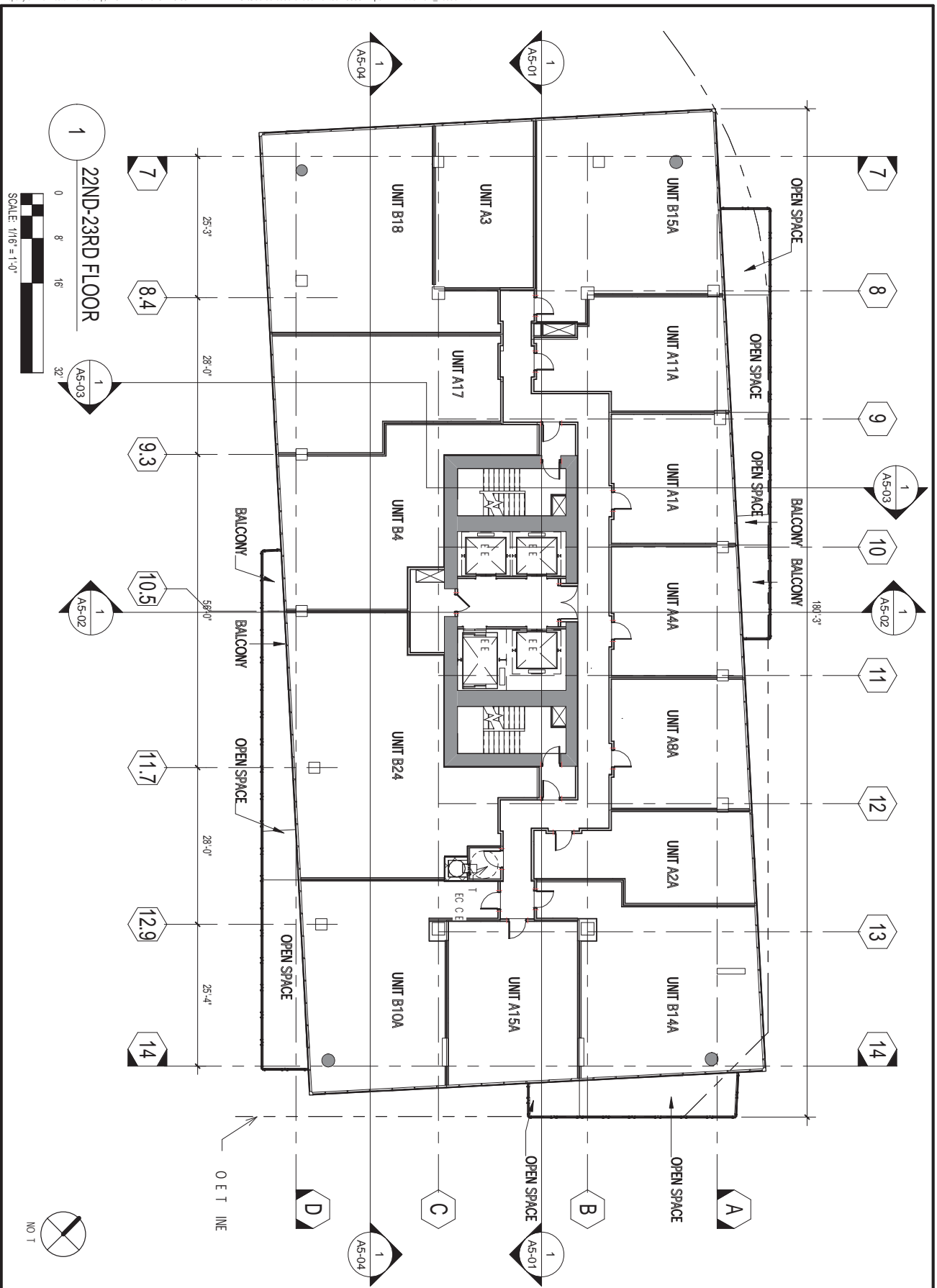


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SHEET TITLE UNIT AREA PLAN - 21ST FLOOR
SHEET NUMBER A1-21

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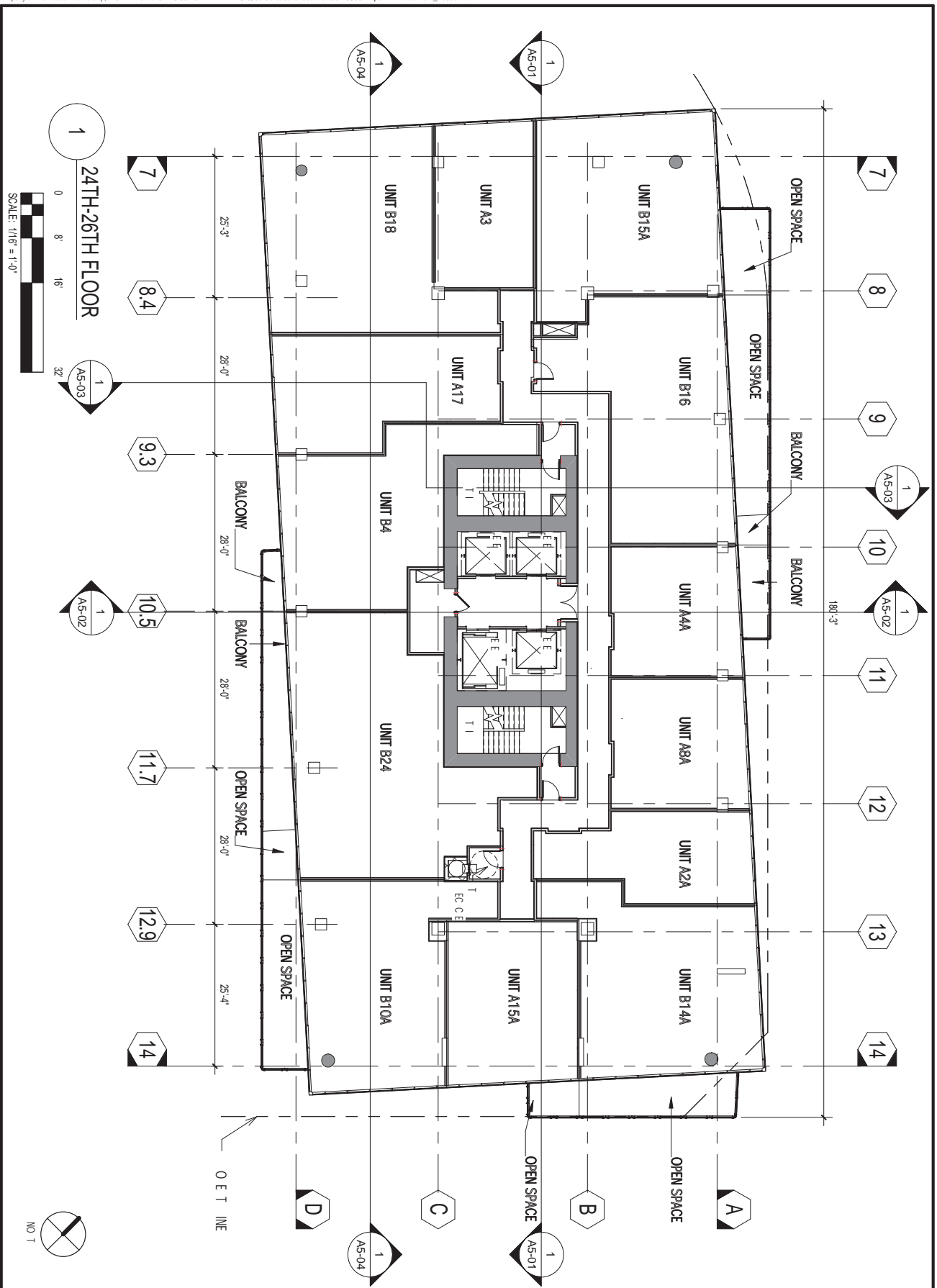


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SHEET TITLE UNIT AREA PLAN -
22ND-23RD FLOOR
SHEET NUMBER A1-22

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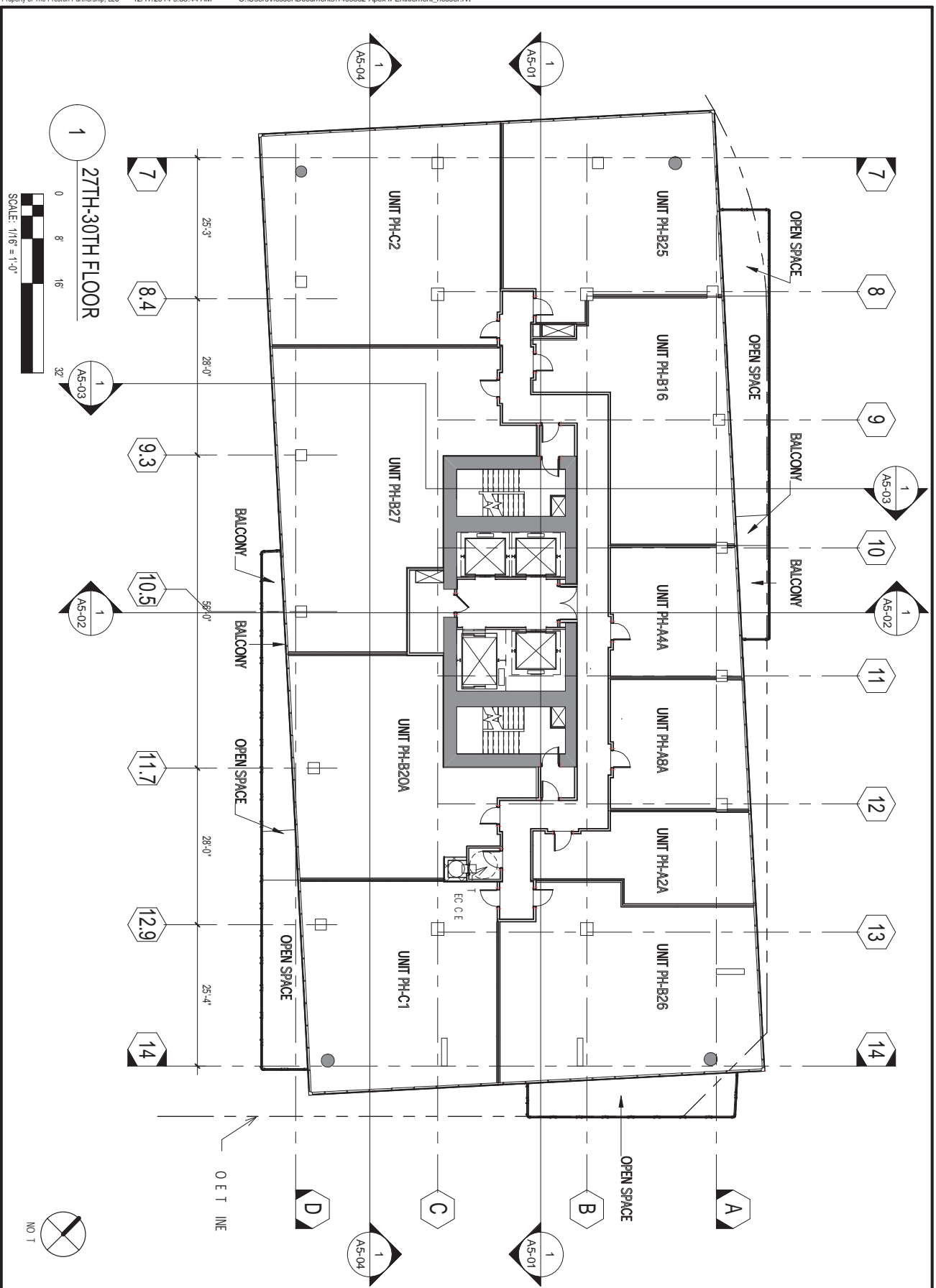


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SHEET TITLE UNIT AREA PLAN -
24TH-26TH FLOOR
SHEET NUMBER A1-24

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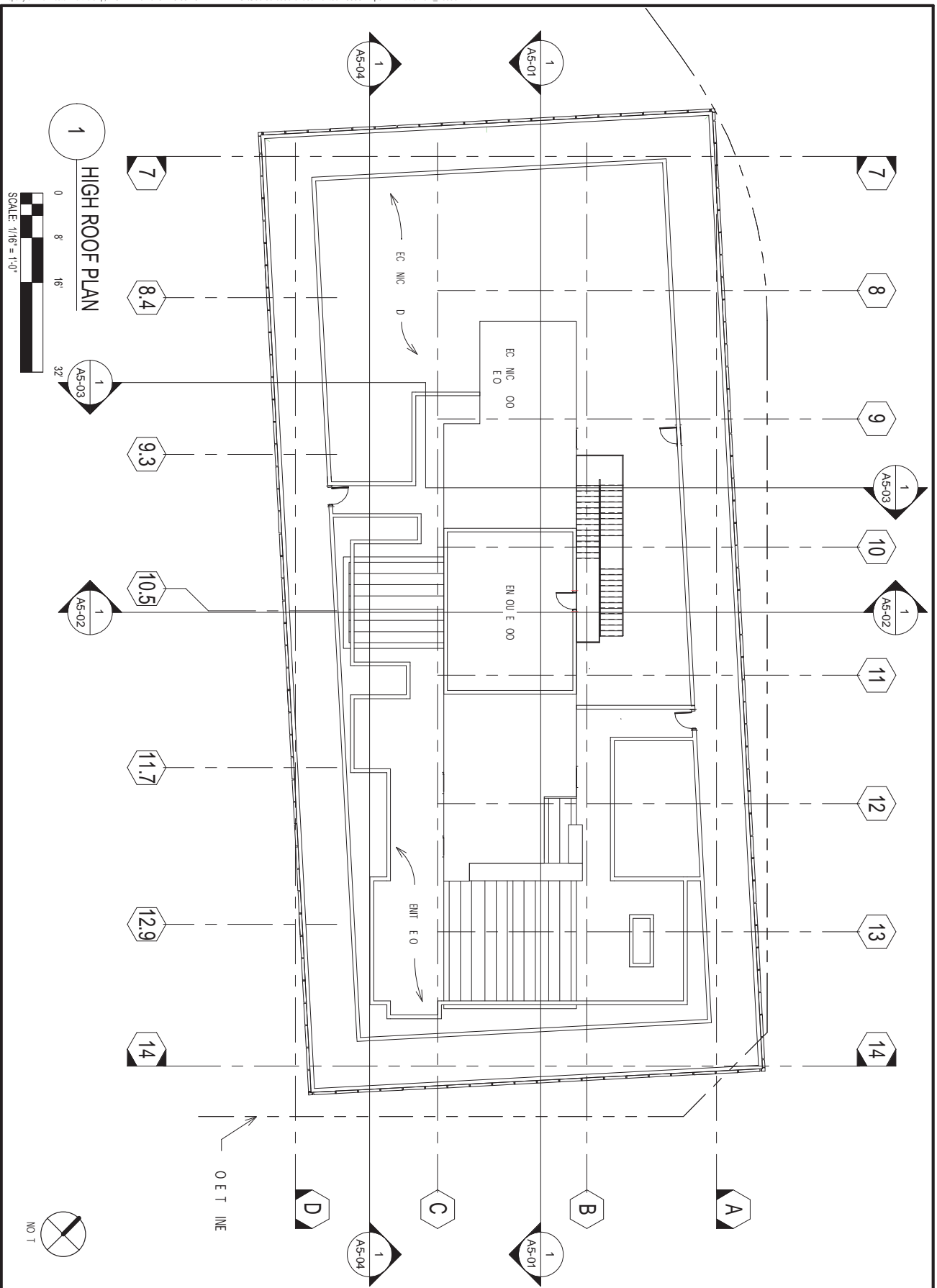
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27TH-30TH FLOOR
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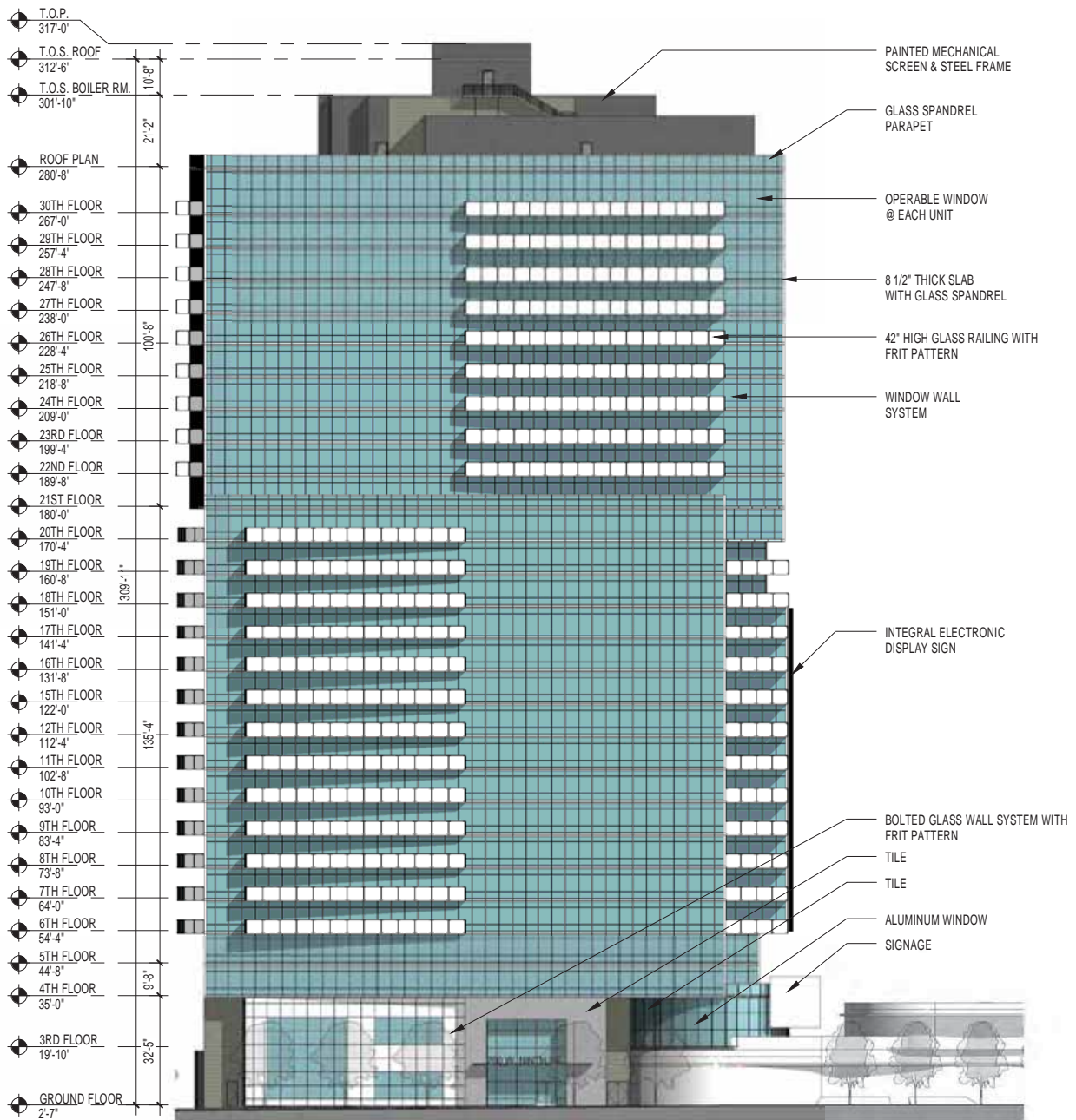
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SHEET TITLE HIGH ROOF PLAN
SHEET NUMBER A1-31.2
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1 NORTH ELEVATION (9TH STREET)

0 16' 32' 64'



SCALE: 1/32" = 1'-0"

DATE 12/17/2014
JOB NUMBER 1499802
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SHEET TITLE NORTH ELEVATION
SHEET NUMBER A4-01
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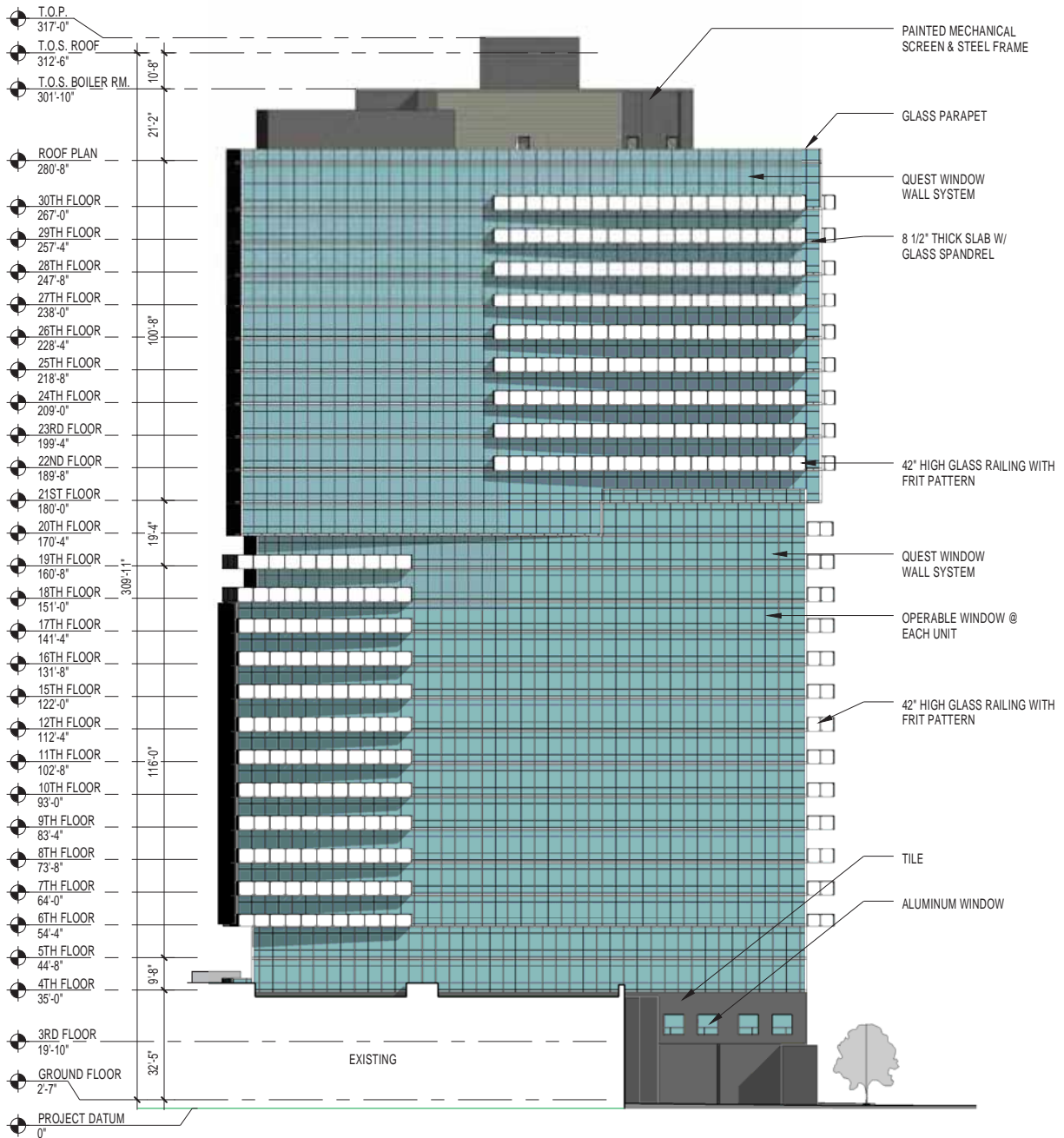
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1 SOUTH ELEVATION

0 16' 32' 64'



SCALE: 1/32" = 1'-0"

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SHEET TITLE SOUTH ELEVATION
SHEET NUMBER A4-02
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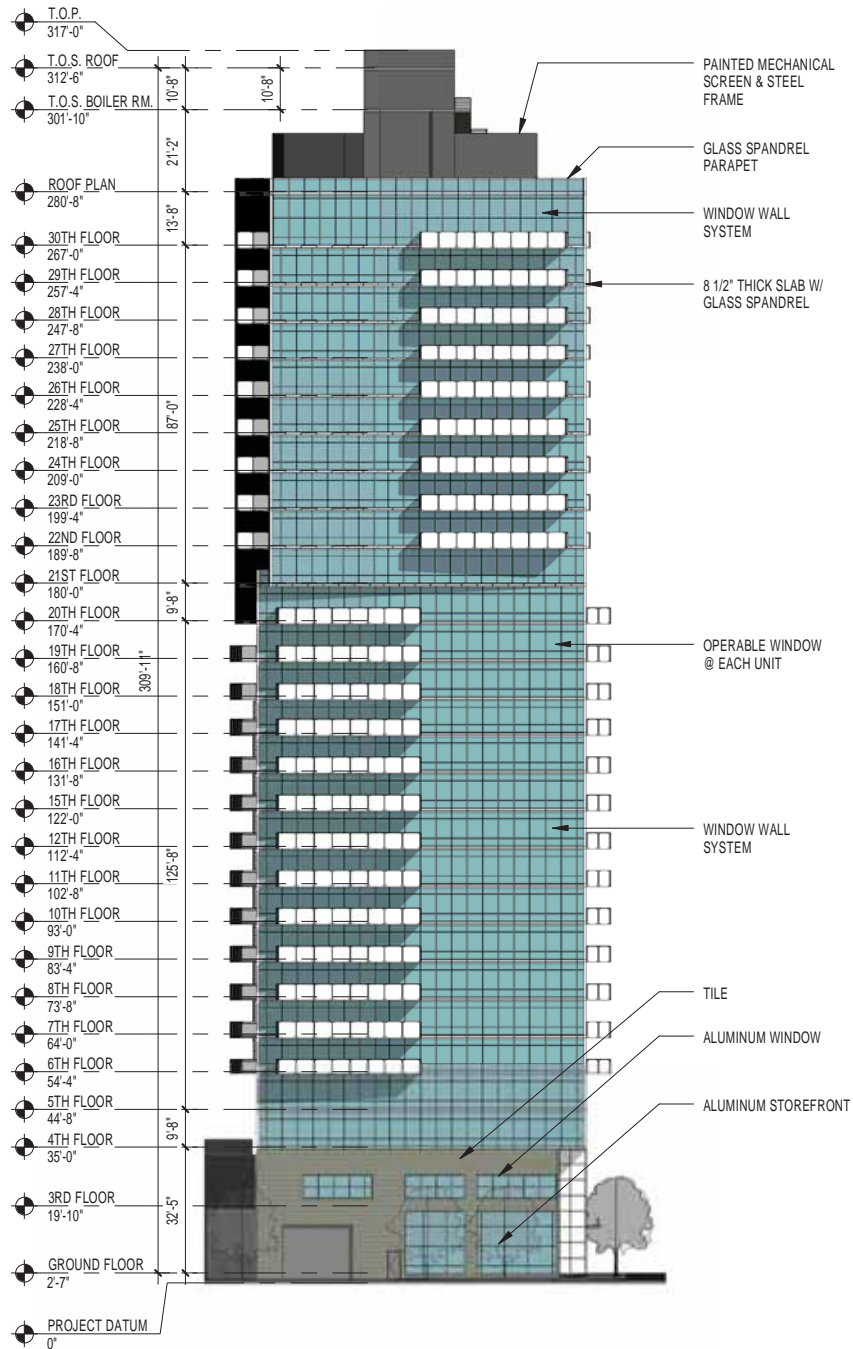
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1 EAST ELEVATION (FLOWER ST.)

0 16' 32' 64'

SCALE: 1/32" = 1'-0"

DATE 12/17/2014

JOB NUMBER 1499802

DRAWN BY CP

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SHEET TITLE EAST ELEVATION

SHEET NUMBER A4-03

COMMENTS

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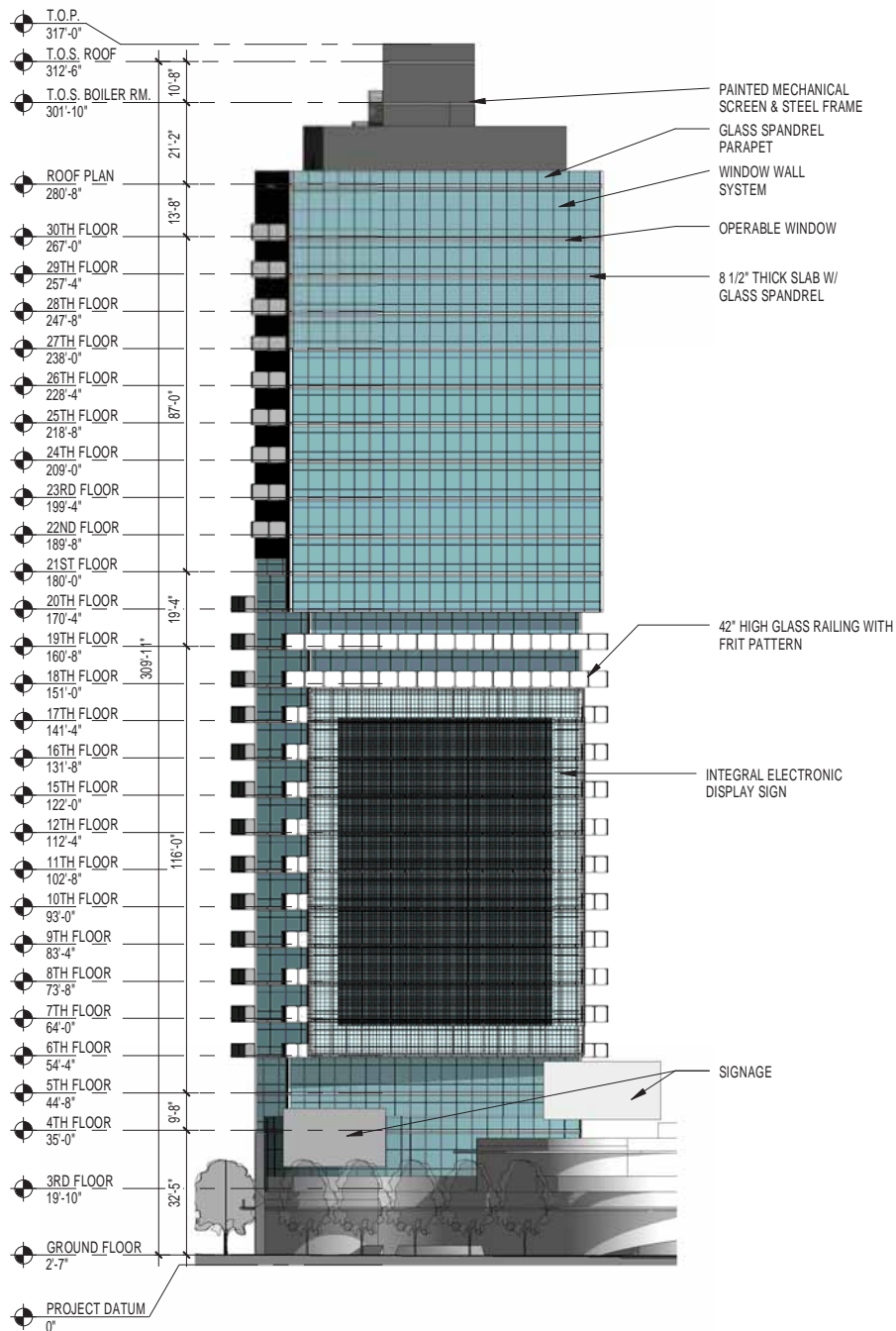
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1 WEST ELEVATION (9TH STREET)

0 16' 32' 64'



SCALE: 1/32" = 1'-0"

DATE 12/17/2014
JOB NUMBER 1499802
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SHEET TITLE WEST ELEVATION
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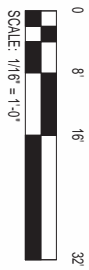
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Figure 1: A schematic diagram of a 1D lattice with 32 sites. The sites are arranged in a horizontal row. The first 16 sites are labeled 0, 8, 16, and 32. The sites are colored in a checkerboard pattern: sites 0, 8, 16, and 32 are white, while sites 4, 12, 20, and 28 are black. The remaining sites are also colored in a checkerboard pattern. A scale bar below the lattice indicates $1/16 = 1.0$.



SCALE: 1/16" = 1'-0"

INDO

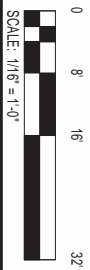
TE TE

OE E INDO
(E EOCU)

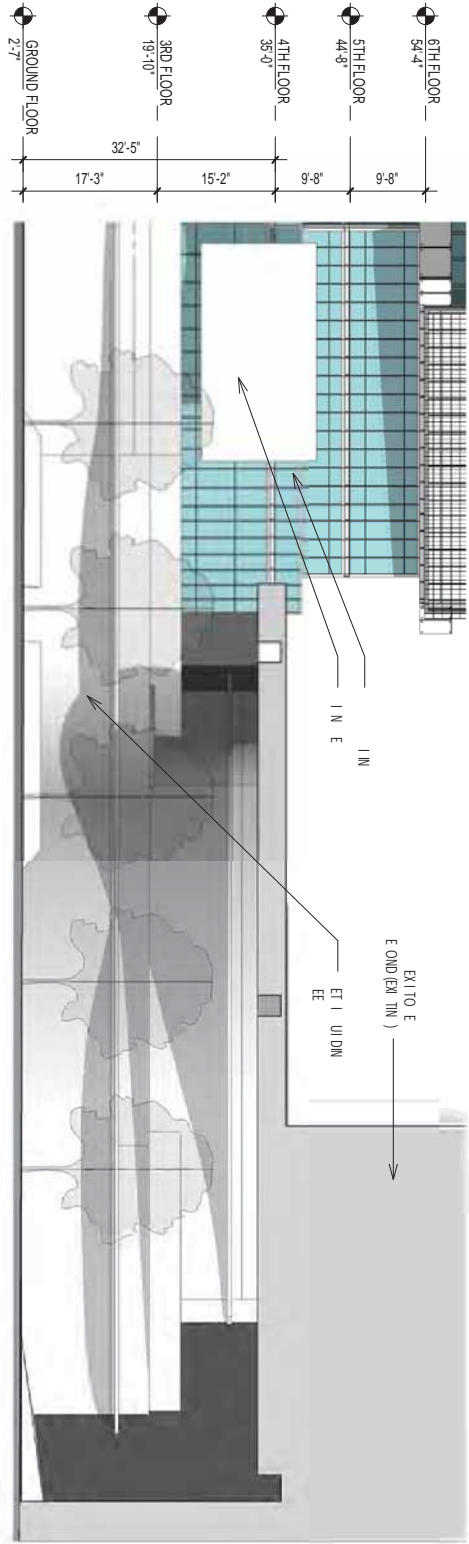
IN ENT NCE

JI DIN

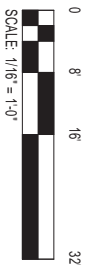
NORTH STREET ELEVATION (9TH STREET)



SCALE: 1/16" = 1'-0"



1
RETAIL ELEVATION (9TH ST.)



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PROJECT
APEX II
700 W. 9TH STREET
LOS ANGELES, CA 90015

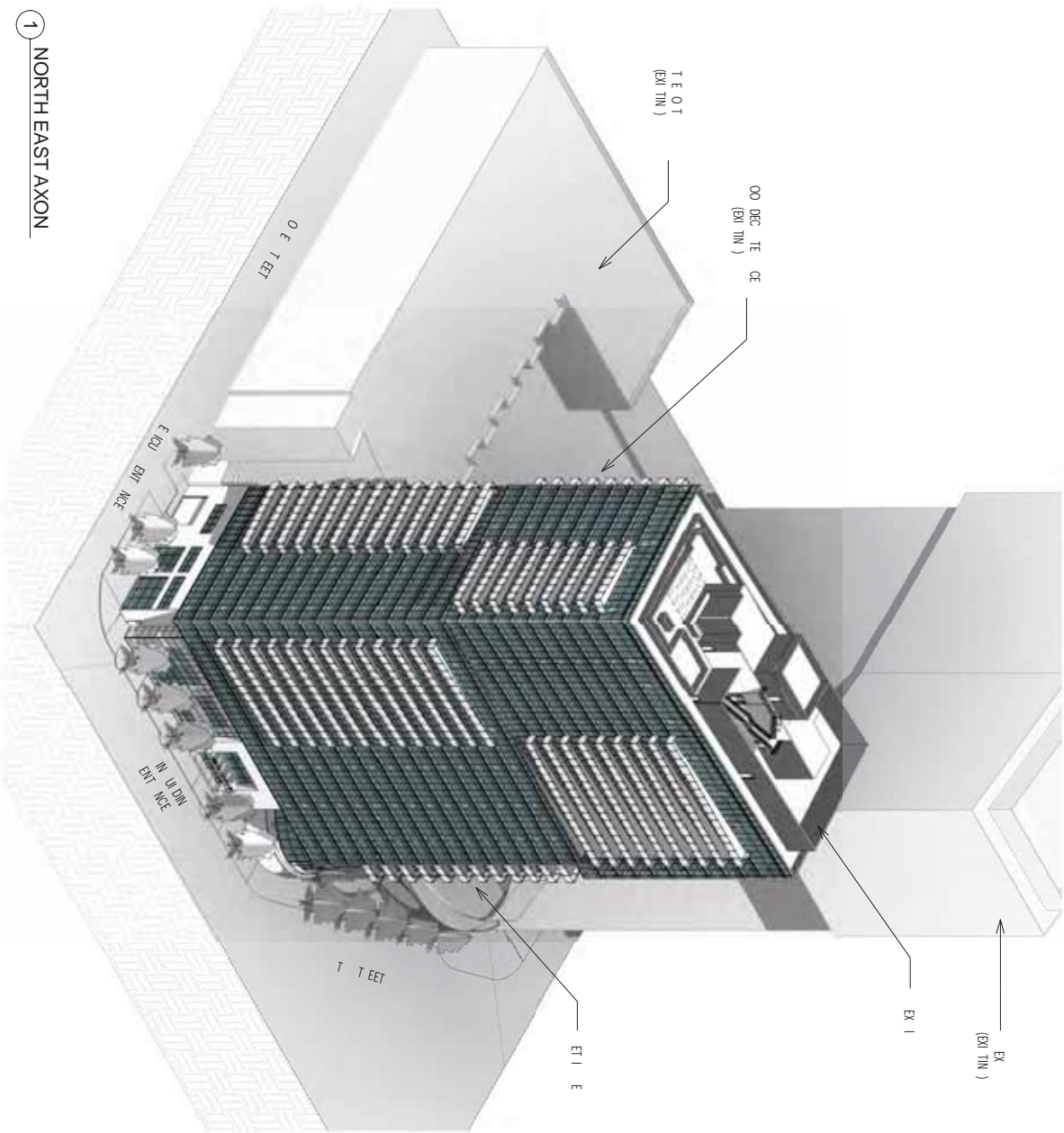
FOR
HOLLAND PARTNER
GROUP



500 E. SPRING ST. STE. 500
LONG BEACH, CA 90815
562.285.5004

DATE 12/17/2014
JOB NUMBER 1499802
DRAWN BY CP
CHECKED BY AN
SHEET TITLE RETAIL ELEVATION
SHEET NUMBER A4-06
COMMENTS
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1 NORTH EAST AXON



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LOS ANGELES, CA 90015

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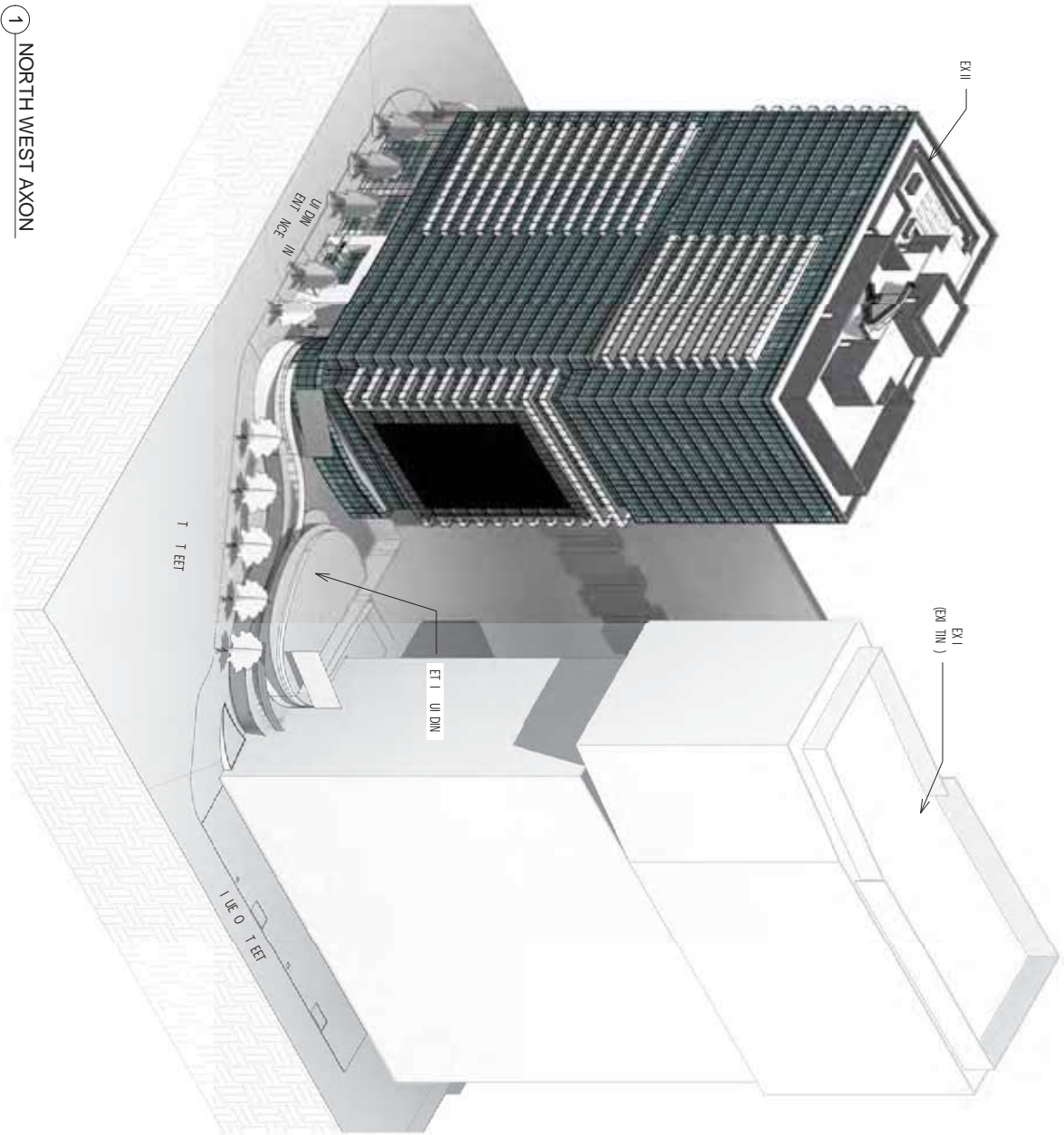


500 E. SPRING ST. STE. 400
LONG BEACH, CA 90815
562.285.5004

DATE 12/17/2014
JOB NUMBER 1499802
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SHEET TITLE
NORTH EAST AXON

SHEET NUMBER
A4-90

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700 W. 9TH STREET
LOS ANGELES, CA 90015

FOR
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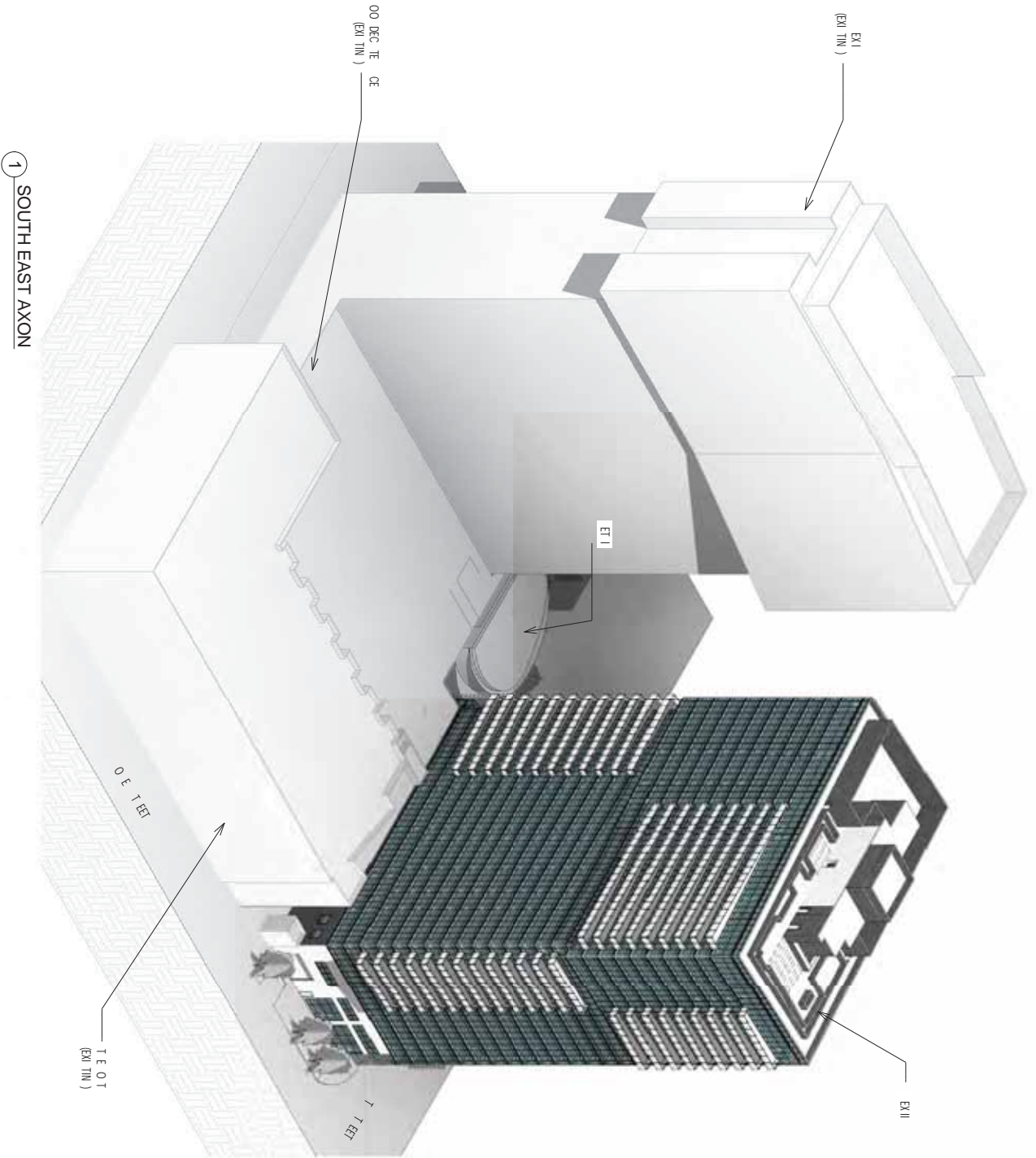
5000 S. GARDEN ST. STE. 400
LONG BEACH, CA 90815
562.285.5004

DATE 12/17/2014
JOB NUMBER 1499802
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SHEET TITLE
NORTH WEST AXON

SHEET NUMBER
A4-91

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700 W. 9TH STREET
LOS ANGELES, CA 90015

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562.285.5004

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JOB NUMBER 1499802
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SHEET TITLE SOUTH EAST AXON
SHEET NUMBER A4-93
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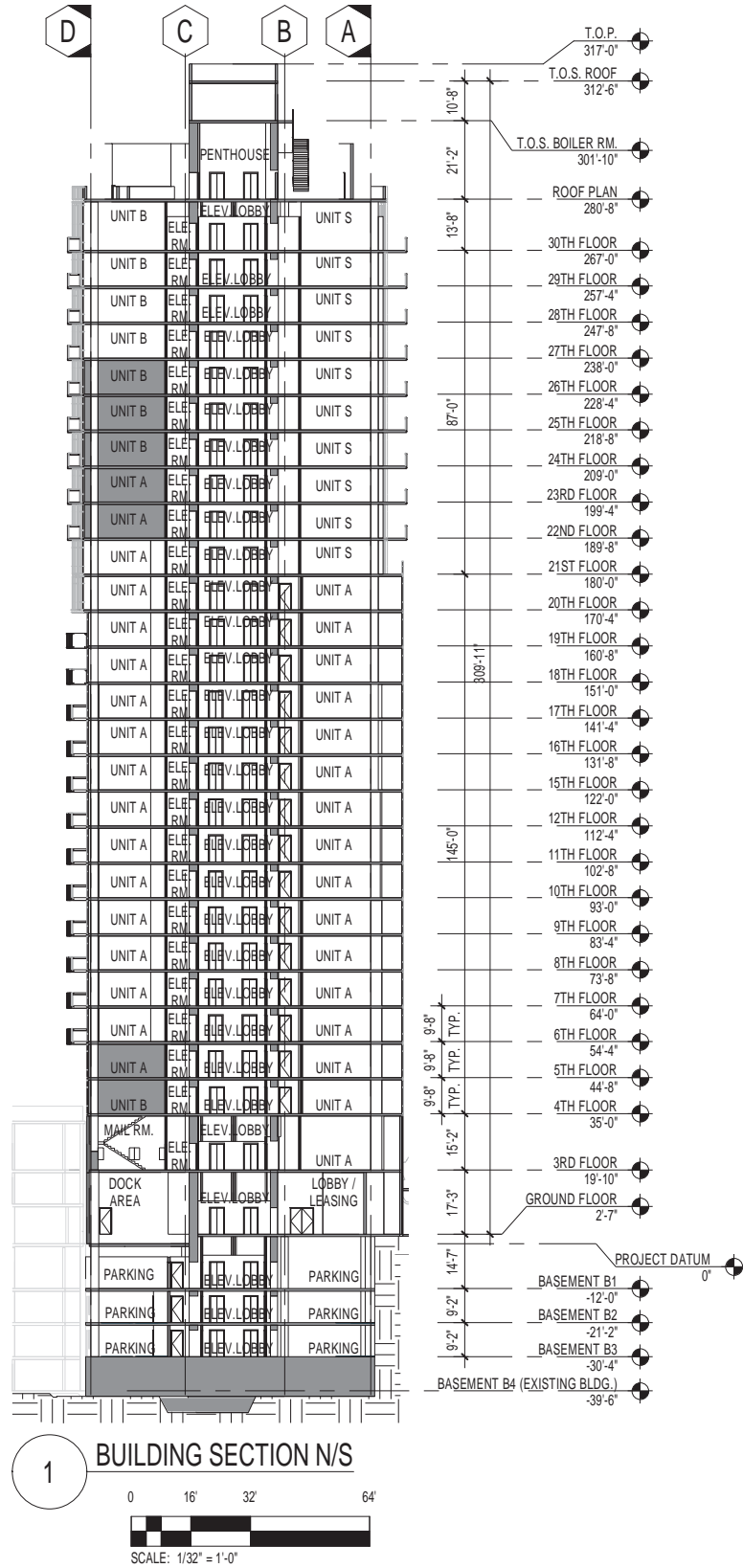
2

4

1000

1500

1



DATE 12/17/2014

JOB NUMBER 1499802

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SHEET TITLE BUILDING SECTION N/S

SHEET NUMBER A5-02

COMMENTS

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FOR HOLLAND PARTNER GROUP

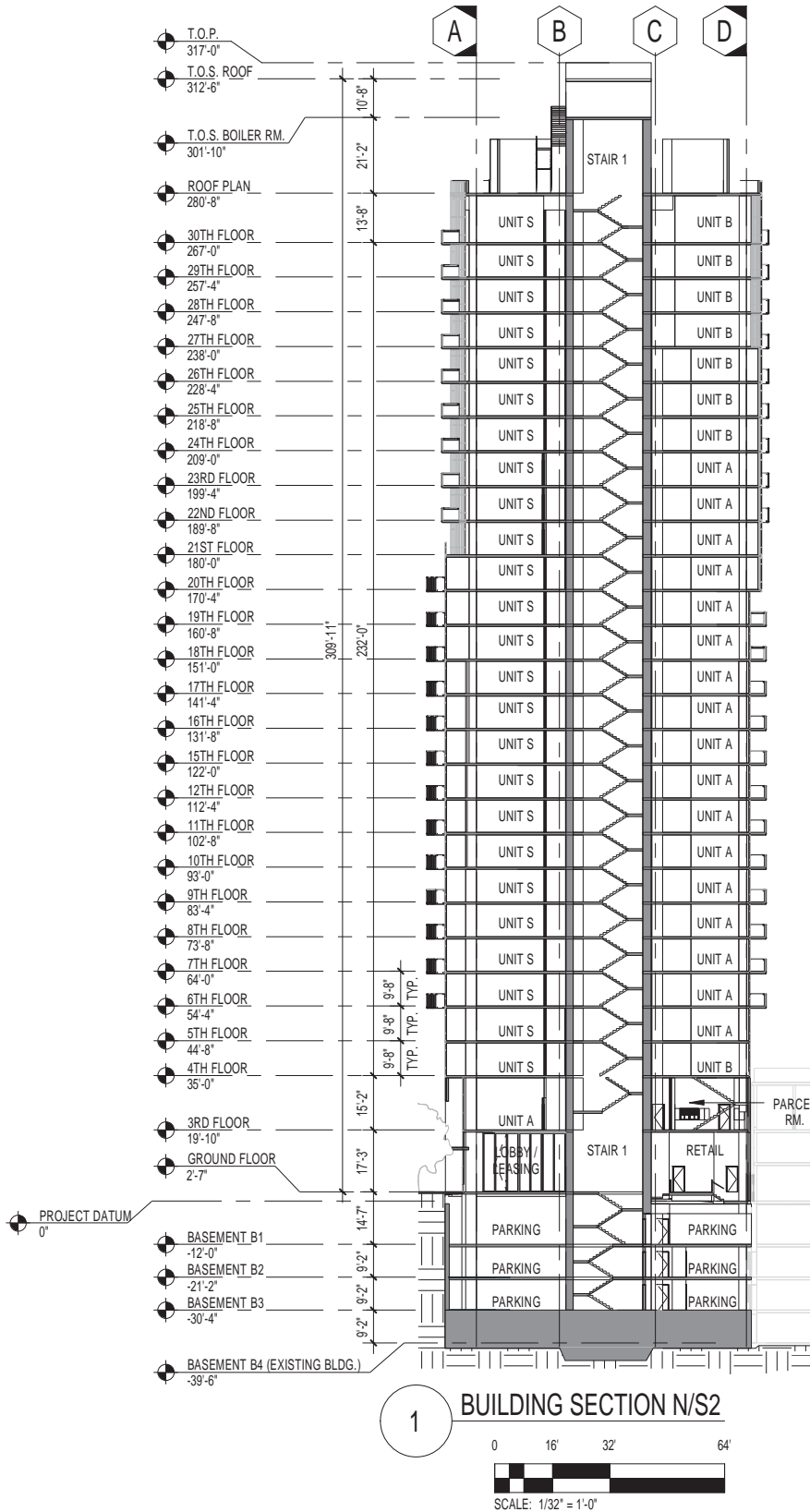
500 S. SPRING ST. STE 500
LONG BEACH, CA 90803
562-285-5004

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700 W. 9TH STREET
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SHEET TITLE BUILDING SECTION N/S

SHEET NUMBER A5-03

COMMENTS

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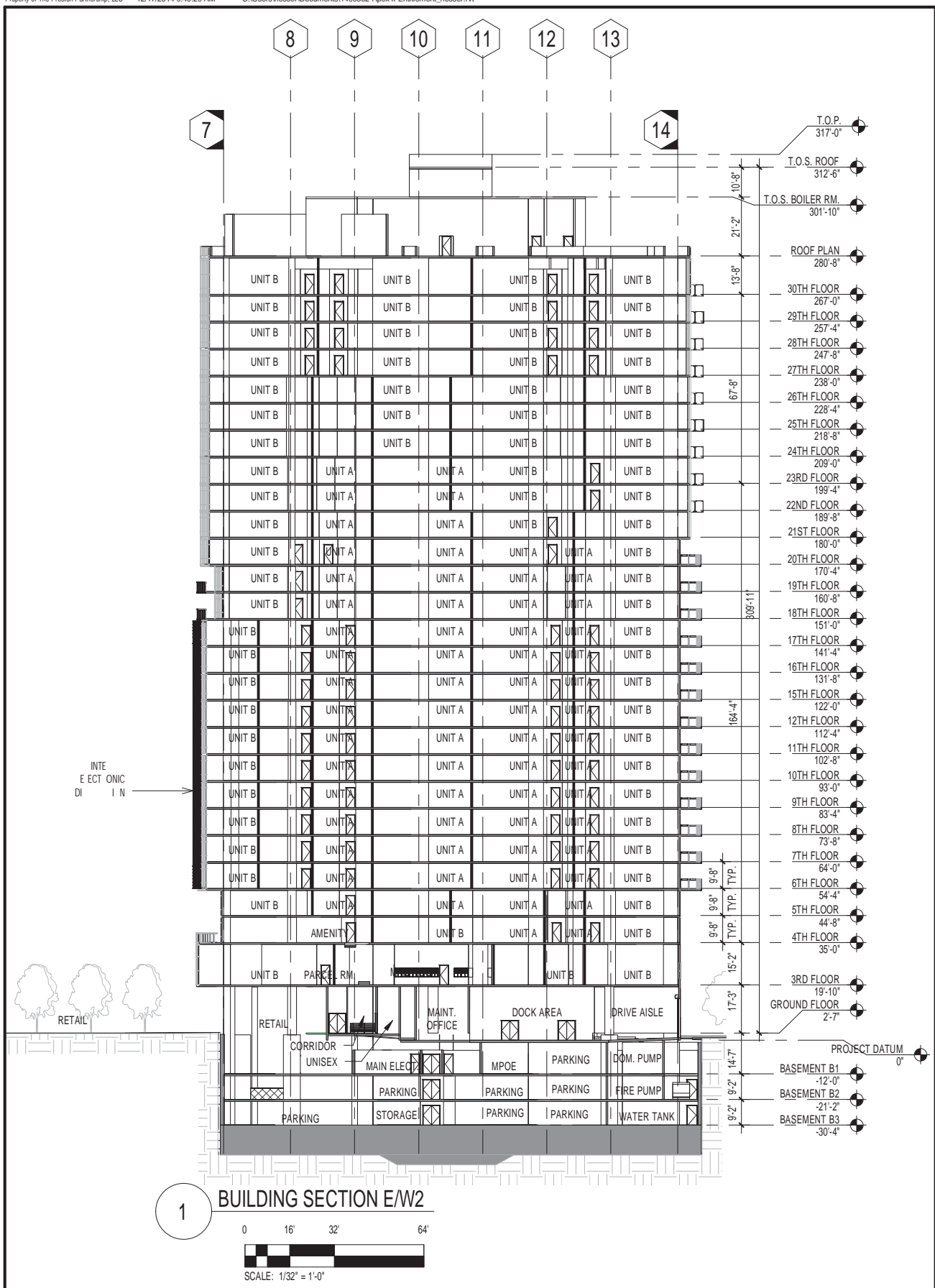
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FAX: 770.386.2845
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PROJECT APEX II

700 W. 9TH STREET
LOS ANGELES, CA 90015

FOR HOLLAND PARTNER GROUP

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562.285.5004



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SHEET NUMBER **A5-04**

SHEET NUMBER _____

SHEET TITLE _____
BUILDING SECTION E/W

SHEET TITLE _____

DRAWN BY _____
CP

DATE 12/17/2014

5000 E SPRING ST., STE 630
LONG BEACH, CA 90815
562-285-5304

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200 W. 9TH STREET
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LOS ANGELES, CA 90015

FOR
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LONG BEACH, CA 90815
562.285.5004

DATE 12/17/2014
JOB NUMBER 1499802
DRAWN BY GENSLER
CHECKED BY AN
SHEET TITLE PLAN LEVEL 1 - MAXIMIZED
SHEET NUMBER R1-01
COMMENTS

RETAIL AREA

Total = 11,687 SF

BILLBOARD LOCATION

POTENTIAL FLOOR PLATE

open to below

PROPERTY LINE
5 FT SETBACK

TERRACES

PLAN LEVEL 3

700 WEST 9TH ST | 9TH & FIGUEROA | DOWNTOWN LOS ANGELES **Gensler**



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APEX II

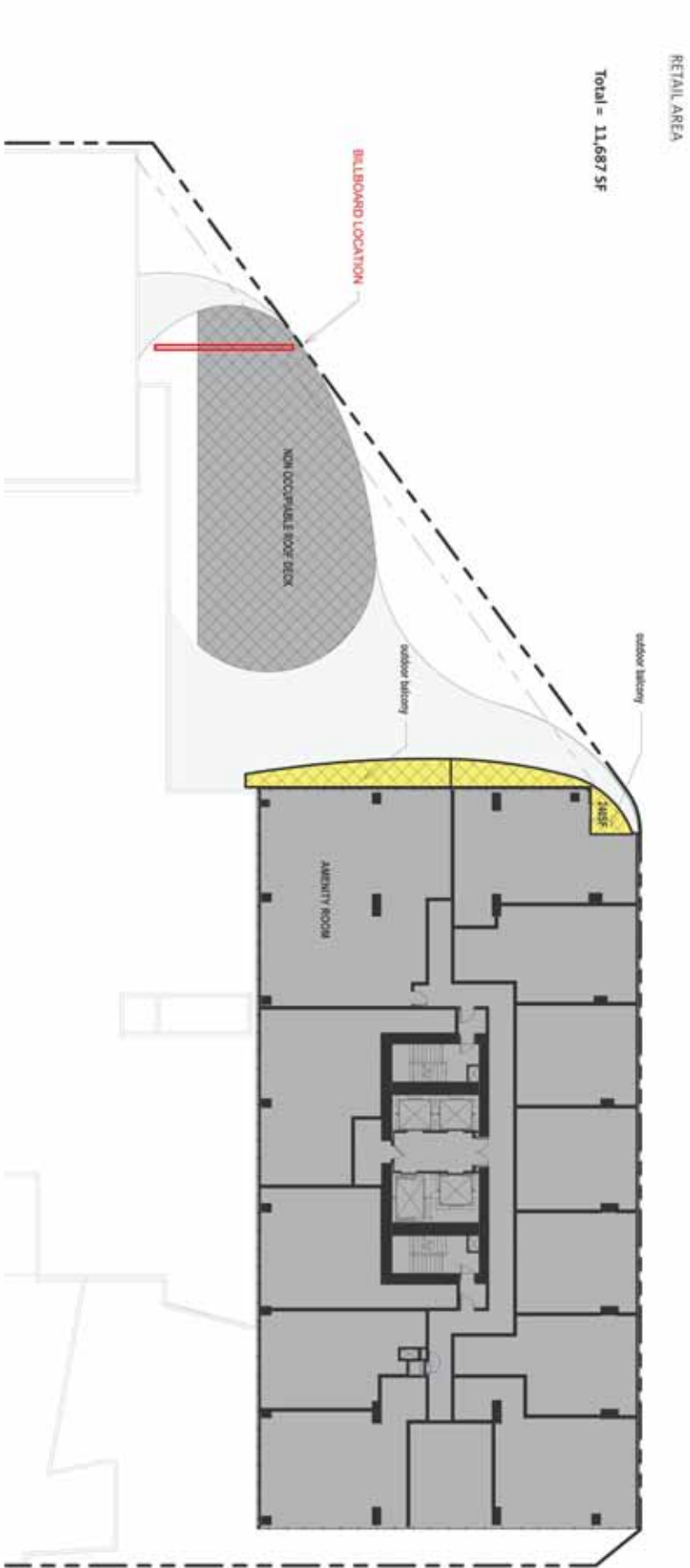
700 W. 9TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
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500 E. SPRING ST. STE. 600
LONG BEACH, CA 90815
562.285.5004

DATE 12/17/2014
JOB NUMBER 1499802
DRAWN BY GENSLER
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SHEET TITLE PLAN LEVEL 3
SHEET NUMBER R1-02
COMMENTS



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APEX II

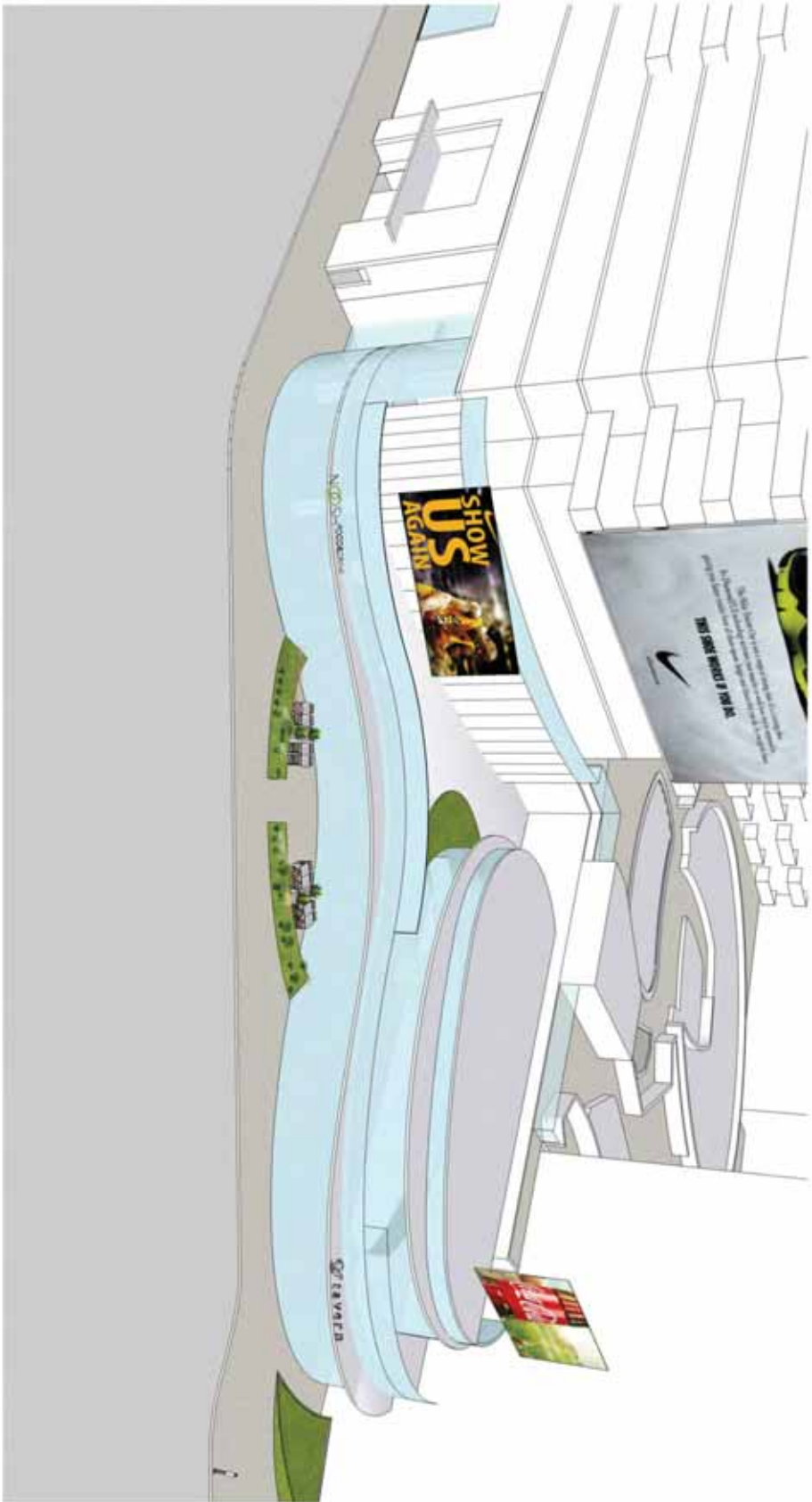
700 W. 9TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
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LONG BEACH, CA 90815
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DATE 12/17/2014
JOB NUMBER 1499802
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SHEET TITLE PLAN LEVEL 4
SHEET NUMBER R1-03
COMMENTS



TERRACES AERIAL FROM 9TH ST.

AERIAL FROM 9TH ST.

700 WEST 9TH ST | 9TH & FIGUEROA | DOWNTOWN LOS ANGELES **Gensler**



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700 W. 9TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
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LONG BEACH, CA 90815
562.285.5004

DATE 12/17/2014
JOB NUMBER 1499802
DRAIN BY GENSLER
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SHEET TITLE
AERIAL FROM 9TH ST.

SHEET NUMBER
COMMENTS R1-04



TERRACES

AERIAL FROM 9TH ST.

700 WEST 9TH ST | 9TH & FIGUEROA | DOWNTOWN LOS ANGELES **Gensler**



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700 W. 9TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



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LONG BEACH, CA 90815
562.285.5004

DATE 12/17/2014
JOB NUMBER 1499802
DRAWN BY GENSLER
CHECKED BY AN
SHEET TITLE
AERIAL FROM 9TH ST. 2

SHEET NUMBER
COMMENTS **R1-05**



TERRACES

VIEW FROM 9TH ST. & FIGUEROA

700 WEST 9TH ST | 9TH & FIGUEROA | DOWNTOWN LOS ANGELES Gensler



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PROJECT
APEX II

700 W. 9TH STREET
LOS ANGELES, CA 90015

FOR
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500 E. SPRING ST. STE. 500
LONG BEACH, CA 90815
562.285.5004

DATE 12/17/2014
JOB NUMBER 1499802
DRAWN BY GENSLER
CHECKED BY AN
SHEET TITLE
VIEW FROM 9TH ST. &
FIGUEROA 2
SHEET NUMBER
R1-06
COMMENTS



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1260 BLACK CAT BLVD
RED DIRT, CA 95068

A *spike* _____

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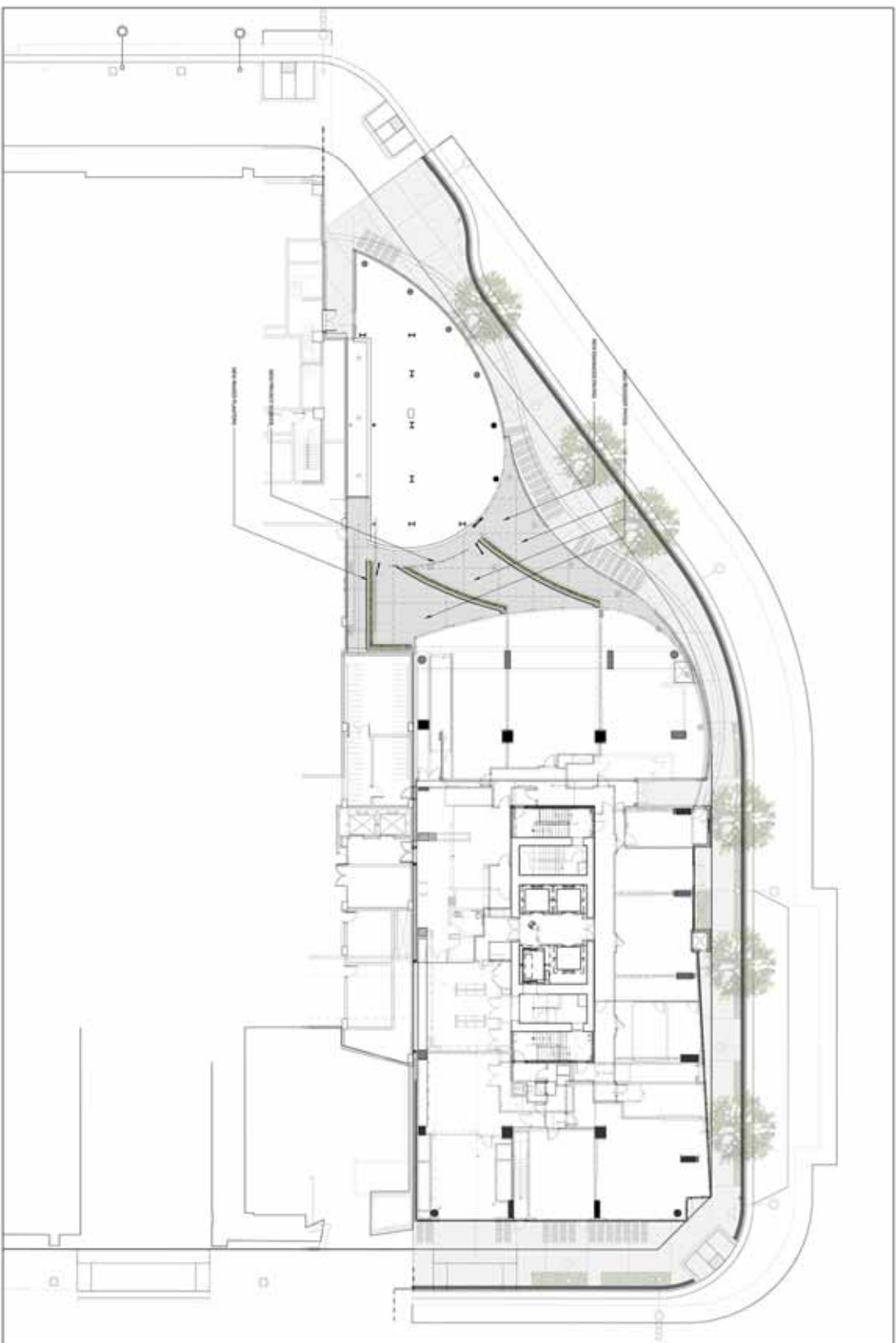
ULTIMATE

GRAND FLOOR

—

0-17

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Journal of Internal Medicine 255: 101–107





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SAN FRANCISCO, CA 94103
TEL: 415.774.1000
FAX: 415.774.1001
WWW.PRESTONARCHITECTS.COM



L&P
ARCHITECTS
1410 BROADWAY, SUITE 1000
SAN FRANCISCO, CA 94103
TEL: 415.774.1000
FAX: 415.774.1001
WWW.LPARCHITECTS.COM

DATE: 10/22/2015

PROJECT: 10/22/2015

ARCHITECT: L&P

DESIGNER: L&P

CONTRACTOR: L&P

OWNER: L&P

DATE: 10/22/2015

PROJECT: 10/22/2015

ARCHITECT: L&P

DESIGNER: L&P

CONTRACTOR: L&P

OWNER: L&P

DATE: 10/22/2015

PROJECT: 10/22/2015

ARCHITECT: L&P

DESIGNER: L&P

CONTRACTOR: L&P

OWNER: L&P

DATE: 10/22/2015

PROJECT: 10/22/2015

ARCHITECT: L&P

DESIGNER: L&P

CONTRACTOR: L&P

OWNER: L&P

DATE: 10/22/2015

PROJECT: 10/22/2015

ARCHITECT: L&P



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1000 AVENUE OF THE STARS
FARMINGTON, CT 06030

10/22/2015

10/22/2015

10/22/2015

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10/22/2015

10/22/2015

10/22/2015

10/22/2015

10/22/2015

L1-04

ROOF PLAN

STREET TREES



TREES & PALMS



SHRUBS & GROUND COVER



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SHEET TITLE PLANT PALETTE
SHEET NUMBER L2.01
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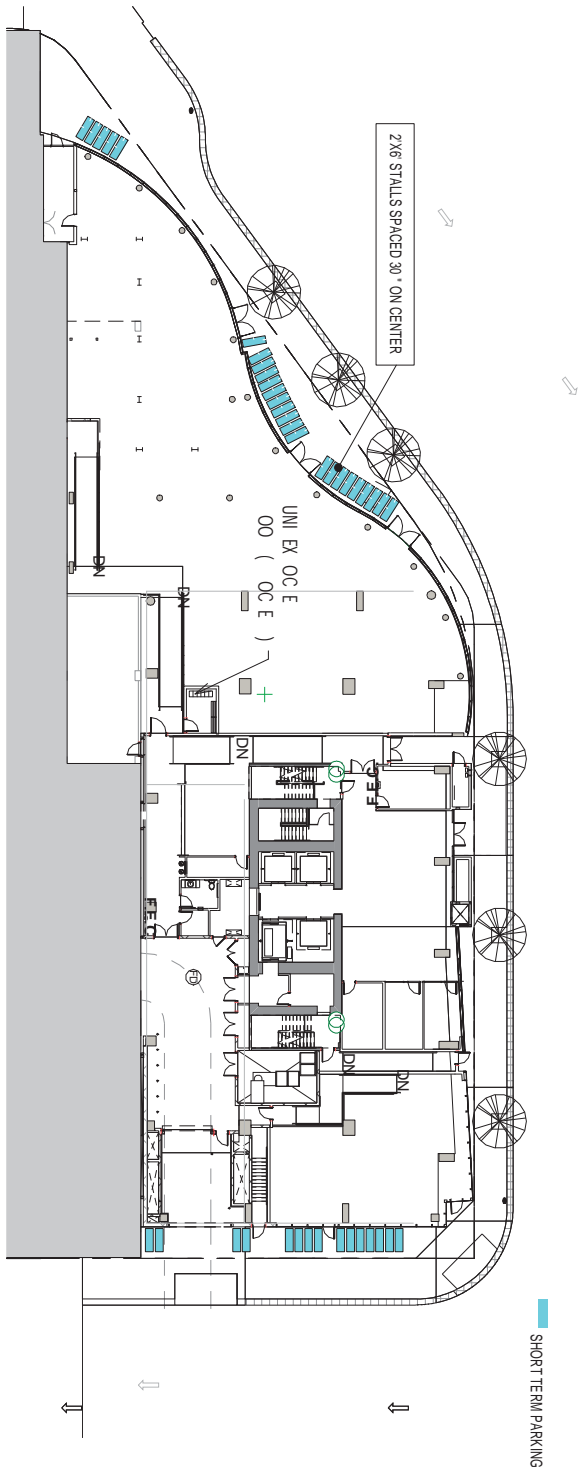
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DATE 10/22/2015
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SHEET TITLE
BIKE PARKING DIAGRAM
GROUND FLOOR
SHEET NUMBER BP-02
COMMENTS
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Exhibit 6

Addendum to

ENV-2005-1674-MND

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 395
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY AND CHECKLIST
CEQA Guidelines Section 15063
[REVISED ADDENDUM – JANUARY 7, 2016]

LEAD CITY AGENCY Los Angeles Department of City Planning	ADDRESS 200 N. Spring St., Los Angeles, CA 90012	DATE January 7, 2016
CONTACT PERSON Oliver Netburn, City Planning Associate		TELEPHONE NUMBER (213) 978-1382
RESPONSIBLE AGENCIES City of Los Angeles Department of City Planning		
PROJECT LOCATION: The Project Site address includes 900 S. Figueroa Street, 901 S. Flower Street and 700 W. 9 th Street, Los Angeles CA 90015 (See Figure 1, Project Location Map). The Project Site is bounded by 9 th Street to the north, S. Figueroa Street to the west, Flower Street to the east, and Phase I of the Approved Project (Apex I) to the south.		
PROJECT TITLE/NO. Apex II	CASE NO. ENV-2005-1674-MND-REC1 ZA 2005-1673-ZV-ZAA-SPR-PA2 VTT No. 62367 M3	
PREVIOUS ACTIONS CASE NO. ZA-2005-1673-ZV-ZAA-SPR-PA1, VTT-62367, ENV-2005-1674-MND	<input checked="" type="checkbox"/> DOES have significant changes from previous actions. <input type="checkbox"/> DOES NOT have significant changes from previous actions.	
PROJECT DESCRIPTION: The Applicant is requesting approval of a recorded Tract Map Modification, Plan Approval (ZA-2005-1673-ZV-ZAA-SPR) and Site Plan Review to permit changes to the development of Phase II of Recorded Tract 62367 to increase the authorized number of dwelling units by 60 additional units, increase open space and accommodate bicycle parking. Recorded Tract 62367 previously authorized the development of 629 residential units and 27,000 square feet of ground floor retail, for a total of 750,910 square feet of development. Phase I of Recorded Tract 62367 (referred to as "Apex I") has already been constructed and includes Tower 1 (271 dwelling units (DUs) and 4,701 square feet of retail) and the Loft Building (77 DUs and 6,575 square feet of retail). Phase II will include a 28-story mixed-use building (approximately 317 feet in height) with 341 residential units, approximately 11,687 square feet of ground floor retail space and three levels of subterranean parking. The amount of developed floor area would remain unchanged from that previously authorized by Recorded Tract 62367.		
ENVIRONMENTAL SETTING: The Project Site is Lot 1 of Recorded Tract 62367 located at Figueroa and 9 th Street in downtown Los Angeles. The Project Site is Phase II of Recorded Tract 62367 and is currently used for surface parking. An aerial photograph of the Project Site and surrounding area is provided in Figure 2, Aerial Photograph of the Project Site. Recent photographs depicting the environmental setting are included in Figures 3 through 7 (see attached).		
COMMUNITY PLAN AREA Central City Community Plan Area, Central Business District Redevelopment Project, City Center Redevelopment Project	AREA PLANNING COMMISSION/CNC Central Los Angeles	STATUS: <input type="checkbox"/> PRELIMINARY <input type="checkbox"/> PROPOSED <input checked="" type="checkbox"/> ADOPTED date 01/09/2003
EXISTING ZONING [Q]R5-4D and C2-4D	MAX. DENSITY ZONING 7.44:1	<input checked="" type="checkbox"/> DOES CONFORM TO PLAN <input type="checkbox"/> DOES NOT CONFORM TO PLAN
PLANNED LAND USE & ZONE High Density Residential, Regional Center Commercial	MAX. DENSITY PLAN 7.44:1	
SURROUNDING LAND USES High Density Residential, Commercial	PROJECT DENSITY 7.44:1	

DETERMINATION (To be completed by Lead Agency)**On the basis of this initial evaluation:**

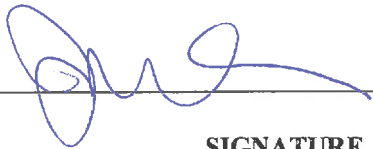
☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☒ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



SIGNATURE

Senior City Planner

TITLE

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analysis," cross referenced).

- 5) Earlier analysis must be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
- 1) Earlier Analyses Used. Identify and state where they are available for review.
 - 2) Impacts Adequately Addressed. Identify which effects from the checklist below were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - 3) Mitigation Measures. For effects that are "Less Than Significant With Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated
- 7) Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whichever format is selected.
- 9) The explanation of each issue should identify:
- 1) The significance criteria or threshold, if any, used to evaluate each question; and
 - 2) The mitigation measure identified, if any, to reduce the impact to less than significance.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Population/Housing
<input type="checkbox"/> Agricultural and Forestry Resources	<input checked="" type="checkbox"/> Hazards & Hazardous Materials	<input checked="" type="checkbox"/> Public Services
<input checked="" type="checkbox"/> Air Quality	<input type="checkbox"/> Hydrology/Water Quality	<input type="checkbox"/> Recreation
<input type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Land Use/Planning	<input checked="" type="checkbox"/> Transportation/Traffic
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Utilities/Service Systems
<input checked="" type="checkbox"/> Geology/Soils	<input checked="" type="checkbox"/> Noise	<input type="checkbox"/> Mandatory Findings of Significance

INITIAL STUDY CHECKLIST (To be completed by the Lead City Agency)**BACKGROUND****PROPONENT NAME**

900 South Figueroa Street Pad Investors, LLC

PHONE NUMBER

(562) 285-3220

PROPONENT ADDRESS

900 South Figueroa Street Pad Investors, LLC
 Attn: Thomas Warren
 5000 E. Spring Street, Suite 630
 Long Beach, CA 90815

AGENCY REQUIRING CHECKLIST

Los Angeles Department of City Planning

DATE SUBMITTED

January 7, 2016

ENVIRONMENTAL RECONSIDERATION - ADDENDUM

Section 15164 of the State CEQA Guidelines states that the lead or responsible agency shall prepare an addendum to a previously certified EIR [or Negative Declaration] if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Supplemental or Subsequent EIR have occurred. Pursuant to Section 15162, the requirement to prepare a Supplemental or Subsequent EIR (or to recirculate an MND) is only triggered when an EIR has been certified for a project, and one or more of the following occur:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:*
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;*
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

The analysis presented below evaluates the Mitigated Negative Declaration previously approved by the City of Los Angeles (ENV-2005-1674-MND (the "2005 MND")) and the environmental impacts associated with the changes proposed to the development previously authorized by Recorded Tract 62367 and evaluates whether any of the conditions in Section 15164 have occurred which would require the preparation of a Subsequent or Supplemental Mitigated Negative Declaration. Based on the analysis presented below it is concluded that the proposed changes will not result in substantially more severe effects than as analyzed in the previously adopted MND and that none of the conditions described in Section 15164 will occur. Accordingly, no Subsequent or Supplemental Mitigated Negative Declaration is required.

The analysis presented below provides an environmental review of the Apex II Mixed-Use Project (Proposed Project) pursuant to the California Environmental Quality Act (CEQA) and the City's policies for implementing

CEQA and the State CEQA Guidelines. An updated environmental analysis was conducted for each issue area identified in the CEQA Environmental Checklist to address changes that have been proposed to the Proposed Project, and to address any changes that may have occurred with respect to the environmental setting. This Revised Addendum supersedes the prior Addendum dated April 2015 under Case No. ENV-2005-1674-MND-REC1.

As compared to the April 2015 Addendum, the changes incorporated into this revised Addendum include the following substantive changes:

- The Traffic Study has been revised to incorporate current (2015) traffic count data and a revised related project list for purposes of assessing the project's cumulative impacts. The updated traffic analysis has concluded that traffic impacts resulting from the Modified Project would be less than significant on a project specific and cumulative level and would not substantially increase the severity of the traffic impacts as previously disclosed in the 2005 MND. An updated correspondence of approval from LADOT dated December 12, 2015 is also included in Attachment B to this Addendum.
- The air quality and greenhouse gas emissions analyses has been revised to account for the delay in the project schedule (the prior analysis anticipated construction would begin in January of 2016), increases the volume of soil export to account for a potential fourth level of subterranean parking), and includes localized significance thresholds.
- An updated related projects list has been incorporated into the cumulative analysis to account for recently proposed projects in the project vicinity.

No new impacts will be created by the Proposed Project. The mitigation measures identified under ENV-2005-1674-MND serve to mitigate any potential impacts from the Proposed Project.

PROJECT BACKGROUND

Approved Project (Case No. ZA 2005-1673-ZV-ZAA-SPR-PA1, VTT 62367)

Through previous actions from 2005 through 2006, the City of Los Angeles approved the development of 629 joint live/work condominium residential units and 27,000 square feet of ground floor retail, for a total of 750,910 square feet on three lots, connected by a central six-story parking structure (three stories above grade) with a rooftop courtyard/terrace area (the "Approved Project"). In connection with its initial approval of the Approved Project, the City of Los Angeles adopted Mitigated Negative Declaration ENV-2005-1674-MND (the "2005 MND").

As depicted in Figure 8, Exhibit "A", the Approved Project authorized three main buildings including: a 28-story (approximately 312 feet four inches in height) multi-family residential building with 271 residential units and 4,701 square feet of ground-floor retail space along Figueroa Street (Tower 1/Lot 2); a 28-story multi-family residential building with 281 residential units and 4,785 square feet of ground-floor retail space along 9th Street, and a three-story 6,902 square feet retail building (Tower 2/Lot 3); a six-story loft-style residential building with 77 residential units and 6,575 square feet of ground floor retail space along Flower Street (the Lofts Building/Lot 1) and a central parking podium (three levels above grade, three levels below grade) with a rooftop open space area. The Approved Project was to be built in phases. Phase I of Recorded Tract 62367 (referred to as "Apex I") has already been constructed and includes Tower 1 (271 DUs and 4,701 square feet of retail) and the Loft Building (77 DUs and

6,575 square feet of retail). Table 1, below provides a summary of the Approved Project, detailing the extent of approved commercial and residential development for Lots 1, 2 and 3.

Table 1
Summary of Approved Project

Development	Pre-Dedicated Lot Area (square feet)	Total Floor Area (square feet)	Retail Floor Area (square feet) ^a	Dwelling Units
Phase 1				
Lot 1 (Lofts Building)	22,736	96,926	6,575	77
Lot 2 (Tower 1)	39,089	315,886	4,701	271
Phase 2				
Lot 3 (Tower 2)	39,129	338,098	15,724	274
Total	100,954	750,910 (7.44 FAR)	27,000	629

Notes

^a The Approved Project allows for the development of 27,000 square feet of retail development, but did not specify how much retail floor area would be developed on each lot. This table reflects the amount of floor area developed on Lots 1 and 2, with the remaining balance allocated to Lot 3.

Source: ZA-2005-1673-ZV-ZAA-SPR-PA1.

PROPOSED PROJECT

The Applicant is requesting approval of a modification of Recorded Tract 62367, a Plan Approval of ZA-2005-1673-ZV-ZAA-SPR and Site Plan Review to develop the remaining phase of Recorded Tract 62367 with 60 additional dwelling units and less retail square footage than previously approved (the "Proposed Project"). Los Angeles Municipal Code Section 17.14 governs the procedures and criteria for approving modifications to final tract maps. Increases in the residential density of previously approved tract maps of up to 10 percent may be authorized by the City of Los Angeles pursuant to Los Angeles Municipal Code Section 17.14.E. The Proposed Project proposes to increase the overall number of units in the Apex project by 9.5 percent (from 629 units to 689 units). The Proposed Project would not substantially modify the previously approved height or massing of the 28-story building ("Phase II Tower") previously approved as part of the Approved Project, which would now be comprised of 341 residential units, 11,687 square feet of ground floor retail space, 13,535 square feet of open space for a total of approximately 338,098 square feet of developed floor area. The retail space would be provided on the ground floor of the tower building and in a stand-alone retail structure at the corner of 9th Street and Figueroa Street. The Proposed Project would require a total of 438 parking spaces, including 426 residential parking spaces and 12 commercial parking spaces. Parking would be provided in a three-level below grade parking structure consistent with the approved plans. As compared to the Approved Project, the Proposed Project would not increase total floor area.

The height of the proposed residential tower is 312 feet and six inches (312' - 6") above grade to the top of the parapet and the retail building will be a maximum of 45 feet above grade. The height of the building is essentially the same as the Approved Project, which had a reference building height of 312 feet above grade as measured to the

top of the highest finished floor (excluding the rooftop equipment and parapet). The location and orientation of the proposed tower and retail building footprints have not changed and are in the same location as identified on the approved Site Plan.

The proposed Plot Plan is shown in Figure 9. Elevations are depicted in Figure 10 and Figure 11. In addition, architectural axons of the Proposed Project are shown in Figures 12 through 14. Provided below in Table 2 is a summary table of the Proposed Project with a comparison to the project data for the 2005 MND for the Approved Project.

Table 2
Summary of Proposed Project and Net Change from Approved Project

Development	Pre-Dedicated Lot Area (square feet)	Total Floor Area (square feet)	Retail Floor Area (square feet) ^a	Dwelling Units
Lot 1 (Lofts Building)	22,736	96,926	6,575	77
Lot 2 (Tower 1)	39,089	315,886	4,701	271
Lot 3 (Tower 2)	39,129	338,098	11,687	341
Total	100,954	750,910 (7.44 FAR)	22,963	689
Net Change from Approved Project	0	0	-4,037	+ 60

Source: Preston Architects and Holland partner Group, 2014.

Open Space

ZA-2005-1673-ZV-ZAA-SPR authorized the project to provide 39,208 square feet of common open space in light of the desirability of the project's maximizing ground floor retail space, the cost of property in the South Park Area of Downtown and the project's proximity to such open space and recreational features as Grand Hope Park, L.A. Live, Gilbert Lindsay Plaza, and Pershing Square, as well as the fact that existing buildings located in the same zone and vicinity being converted to residential uses under the Adaptive Reuse Ordinance are not required to comply with open space requirements. As part of the initial phases of the Approved Project's development all of the open space required by ZA-2005-1673-ZV-ZAA-SPR for the entirety of the Approved Project has been provided through the existing pool deck, mid-block paseo, Urban Park and fitness room. The Apex II project proposes to increase the overall number of units in the Apex project by 9.5%. The proposed Apex II project will also add 13,535 square feet of common open space to the project, thus increasing total common open space by approximately 34% from the amount required by ZA-2005-1673-ZV-ZAA-SPR, for a total requirement of 52,743 square feet of common open space. Such additional open space will be provided by a 4,049 square foot rooftop deck with fire pit, two residential lounges, a 1,959 square foot indoor amenity space, and 5,300 square feet of private open space with residential balconies.

ENVIRONMENTAL SETTING

To determine whether any substantial changes have occurred to the Project Site and/or surrounding project area, a survey of the Project Site was conducted on November 19, 2014. A follow up survey was conducted in December 2015 to verify that the conditions and photographs described herein are representative of current conditions at the time of this updated analysis. Comparative photographs of the Project Site and surrounding properties were taken from generally the same vantage points as depicted in the 2005 MND to document any changes to the existing conditions. As shown in Figure 3 through Figure 7, the Phase II portion of the Project Site remains in use as a surface parking lot and is unchanged from its prior documented condition in 2005. The Phase I portion of the Project Site have been developed which includes Tower I, the Lofts Building and a central parking podium with rooftop open space (See Figure 3, View 1, Figure 5, Views 7 and 8, and Figure 6, View 12). In addition to changes on the southern portion of the Project Site, several new developments have been constructed in the surrounding area since the 2005 MND was prepared, which include: the 35-story WaterMarke Tower, located north of the Project Site across 9th Street (See Figure 3, View 3), constructed in 2009; and the seven-story 9th and Flower mixed-use building located on the northeast corner of the intersection of 9th Street and Flower Street (See Figure 4, View 4), which was constructed in 2007.

With respect to changes to the physical environment, several development projects have been completed on and around the Project Site since 2005. The extent of new development surrounding the Project Site is also consistent with the cumulative analysis that was presented in the MND.

With respect to changes to the regulatory environment, environmental checklist questions pertaining to Forested Areas and Greenhouse Gas Emissions have been added to the State CEQA Guidelines. As a result, the City's standard MND form has been amended to address these concerns. Both of these issues are addressed in the revised environmental analysis below. In addition, several regulatory changes have occurred either citywide or within the Project area since the date the project was approved. The Greater Downtown Housing Incentive Area came into effect in 2007. The Figueroa and Olympic Supplemental Use District for Signage came into effect in 2012. The Los Angeles Sports and Entertainment District (LASED) was amended in 2007 and 2010. The Los Angeles Citywide Bike Ordinance became effective in 2013. The City of Los Angeles Green Building Code (Ordinance No. 181480) was adopted in December 2010. The Mobility Element was adopted in May 2015. To the extent these policies, plans or regulations affect the Proposed Project, such changes are discussed in the respective sections of the analysis presented herein. Where changes to mitigation measures are proposed, such changes are shown in redline-strikeout text followed by an explanation of why the change is being requested.

Senate Bill 743 - Environmental Quality: Transit Oriented Infill Projects

In 2013, the State of California enacted Senate Bill 743 (SB 743),¹ which provides that “aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.” Public Resources Code Section 21099 defines a “transit priority area” as an area within one-half mile of a major transit stop that is “existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations.” Public

¹ SB 743 is codified as Public Resources Code Section 21099.

Resources Code Section 21064.3 defines “Major Transit Stop” as “a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.” Public Resources Code Section 21061.3 defines an “Infill Site” as a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses. This state law supersedes the aesthetic impact thresholds of significance that were previously adopted in the L.A. CEQA Thresholds Guide (2006).

The 9th and Flower Project Site is an Infill site within a Transit Priority Area as defined by CEQA. It is located within ½ mile of two existing rail transit stations, the 7th Street Metro rail transit station, and the Pershing Square Metro rail transit station. The Project Site is also located within ½ mile of numerous bus routes with peak commute service intervals of 15 minutes or less. Accordingly, the Project’s aesthetic impacts shall not be considered significant impacts on the environment pursuant to Public Resources Code Section 21099. While Section 21009 prohibits aesthetic impacts from being considered significant environmental impacts pursuant to CEQA, it does not affect the ability of the City of Los Angeles to implement design review through its ordinances or other discretionary powers.

ENVIRONMENTAL IMPACTS

(A brief explanation of all answers is required except "No Impact" answers that are adequately supported by the information sources cited.)

I. AESTHETICS. Would the project:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, or other locally recognized desirable aesthetic natural feature within a city-designated scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The 2005 MND found that the Project's aesthetic impacts upon the views would be less than significant with mitigation. The Project Site is located in the downtown area of the City of Los Angeles. Views in the vicinity of the Project Site are largely constrained by adjacent mid- to high-rise structures and the area's relatively flat topography. There are no unique scenic vistas currently available from public vantage points in the immediate project vicinity and the Project Site is not located in the vicinity of a State-designated scenic highway or City-designated Scenic Highway. Mitigation measures I-1 through I-3, listed below, were adopted to mitigate any aesthetic impacts related to the general upkeep and landscaping of the property, signage, outdoor lighting and light and glare. The originally Approved Project included two 28-story multi-family residential buildings and a six-story loft-style residential building on three lots. The Approved Project would consist of a total of 629 residential units and 27,000 square feet of residential for a total of 750,910 square feet of development. Tower 1 (Lot 2) would include with 271 residential units and 4,701 square feet of ground-floor retail space along Figueroa Street. Tower 2 (Lot 3) would include 281 residential units and 4,785 square feet of ground-floor retail space along 9th Street, and a three-story 6,902 square feet retail building. The Lofts Building (Lot 1) would include 77 residential units and 6,575 square feet of ground floor retail space along Flower Street. Impacts associated with shade and shadows were found to be less than significant.

The Proposed Project would not modify the proposed scale and massing of the Approved Project. The Proposed Project includes 60 more residential units above the 629 residential units allowed under the Approved Project; however, the Proposed Project remains consistent with the allowable FAR and building height permitted on the Project Site. As such visual impacts would remain less than significant, as no new view obstructions would be created. Shade and shadow impacts under the Proposed Project would remain less than significant. Mitigation measures I-1 through I-3 which were adopted in conjunction with the initial project approval for VTT-62367-M1 would still apply to the Proposed Project. Subsequent to the 2005 MND being adopted, the Figueroa and Olympic Sign District (CPC-2007-842-SN) was adopted setting forth specific signage regulations for the block bounded by

Figueroa Street to the west, 9th Street to the north, Flower Street to the east and Olympic Boulevard to the south. As such, the Proposed Project's signage would be regulated by the provisions set forth in the Figueroa and Olympic Sign District. With adherence to the regulations set forth in the Figueroa and Olympic Sign District SUD, impacts associated with aesthetics and light and glare would be reduced to a less than significant level. Furthermore, as discussed above, pursuant to Public Resources Code Section 21099, aesthetic impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment. Therefore, no new impacts would be created and no increases to the severity of any previously disclosed impacts would occur.

Mitigation Measures:

- I-1 The owners shall promptly remove any graffiti from the wall, pursuant to LAMC Sections 91.801-F, 91.8904-1, and 91.1707-E.
- I-2 Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.
- I-3 The exterior of the proposed buildings shall be constructed of materials such as high-performance tinted-non-reflective glass and pre-cast concrete fabricated wall surfaces.
- I-4 a. On-site signs are limited to the maximum allowable under the Code.
- b. Multiple temporary signs in the store windows and along the building walls are not permitted.

II. AGRICULTURAL RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest Range and Assessment Project and Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict the existing zoning for agricultural use, or a Williamson Act Contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined by Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526, or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))?

☐ ☐ ☐ ☒

d. Result in the loss of forest land or conversion of forest land to non-forest use?

☐ ☐ ☐ ☒

e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

☐ ☐ ☐ ☒

As stated in the 2005 MND, the Project Site is located in the heavily developed area of Los Angeles and does not include any State-designated agricultural lands, is not zoned for agricultural use, and is not subject to a Williamson Act contract. Therefore, no impact on farmland or agricultural resources would occur. In 2009, the State CEQA Guidelines were amended to address the loss or conversion of forested lands to other non-forested uses. The Project Site is located in a developed urban city area, is improved with a surface parking lot, and does not support any forested areas. As such, the Project would have no impact on forested areas.

Mitigation Measures:

No potentially significant environmental impacts were identified for this issue area. Therefore, no mitigation measures are necessary.

III. AIR QUALITY. Where applicable, the significance criteria established by the South Coast Air Quality Management District (SCAQMD) may be relied upon to make the following determinations. Would the project result in:

a. Conflict with or obstruct implementation of the SCAQMD Air Quality Management Plan or Congestion Management Plan?

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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☐ ☐ ☐ ☒

b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

☐ ☒ ☐ ☐

c. Result in a cumulatively considerable net increase of any criteria pollutant for which the air basin is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

☐ ☐ ☒ ☐

d. Expose sensitive receptors to substantial pollutant concentrations?

☐ ☐ ☒ ☐

e. Create objectionable odors affecting a substantial number of people?

☐ ☐ ☒ ☐

The 2005 MND analyzed the construction and operational impacts of the Approved Project. The construction air

quality emissions were found to be less than significant with implementation of mitigation measures III-1 through III-3. Operational air quality impacts were found to be less than significant with implementation of mitigation measures III-4 through III-10.

The air quality analysis in the 2005 MND was based on the excavation of approximately 152,137 cubic yards of excavation for Phase I, which included excavating approximately 1.62 acres of the 2.3-acre Project Site to a depth of 42 feet below grade. Consistent with the assumptions identified in the 2005 MND, the excavation of the subterranean parking structure for Phase II would include roughly one-quarter of the grading that occurred during Phase I. Thus, the maximum daily construction emission levels were reported for Phase I to represent the highest possible emissions on a daily basis. The grading and earthwork emissions for Phase II would be approximately one-quarter of what occurred during Phase I, and as such, would be well below the impacts reported in the MND. The building construction impacts for the Phase II Tower would be similar to those reported in the MND as the size of the building would be slightly below the total FAR that was approved. The Proposed Project would require excavation to a depth of approximately 30 feet below existing grade at the Project Site to construct a three level subterranean parking structure. To verify that construction emission levels for the Proposed Project would be reduced as compared to the analysis presented in the 2005 MND, the construction emissions for the proposed Phase II Project were estimated using CalEEMod (Version 2013.2.2).² As shown in Table 3 below, the construction emissions for the Proposed Project would be reduced as compared to the values reported in the 2005 MND and construction impacts would continue to be less than significant.

Table 3
Estimated Peak Daily Construction Emissions

Emission Source	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Site Preparation	1.49	15.43	9.02	0	1.09	0.84
Grading	2.37	25.68	20.47	0.04	2.20	1.46
Building Construction	5.67	31.01	66.08	0.13	9.63	3.38
Architectural Coating	21.44	2.64	8.39	0.02	1.66	0.56
Paving	0.81	7.84	6.48	0.00	0.58	0.47
SCAQMD Thresholds	100	100	550	150	150	55
Significant Impact?	No	No	No	No	No	No
Estimated Peak Daily Construction Emissions as Reported in the 2005 MND	61.61	93.99	82.72	0.48	10.3	NA
<i>Note: Calculations assume compliance with SCAQMD Rule 403 – Fugitive Dust. Calculation sheets are provided in Attachment A to this Addendum.</i>						

It should be noted that the construction-related mitigation measures that were adopted with the 2005 MND (restated below) would still apply under the Approved Project. Therefore the values presented in Table 3, above

² Construction and operational air quality emissions in the 2005 MND were analyzed using the URBEMIS air quality model, which was industry standard at that time. The air quality emissions for the Proposed Project are based on the CalEEMod software model, which is now recommended by CARB as a successor program to URBEMIS.

reflect the “with mitigation” scenario in the CalEEMod worksheets in Attachment A. For comparative purposes the peak daily emissions as reported in the 2005 MND are displayed in Table 3. As shown, the peak daily emissions (with mitigation) for the Modified Project would be lower than previously reported for all criteria pollutants.

On an operational level, the Proposed Project includes 60 more residential units and 4,037 less retail square footage than previously approved for the Approved Project. As noted in response to Checklist Question XVI, the Proposed Project would result in 74 additional daily trips. As compared to the 2,624 daily trips that were projected to be generated by the Approved Project, the Proposed Project would result in an approximate 2.8 percent increase in the daily trips. The Proposed Project’s operational emissions were calculated using the CalEEMod computer software to evaluate the entire project as modified. As shown on Table 4, the Proposed project’s operational emissions would still fall below the significance thresholds and no new impacts would be created. It should be noted that the operational-related mitigation measures that were adopted with the 2005 MND (restated below) would still apply under the Approved Project. In addition, the mitigation scenario shown in the CalEEMod worksheets represents compliance with regulatory measures as mandated by the City of Los Angeles Green Building Ordinance. Therefore, the values presented in Table 4 below reflect the “with mitigation” scenario in the CalEEMod worksheets in Attachment A.

Table 4
Existing Daily Operational Emissions from the Project Site

Emissions Source	Emissions in Pounds per Day					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summertime (Smog Season) Emissions						
Area Source	28.79	0.67	57.35	<0.00	0.31	0.31
Energy (Natural Gas)	0.35	3.00	1.28	0.02	0.20	0.20
Mobile (Vehicles)	17.51	42.24	175.86	0.59	30.82	8.64
Total Emissions	46.55	45.91	134.49	0.61	31.33	9.15
SCAQMD Thresholds	55	55	550	150	150	55
Potentially Significant Impact?	No	No	No	No	No	No
Wintertime (Non-Smog Season) Emissions						
Area Source	28.79	0.67	57.35	<0.01	0.31	0.31
Energy (Natural Gas)	0.29	2.51	1.07	0.02	0.20	0.20
Mobile (Vehicles)	18.16	44.30	177.11	0.43	30.82	8.65
Total Emissions	47.24	47.48	235.53	0.46	31.33	9.16
SCAQMD Thresholds	55	55	550	150	150	55
Potentially Significant Impact?	No	No	No	No	No	No
Maximum Daily Operational Emissions Reported in the 2005 MND	45.16	26.63	230.17	0.13	19.15	NA
<i>Calculation data are provided in Appendix A to this Draft IS/MND. Source: Parker Environmental Consultants.</i>						

For comparative purposes, the maximum daily operational emissions from the 2005 MND are shown in Table 4, above. As indicated, the Modified Project’s operational emissions would be slightly higher for all five of the

criteria pollutants previously analyzed (PM_{2.5} was not modeled in the 2005 MND), however the emissions estimates remain below the thresholds of significance for all pollutants. Therefore, the Modified Project would not result in any new significant impacts and the increase in emissions would be considered less than significant.

Localized Significance Thresholds

Although it was not analyzed in the 2005 MND, the SCAQMD has developed localized significance thresholds (LSTs) that are based on the amount of pounds of emissions per day that can be generated by a project that would cause or contribute to adverse localized air quality impacts. These localized thresholds, which are found in the mass rate look-up tables in the “Final Localized Significance Threshold Methodology” document prepared by the SCAQMD, apply to projects that are less than or equal to five acres in size and are only applicable to the following criteria pollutants: NO_x, CO, PM₁₀, and PM_{2.5}. LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or State ambient air quality standards, and are developed based on the ambient concentrations of that pollutant for each SRA. For PM₁₀, the LSTs were derived based on requirements in SCAQMD Rule 403 — Fugitive Dust. For PM_{2.5}, the LSTs were derived based on a general ratio of PM_{2.5} to PM₁₀ for both fugitive dust and combustion emissions.

The Project Site is located within SRA 1, which covers the Central Los Angeles area. The nearest sensitive receptors that could potentially be subject to localized air quality impacts associated with construction of the Proposed Project include multi-family residences that were developed on the Project Site during Phase I. Given the proximity of these sensitive receptors to the Project Site, the LSTs with receptors located within 25 meters (82.02 feet) are used to address the potential localized air quality impacts associated with the construction-related NO_x, CO, PM₁₀, and PM_{2.5} emissions for each construction phase. As impacts to sensitive receptors within 25 meters are less than significant, impacts to sensitive receptors located further than 25 meters would also be less than significantly impacted by localized emissions. As shown in Table 5, below, the Proposed Project’s localized air quality emissions would be less than significant.

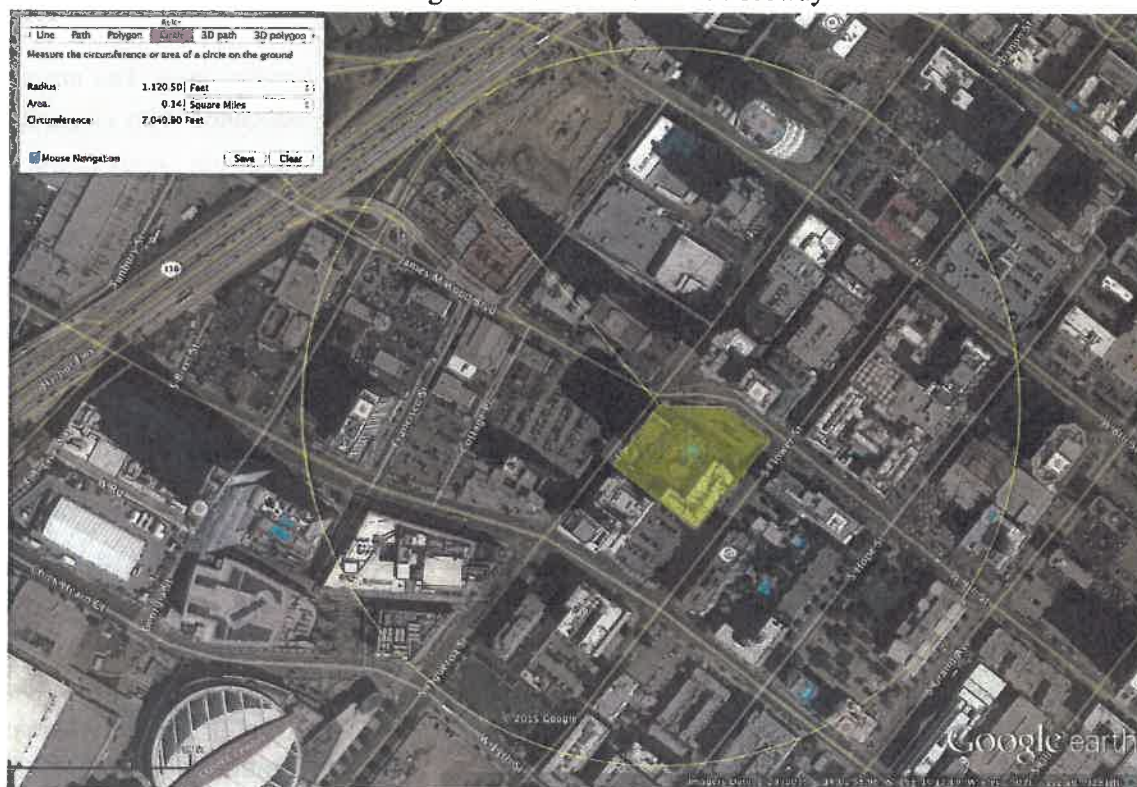
Zoning Information (ZI) No. 2427: Freeway Adjacent Advisory Notice For Sensitive Uses

ZI No. 2427 applies to all projects that are located within 1,000 feet of a freeway and require a discretionary action for which the City Planning Commission is the initial decision-maker or the decision-maker on appeal. Specifically, ZI No. 2427 applies to the following types of discretionary applications: Conditional Use Permits granted by the CPC (LAMC Sec. 12.24 U), Density Bonus (LAMC Sec. 12.22.A.25), Public, Quasi-Public Open Space Land Use Categories (LAMC Sec. 12.24.1), Zone Change (LAMC Sec. 12.32), General Plan Amendment (LAMC Sec. 11.5.6), Major Project Review/CUP (LAMC Sec. 12.24.U.14), Tentative Tract Map (LAMC Sec. 17.06), and Preliminary Parcel Maps (LAMC Sec. 17.50). The Proposed Project includes a request for a Modification to a Tract Map and is identified in the ZIMAS database as being subject to the Freeway Adjacent Advisory Notice.

The Freeway Adjacent Advisory Notice is not a prohibition or moratorium on new development near freeways. It is advisory only and serves as an early notification to applicants of discretionary projects who may not otherwise

be aware of the potential impacts on future building occupants of siting a building near a freeway. The Proposed Project was approved in 2005, approximately seven years prior the date the Advisory Notice came into effect. Notwithstanding this new information, the Proposed Project is consistent with the recommendations of ZI 2427 in that the Project Site is located more than 1,000 feet from the 101 Freeway. ZI 2427 advises applicants of the potential health risks associated with locating sensitive land uses (i.e., residential dwellings) within close proximity to freeways and recommends reducing occupants exposure through site design (such as locating open space areas as far as possible from the freeway source, minimizing the installation of operable windows for units facing the freeway, and increasing vegetation) and requires enhanced air filtration units (i.e., MERV 11) be installed for any units within 1,000 feet of the freeway. As shown in the exhibit below, the 101 Freeway is approximately 1,120 feet from the Phase 2 development footprint. The 2005 MND included Mitigation Measure III-10, which requires the Project Applicant to install air filtration systems to reduce the effects of diminished air quality upon the occupants of the Proposed Project. As such, the Modified Project in in substantial conformance with the ZI 2427 policy and land use consistency impacts would be considered less than significant.

Figure 1, Project Site Boundaries with a 1,120 Foot Radius
Showing the Distance to the 110 Freeway



Mitigation Measures:**Construction**

- III-1 All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403.
- III-2 The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling. Reasonable control of dust caused by wind shall be provided at all times.
- III-3 All loads shall be secured by trimming, watering, or other appropriate means to prevent spillage and dust.

**Table III-5
Localized On-Site Peak Daily Construction Emissions**

Construction Phase ^a	Total On-site Emissions (Pounds per Day)			
	NO _x ^b	CO	PM ₁₀	PM _{2.5}
Site Preparation	13.63	7.34	0.9	0.77
Grading	15.67	12.13	1.33	1.13
Building Construction	14.44	8.83	0.97	0.89
Architectural Coatings	2.01	1.85	0.15	0.15
Paving Phase	7.79	6.43	0.47	0.44
SCAQMD Localized Thresholds ^c	74	680	5	3
<i>Potentially Significant Impact?</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>
^a The localized thresholds for all phases are based on a receptor within a distance of 82 feet (25 meters) in SCAQMD's SRA 1 for a Project Site of 1 acres. ^b The localized thresholds listed for NO _x takes into consideration the gradual conversion of NO _x to NO ₂ , and are provided in the mass rate look-up tables in the SCAQMD's "Final Localized Significance Threshold Methodology" guidance document. The analysis of localized air quality impacts associated with NO _x emissions is focused on NO ₂ levels as they are associated with adverse health effects. Source: CalEEMod 2013.2.2, Calculation sheets are provided in Appendix A to this IS/MND.				

- III-4 All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- III-5 All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- III-6 Construction equipment shall be maintained and operated so as to minimize exhaust emissions.

III-7 Apply soil stabilizers to non-active areas.

III-8 All construction contractors shall comply with SCAQMD regulations, including Rule 1113, which regulates the use of architectural coatings. To the maximum extent feasible, the project contractors shall use low to zero-VOC content architectural coating materials.

III-9 Employ the use of cooled exhaust gas recirculation technology in construction equipment.

Operation

III-10 The Project Applicant shall install air filtration systems to reduce the effects of diminished air quality upon the occupants of the Proposed Project.

IV. BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in the City or regional plans, policies, regulations by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh vernal pool, coastal, etc.) Through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

As disclosed in the 2005 MND, the Project Site and the surrounding area is fully developed with urban infrastructure and does not contain any significant areas of natural open space or areas of significant biological

resource value. The Project Site is currently entirely paved and is occupied with a commercial surface parking lot. No candidate, sensitive, or special status species identified in local plans, policies, or regulations, or by the California Department of Fish and Game (CDFG) or the U.S. Fish and Wildlife Service (USFWS) were found or are expected to occur on the Project Site. Therefore, the Proposed Project would have no impact on any sensitive species or habitat.

As discussed previously and shown in Figure 3 through Figure 7, Views of the Project Site and Surrounding Land Uses, the Project Site remains relatively unchanged since 2005. The proposed changes to the project would not affect the conclusions of the 2005 MND.

Mitigation Measures:

No potentially significant environmental impacts were identified for this issue area. Therefore, no mitigation measures are necessary.

V. CULTURAL RESOURCES: Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in significance of a historical resource as defined in State CEQA §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in significance of an archaeological resource pursuant to State CEQA §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

As discussed in the 2005 MND, there are no National Register or California State Historic Resource sites located on the Project Site. The Project Site is not designated a City of Los Angeles Historic-Cultural Monument. Completed Phase I of the Project is located adjacent to the historic Friday Morning Club (also known as the Varsity Arts Center), located at 940 S. Figueroa Street. The Variety Arts Center is a five-story building listed on the National Register of Historic Places and the California Register of Historic Places, and designated a City of Los Angeles Historic-Cultural Monument. Aesthetic impacts of the Approved Project on the Variety Arts Center were previously determined to be less than significant.

The Proposed Project would not have any new impact upon the Variety Arts Center as height and massing of the Phase II Tower remains unchanged. With respect to potential impacts upon archaeological and /or paleontological resources, the potential for impacts to occur would be the same, or slightly reduced as compared to the MND conclusion. The Approved Project assumed an excavation depth of 41 feet for the construction of four levels of subterranean parking. The Proposed Project would require excavation to a depth of approximately 30 feet below

existing grade at the Project Site to construct a three-level subterranean parking structure. With regard to the potential to impact any archaeological or paleontological resources, the 2005 MND included mitigation measures to reduce potential impacts related to the discovery of unknown archaeological or paleontological resources to a less-than-significant level (see V-1 and V-2). These mitigation measures (restated below) would still apply to the Proposed Project. As such, the potential for impacts upon archaeological or paleontological resources would remain less than significant.

Mitigation Measures:

V-1 If any archaeological materials are encountered during the course of the project development, the project shall be halted. The services of an archaeologist shall be secured by contacting the Center for Public Archaeology – Cal State University Northridge, or a member of the Society of Professional Archaeologists (SOPA) or a SOPA-qualified archaeologist to assess the resources and evaluate the impact. Copies of the archaeological survey, study, or report shall be submitted to the UCLA Archaeological Information Center. A covenant and agreement shall be recorded prior to obtaining a grading permit.

V-2 If any paleontological materials are encountered during the course of the project development, the project shall be halted. The services of a paleontologist shall be secured by contacting the Center for Public Paleontology – USC, UCLA, Cal State Los Angeles, Cal State Long Beach, or the County Museum to assess the resources and evaluate the impact. Copies of the paleontological survey, study, or report shall be submitted to the Los Angeles County Natural History Museum. A covenant and agreement shall be recorded prior to obtaining a grading permit.

VI. GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving :				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potential result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The 2005 MND analyzed the potential for the project to result in significant impacts associated with seismicity, landslides, erosion, loss of topsoil, and liquefaction and found that geotechnical hazards would be mitigated to a level of less than significance with the incorporation of mitigation measures VI-1 through VI-3. The Approved Project was conditionally approved to comply with several standard safety conditions imposed by the Department of Building and Safety. The Proposed Project would be required to adhere to all mitigation measures as noted in the earlier approvals (restated below). Therefore, no new impacts would occur and no additional mitigation measures are required.

Mitigation Measures:

- VI-1 The design and construction of the Proposed Project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.
- VI-2 The Proposed Project shall comply with the geotechnical engineering recommendations identified in the Preliminary Geotechnical Report, Proposed Development at the Intersection of 9th Street and Figueroa Street, Los Angeles, California, prepared by GeoPenTech, Inc., November 2004.
- VI-3 Prior to the issuance of building or grading permits, the Project Applicant shall submit a geotechnical report prepared by a registered civil engineer or certified engineering geologist to the Department of Building and Safety for approval.

VII. GREENHOUSE GAS EMISSIONS

Would the project:

- | | Potentially
Significant
Impact | Potentially
Significant
Unless
Mitigation
Incorporated | Less Than
Significant
Impact | No Impact |
|---|--------------------------------------|--|-------------------------------------|--------------------------|
| a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact upon the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The issue of greenhouse gas emissions was not evaluated within the 2005 MND. The State CEQA Guidelines were

amended after the MND was published to require lead agencies to determine a project's potential to generate greenhouse gas emissions and thus contribute to global climate change. Because no analysis of greenhouse gases was presented in the 2005 MND, the following analysis is added to address change in regulatory environment.

Response a: Less Than Significant Impact. A significant impact would occur if the Project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. Greenhouse gas (GHG) emissions refer to a group of emissions that have the potential to trap heat in the atmosphere and consequently affect global climate conditions. The principal GHGs are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and water vapor (H₂O). CO₂ is the reference gas for climate change because it is the predominant greenhouse gas emitted. To account for the varying warming potential of different GHGs, GHG emissions are often quantified and reported as CO₂ equivalents (CO₂e).

There are currently no adopted thresholds or guidance adopted by the SCAQMD or other agencies in California to assess the significance of potential impacts associated with GHGs. Section 15064.4 of the CEQA Guidelines provides direction to lead agencies in determining the significance of the impacts of GHGs, however, it does not establish a specific threshold of significant. Since neither the SCAQMD nor the City of Los Angeles have adopted quantitative thresholds of significance for a residential project's generation of greenhouse gas emissions, the following analysis is based on a combination of the requirements outlined in the CEQA Guidelines. As required in Section 15604.4 of the CEQA Guidelines, this analysis includes an impact determination based on the following: (1) an estimate of the amount of greenhouse gas emissions resulting from the Proposed Project; (2) a qualitative analysis or performance based standards; (3) a quantification of the extent to which the Proposed Project increases greenhouse gas emissions as compared to the existing environmental setting; and (4) the extent to which the Proposed Project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the purposes of reducing greenhouse gas emissions.

Construction

Construction of the Proposed Project would emit GHG emissions through the combustion of fossil fuels by heavy-duty construction equipment and through vehicle trips generated by construction workers traveling to and from the Project Site. These impacts would vary day to day over the approximate 30-month duration of construction activities.

Emissions of GHGs were calculated for each year of construction of the Proposed Project and the results of this analysis are presented in Table 6, Project Construction-Related Greenhouse Gas Emissions. As shown in Table 6, below, the total GHG emissions from construction activities related to the Proposed Project would be 2,530 metric tons with the greatest annual emissions of 1,347 metric tons occurring in 2017.

Table 6
Project Construction-Related Greenhouse Gas Emissions

Year	CO₂e Emissions (Metric Tons per Year) ^a
2016	895
2017	1,374
2018	261
Total Construction GHG Emissions	2,530
^a Construction CO ₂ values were derived using CalEEMod Version 2013.2.2 Calculation data and results are provided in Appendix A, Air Quality and Greenhouse Gas Emissions CalEEMod Worksheets.	

Operation

Baseline GHG Emissions

The Project Site is currently improved with a surface parking lot that provides general parking for other land uses in the surrounding area. The vehicle trips associated with the vehicles that park on-site are not generated by on-site land uses and would occur even if the Project Site were to cease operations as a surface parking lot. As such, the baseline GHG emissions for the existing uses are assumed to be zero.

Project Operational GHG Emissions

The GHG emissions resulting from operation of the Proposed Project, which involves the usage of on-road mobile vehicles, electricity, natural gas, water, landscape equipment and generation of solid waste and wastewater, were calculated under two separate scenarios in order to illustrate the effectiveness of the Project's compliance with the *CALGREEN Code* and other mitigating features that would be effective in reducing GHG emissions, such as the site being an infill lot, its proximity to transit and walking distance to a major employment center.

CALGREEN Code

In recent years, California has taken the lead in promoting "green" building ordinances. These measures can increase energy efficiency, reduce greenhouse gas emissions, and decrease other harmful environmental impacts. Numerous local governments in California have implemented such measures, and in 2010, the State adopted the nation's first statewide green building standard. The statewide code, known as *CALGREEN Code*, applies to all new buildings constructed after January 1, 2011, and requires that they be built using environmentally advanced construction practices. The Code updates Title 24 of the California Code of Regulations, also known as the California Building Standards Code. In addition to setting mandatory requirements, the Code includes more stringent optional provisions permitting developers to meet heightened standards, known as Tier 1 and Tier 2. *CALGREEN Code* § A4.6 (residential) and §A5.6 (nonresidential) include detailed criteria for meeting these tiers. Cities at their discretion may adopt Tier 1 or Tier 2 as mandatory or adopt and enforce other standards that are

more stringent than the CALGREEN Code. The CALGREEN Code includes the following requirements for residential projects:

	Mandatory Requirements	Voluntary Standards
Indoor Water Use Reduction	20%	30%; 35%; 40%
Water Meters	Separate for non-residential indoor and outdoor use	
Diversion of Construction Waste From Landfills	50%	Residential: 65% (Tier 1); 75% (Tier 2) Non-Residential: 65% (Tier 1); 80% (Tier 2)
Mandatory Inspection of Energy Systems	Non-residential buildings over 10,000 square feet.	
Required Low-Pollutant Emitting Materials	Paint, carpet, vinyl flooring, and particle board.	80% VOC compliant resilient flooring (Tier 1); 90% resilient flooring (Tier 2)
Energy Efficiency		Exceed Title 24's 2008 Energy Efficiency Standard by 15% (Tier 1); Exceed Standard by 30% (Tier 2)

Green Building Code (Ordinance No. 181480, adopted December 15, 2010)

The City of Los Angeles *L.A. Green Building Code* (Ordinance No. 181480), which incorporates applicable provisions of the CALGreen Code, and in some cases outlines more stringent GHG reduction measures available to development projects in the City of Los Angeles is consistent with statewide goals and policies in place for the reduction of greenhouse gas emissions, including AB 32 and the corresponding Scoping Plan. Among the many GHG reduction measures outlined later in this Section, the *L.A. Green Building Code* requires projects to achieve a 20 percent reduction in potable water use and wastewater generation, meet and exceed Title 24 Standards adopted by the California Energy Commission on December 17, 2008, and meet 50 percent construction waste recycling levels. New development Projects are required to comply with the *L.A. Green Building Code*, and therefore are generally considered consistent with statewide GHG-reduction goals and policies, including AB 32.

Operational GHG Emissions

To quantify the Proposed Project's GHG Emissions and assess the Proposed Project's GHG reduction measures, Project emissions were estimated using CalEEMod (version 2013.2.2) for a base project without the enhanced energy conservation measures mandated by the CALGREEN Code (*i.e.*, *pre-2005 Title 24 energy efficiency standards*) and with the mandatory efficiency standards to effectively estimate the Project's reduction in GHG emissions as compared to the base-case scenario for purposes of demonstrating the Proposed Project's consistency with AB32. Although the 2005 MND did not include an analysis of the project's GHG emissions, the following analysis evaluates the entire Project as modified with a total of 689 dwelling units. The Project's greenhouse gas emissions were generated under two scenarios: (a) Proposed Project Without GHG Reduction Measures and (b) Proposed Project With GHG Reduction Measures. The "With GHG Reduction Measures" scenario reflects the project's design features such as being an infill development with applicable trip credits for increased density, walkability, transit accessibility, proposing Energy Star rated appliances, dwelling units without fireplaces, and as otherwise required by code (*i.e.*, compliance with Rule 403 (dust suppression), low VOC coatings, current Title 24 energy efficiency standards, implementing on-site solid waste recycling program).

As shown in Table 7, below, the net increase in GHG emissions generated by the Proposed Project under the Project Without GHG Reduction Measures would be 12,049 CO₂e MTY. The Project With GHG Reduction Measures scenario would result in a net increase of 9,601 CO₂e MTY above the current baseline of zero GHG emissions. For purposes comparing the Project's With GHG Reduction Measures to the Project Without GHG Reduction Measures scenario, the Project's operational features including installing energy efficient lighting, low flow plumbing fixtures, Energy Star-rated appliances, and implementing a construction and operational recycling program during the life of the project would reduce the Project's GHG emissions by approximately 14 percent. Furthermore, the Project is an infill development in a High Priority Transit Area and is within a major employment center. These project characteristics and corresponding GHG Reduction measures are consistent with state, regional and local plans and policies such as AB32, SB375, and SCAG's 2012-2035 RTP/SCS growth strategy, which have been adopted for the purposes of reducing greenhouse gas emissions.

Table 7
Project Operational Greenhouse Gas Emissions

Emissions Source	Estimated Project Generated CO ₂ e Emissions (Metric Tons per Year)		
	Project Without GHG Reduction Measures	Project With GHG Reduction Measures	Percent Reduction
Area	12	12	0%
Energy	4,010	3,432	14%
Waste	155	76	51%
Water	578	488	16%
Mobile (Motor Vehicles)	7210	5,509	24%
Construction Emissions ^a	84	84	0%
Project Total	12,049	9,601	20%
^a The total construction GHG emissions were amortized over 30 years and added to the operation of the Project. Calculation data and results provided in Attachment A, Air Quality and Greenhouse Gas Emissions CalEEMod Worksheets.			

In addition to the code-required GHG reduction benefits described above, the Proposed project is an infill development and is located in a High Quality Transit Priority area, which would reduce the Project's mobile source traffic emissions. As noted in Table 7, below, the Project's reduction in mobile source GHG emissions as a result of the project's proximity to transit and jobs is estimated to be 24 percent. Although it is not applicable for residential developments, for comparative purposes it is worth noting that the SCAQMD adopted a numeric threshold of significance of 10,000 CO₂e MTY for industrial projects. Therefore, the Project's generation of GHG emissions would not make a project-specific or cumulatively considerable contribution to conflicting with an applicable plan, policy or regulation for the purposes of reducing the emissions of greenhouse gases and, the Proposed Project's impact would be less than significant.

Response b: Less Than Significant Impact. The City of Los Angeles has begun to address the issue of global climate change by publishing Green LA, An Action Plan to Lead the Nation in Fighting Global Warming (the L.A. Green Plan). This document outlines the goals and actions the City has established to reduce the generation and emissions of greenhouse gases from both public and private activities. According to the L.A. Green Plan, the City is committed to the goal of reducing emissions of CO₂ to 35 percent below 1990 levels. To achieve this, the City

will:

- Increase the generation of renewable energy;
- Improve energy conservation and efficiency; and
- Change transportation and land use patterns to reduce dependence on automobiles.

The Proposed Project is located in the downtown area of the City of Los Angeles, is in close proximity to various modes of mass transit, and would provide residential uses in close proximity to employment opportunities in the downtown area. The Project Site is accessible to various MTA bus lines, the DASH service, and is located only two blocks south of the Los Angeles County Metro Rail system's 7th and Metro Blue Line Station (located at the corner of 7th Street and Flower Street). As such, the Proposed Project would be consistent with the strategies identified in the L.A. Green Plan, and the Project's potential impact on greenhouse gas emissions and climate change would be less than significant under the L.A. Green Plan. Furthermore, the project design would exhibit the applicable strategies and goals outlined in the 2006 CAT Report Strategies and ARB's Scoping Plan Recommended Measures for a project of this size and type. Accordingly, it is anticipated that the Proposed Project would be consistent with all feasible and applicable strategies to reduce greenhouse gas emissions in California. As such, the Proposed Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases and the Proposed Project's impacts would be less than significant.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for the people residing or working	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

in the area?

g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

☐☐☒☐

h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

☐☐☐☒

The 2005 MND found that the residential and commercial/retail uses associated with the Approved Project would use minimal amounts of hazardous materials for routine cleaning and, as such, would not pose a substantial risk involving the routine transport, use, and disposal of hazardous materials. However, environmental impacts may result from the Proposed Project's implementation due to its location in an area of potential methane gas zone. Mitigation Measures VIII-1 through VIII-3, as identified in the 2005 MND (and restated below) would ensure that the site is developed in a manner that appropriately mitigates any hazards to less than significant levels. Therefore, no new impacts would occur.

Mitigation Measures:

VIII-1 All commercial, industrial, and institutional buildings shall be provided with an approved Methane Control System, which shall include these minimum requirements; a vent system and gas-detection system which shall be installed in the basements or the lowest floor level on grade, and within underfloor space of buildings with raised foundations. The gas-detection system shall be designed to automatically activate the vent system when an action level equal to 25% of the Lower Explosive Limit (LEL) methane concentration is detected within those areas.

VIII-2 All commercial, industrial, institutional and multiple residential buildings covering over 50,000 square feet of lot area or with more than one level of basement shall be independently analyzed by a qualified engineer, as defined in Section 91.7102 of the Municipal Code, hired by the building owner. The engineer shall investigate and recommend mitigation measures which will prevent or retard potential methane gas seepage into the building. In addition to the other items listed in this section, the owner shall implement the engineer's design recommendations subject to Department of Building and Safety and Fire Department approval.

VIII-3 All multiple residential buildings shall have adequate ventilation as defined in Section 91.7102 and the Municipal Code of a gas-detection system installed in the basement or on the lowest floor level on grade, and within the underfloor space in buildings with raised foundations.

IX. HYDROLOGY AND WATER QUALITY.

Would the proposal result in:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned land uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Place housing within a 100-year flood plain as mapped on federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year flood plain structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The 2005 MND analyzed the Approved Project's construction and operational activities potential to result in adverse impacts with respect to surface water quality and water discharge into stormwater drainage systems and found that such impacts would be mitigated to acceptable levels below significance with compliance with the Standard Urban Storm Water Mitigation Plan (SUSMP) requirements to reduce potential water quality impacts. Implementation of the standard water quality mitigation measures IX-1 through IX-3 for construction, and IX-4 through IX-12 for operation (and restated below), would continue to apply to the Proposed Project. Therefore, the

Proposed Project would not increase the severity of any previously disclosed impacts and impacts would remain less than significant after mitigation.

Mitigation Measures:

- IX-1 Outlets of culverts, conduits, and channels shall be protected from erosion by discharge velocities by installing rock outlet protection. Rock outlet protection is a physical device composed of rock, grouted riprap, or concrete rubble placed at the outlet of a pipe. Install sediment traps below the pipe-outlet. Inspect, repair and maintain the outlet protection after each significant rain.
- IX-2 Appropriate erosion control and drainage devices shall be incorporated to the satisfaction of the Building and Safety Department, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code.
- IX-3 The Project Applicant shall prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to incorporate structural BMPs during the construction of the Proposed Project in accordance with the Standard Urban Stormwater Mitigation Plan and/or per manufacturer's instructions.
- IX-4 The Project Applicant shall implement stormwater BMPs to retain or treat the runoff from a storm event producing 3.4 inches of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development of Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard shall be required.
- IX-5 Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- IX-6 Development shall be concentrated or clustered on portions of the Project Site while leaving the remaining land in a natural undisturbed condition. Limit clearing and grading of native vegetation at the Project Site to the minimum needed to build lots, allow access, and provide fire protection. Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- IX-7 Any connection to the sanitary sewer shall have authorization from the Bureau of Sanitation.
- IX-8 Roof runoff systems shall be installed where suitable. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.
- IX-9 All storm drain inlets and catch basins within the project area shall be stenciled with prohibitive language (i.e., NO DUMPING – DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.

Prefabricated stencils can be obtained from the Department of Public Works, Stormwater Management Division. Legibility of stencils and signs must be maintained.

IX-10 Materials with the potential to contaminate stormwater shall be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.

IX-11 The storage area shall be paved and sufficiently impervious to contain leaks and spills. The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.

IX-12 An efficient irrigation system shall be designed to minimize runoff, including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers.

X. LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Approved Project authorized the development of 629 residential units and 27,000 square feet of ground floor retail, for a total of 750,910 square feet of development. The permitted FAR for the entire Approved Project is 7.44:1.

Phase I of the Approved Project has already been completed. During Phase I, the central parking structure, Tower 1, and the six-story Lofts Building were constructed. Tower 1 is developed with 271 DUs and 4,701 square feet of ground floor retail space. The Loft Building consists of 77 DUs and 6,575 square feet of retail.

Los Angeles Municipal Code Section 17.14 governs the procedures and criteria for approving modifications to final tract maps. Increases in the residential density of previously approved tract maps of up to 10 percent may be authorized by the City of Los Angeles pursuant to LAMC Section 17.14.E. The Proposed Project proposes to increase the overall number of units in the Apex project by 9.5 percent (from 629 units to 689 units). The Proposed Project includes 60 more residential units and 4,037 less retail square footage than previously approved. The total floor area of the Project would remain unchanged. The height and massing of the Phase II Tower would remain unchanged. The Proposed Project would also include a minimum of 40 parking spaces (in addition to the 958 existing spaces built in Phase 1), and 347 long-term and 40 short bicycle parking spaces in a 3-level

subterranean parking garage. Based on a requirement of 1.25 spaces per unit, and 1 space per 1,000 square feet of retail space, the Revised Project would require total of 438 parking spaces (426 residential and 12 commercial). The Project's parking requirement would be met through a combination of surplus spaces provided in Phase I and within the 3-level subterranean parking garage below Tower 2.

Regulatory Changes

The Project Site is located within the Central City Community Planning Area, the Central Business District Redevelopment Project Area, and the City Center Redevelopment Project Area. In addition, the Project Site is located in the Downtown Adaptive Reuse Incentive Area. The portions of the Project Site that front Figueroa Street and 9th Street are zoned Commercial (C2-4D) with a corresponding Regional Center Commercial land use designation in the General Plan. The portion of the Project Site that fronts Flower Street is zoned Multiple Dwelling ([Q]R5-4D) with a corresponding High Density Residential land use designation in the General Plan. The Zoning and General Plan land use designations for the Project Site have not changed since the MND was adopted. However, there have been several Ordinances passed specifically aimed at stimulating development in downtown Los Angeles since the Approved Project was initially approved in 2005. They are discussed as follows:

Downtown Housing Ordinance (Ordinance 179,076)

In order to encourage more housing downtown, the City Council adopted the Downtown Housing Ordinance (DHO), effective September 23, 2007, establishing a Greater Downtown Housing Incentive Area. The incentives of the DHO are summarized below:

- Buildable area is the same as lot area.
- Unit density is no longer based on lot area. Density is now based on the amount of floor area within the project. (Note: the total floor area utilized by guest rooms cannot exceed the total floor area utilized by dwelling units.)
- Floor Area requirements for mixed-use developments with apartments and/or residential condominiums will not need to deduct any area lost to highway dedications or setbacks.
- The requirement for yard setbacks is waived (except under the Urban Design Guidelines).
- There is no prescribed percentage of the required open space that must be provided as either common open space or private open space.
- A Floor Area bonus has been established for developers who provide a percentage of units for low and moderate income housing within the development
- Workforce income housing is defined for the first time.

Balconies and Decks

Per ZA 2007-3430 (ZAI) balconies and decks are no longer considered floor area as long as they are:

- Project is built at an R3 density or greater;
- Not recessed but project beyond the perimeter of the building;

- Remain unenclosed except for the guard rails required by the Building Code;
- Qualify as Open Space pursuant to Section 12.21-G,2(b)(2) of the LAMC.

Green Building Code (Ordinance No. 181480, adopted December 15, 2010)

The City of Los Angeles *L.A. Green Building Code* (Ordinance No. 181480), which incorporates applicable provisions of the CALGreen Code, and in some cases outlines more stringent GHG reduction measures available to development projects in the City of Los Angeles is consistent with statewide goals and policies in place for the reduction of greenhouse gas emissions, including AB 32 and the corresponding Scoping Plan. Among the many GHG reduction measures outlined later in this Section, the *L.A. Green Building Code* requires projects to achieve a 20 percent reduction in potable water use and wastewater generation, meet and exceed Title 24 Standards adopted by the California Energy Commission on December 17, 2008, and meet 50 percent construction waste recycling levels. New development Projects are required to comply with the *L.A. Green Building Code*, and therefore are generally considered consistent with statewide GHG-reduction goals and policies, including AB 32.

Downtown Design Guide

The Proposed Project supports the Downtown Design Guide standards and guidelines for creating a sustainable project by redeveloping an underutilized site with an urban infill mixed-use residential development, which maximizes allowable density adjacent to a light rail line, several bus lines, and within a jobs rich area, thus minimizing urban sprawl. Though the Project was approved before the Downtown Design Guidelines were published, the Project's conformity with the Downtown Design Guidelines has been assessed and a consistency table has been submitted to the case file. As noted in the conformity checklist for Project Submittal, the Proposed Project substantially complies with the applicable regulations, findings, standards and provisions of the Downtown Design Guide.

Bicycle Ordinance (No. 182386 effective March 13, 2013)

In March 2013, the City adopted the citywide Bicycle Ordinance amending Sections 12.03, 12.21, and 12.21.1 of the LAMC to, among other things, extend bicycle parking requirements to some multi-family residential developments; to increase the levels of bicycle parking required under the current code for new developments and additions to commercial, institutional, and industrial uses. Consistent with the provisions of the Bicycle Ordinance, the Proposed Project would include 347 long-term and 40 short bicycle parking spaces in a 3-level subterranean parking garage.

Figueroa and Olympic Sign District (No. 182200 effective September 12, 20012)

Subsequent to the 2005 MND being adopted, the Figueroa and Olympic Sign District was adopted setting forth specific signage regulations for the block bounded by Figueroa Street to the west, 9th Street to the north, Flower Street to the east and Olympic Boulevard to the south. The regulations of Ordinance 182200 are in addition to those set forth in the planning and zoning provisions of the Code. The Figueroa and Olympic Sign District contains provisions that establish regulations for sign types, sign height, sign area, number of signs, sign dimensions, sign

content or other time, place or manner regulations that are different from, more restrictive than or more permissive than the Code would allow. Accordingly, the Proposed Project's signage would be regulated by the provisions set forth in the Figueroa and Olympic Sign District.

Entitlements

The MND required necessary land use approvals be obtained through the Department of City Planning, which is updated below. The approval of the current application would bring the project in conformance with the planning and zoning code and no new impacts would result.

X-1 Prior to construction of the Proposed Project, the Project Applicant shall procure all necessary entitlements and land use approvals from the City of Los Angeles Department of City Planning and the Community Redevelopment Agency, including but not limited to the various discretionary actions identified in the request for Vesting Tentative Tract Map 62367, and outlined in Section II. Project Description, of this document.

XI. MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

As discussed in the 2005 MND, the Project Site is a designated Commercial zone (C2-4D) and High Density Residential zone ([Q]R5-4D) and is not known to contain any significant mineral resources. The Project Site is not located within an "O" (Oil Drilling) District, nor is it located within a Mineral Resource Zone 2 (MRZ-2) Area, an Oil Drilling/Surface Mining Supplemental Use District, or Oil Field/Drilling Area. Therefore, no impact associated with the loss of availability of a known mineral resource would occur. This conclusion would not be affected by the proposed changes.

Mitigation Measures:

No potentially significant environmental impacts were identified for this issue area. Therefore, no mitigation measures are necessary.

XII. NOISE. Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Exposure of persons to or generation of noise in level in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exposure of people to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The 2005 MND analyzed both construction and operational noise impacts that could be created by the Proposed Project. As stated in the 2005 MND, construction noise levels can be expected to range from 84 dBA to 89 dBA at a distance 50 feet from the construction site, prior to the use of mufflers. Noise levels with the use of mufflers can be expected to range from 82 dBA to 86 dBA at a distance 50 feet from the construction site. Land uses in the vicinity of the Project Site include multiple-family residential buildings; commercial uses, including restaurants, office buildings, and hotels; and surface parking lots. Noise sensitive uses within 500 feet of the Project Site include: The Skyline, a 14-floor multi-family residential building with ground-floor retail located at 600 W. 9th Street, directly across Flower Street east of the Project Site; and The Metropolitan, a 14-floor multi-family residential building located at 930 S. Flower Street, directly across Flower Street southeast of the Project Site. Tenth Street Elementary School, located at 1000 Grattan Street, is approximately 0.6 mile (well over 500 feet) west of the Project Site.

Since 2005, the Phase I portion of the Project Site has been developed which includes the multifamily Tower I and the Lofts Building, which include multi-family residential and retail uses. In addition to changes on the southern portion of the Project Site, several new developments have been constructed in the surrounding area since the 2005 MND was prepared, which include: the 35-story multi-family residential and commercial WaterMarke Tower, located north of the Project Site across 9th Street (constructed in 2009); and the seven-story 9th and Flower residential mixed-use building located on the northeast corner of the intersection of 9th Street and Flower Street (constructed in 2007).

The Proposed Project would result approximately the same general floor area and building massing compared to what was initially approved for the site for Phase II of the Approved Project. As anticipated in the MND, several project sites within the LASED Specific Plan are anticipated to be developed on the east side of Figueroa Street fronting the Project Site. As Phase I of the Proposed Project is complete and occupied, the residents of Apex's Phase 1 Tower and Lofts buildings would be exposed to temporary construction noise during the length of construction. However, as a planned phased development the residents were made aware of the Project's Phase II construction impacts and were presented with disclosure notices prior to taking up residency in Phase I. As such, the exposure of construction noise would be the same and as anticipated and disclosed in the MND for the Approved Project. Pursuant the Noise Ordinance, construction noise levels are exempt from the ambient noise level threshold identified in the Noise Element if all technically feasible noise attenuation measures are implemented. Mitigation measures XII-1 through XII-9 were adopted in conjunction with the MND to mitigate construction noise levels to a less than significant level. These mitigation measures (restated below) would still apply to the Proposed Project and no new impacts would result. Therefore, with implementation of the mitigation measures identified in the 2005 MND (restated below), the Proposed Project would have a less-than-significant impact.

The Proposed Project would result in 60 more residential units and 4,037 less retail square footage than previously approved for the Approved Project. As compared to the 2,624 daily trips that were projected to be generated by the Approved Project, the Proposed Project would result in an approximate 2.8 percent increase in the daily trips. It would take a doubling of the Project's traffic volume (or a 100 percent increase in vehicle trips), to increase the ambient traffic related noise by 3 dBA, which is the increase required to make a noticeable change in the ambient noise conditions. As the proposed project would only result in a 2.8 percent increase in vehicle trips, the increase in noise levels would be indiscernible to the human ear. As such, operational noise impacts would be less than significant.

The Modified Project proposes the addition of an approximately 4,050 square feet of amenity space on a rooftop deck and outdoor recreation spaces. Outdoor deck and amenity areas were proposed as part of the original Project and were adequately analyzed in the 2005 MND. The Tower 1 and the Lofts Building have been constructed with sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room. The added outdoor areas proposed by the Applicant, including the rooftop deck, would not substantially alter or change the operational characteristics of the Original Project. Additionally, all aspects of the Apex Project are required to comply with the City of Los Angeles Noise Ordinance (144,331), which prohibits unnecessary, excessive, and annoying noise. With implementation of Mitigation Measure XII-9 and compliance with the L.A.M.C. operational noise impacts resulting from operation of the Project will remain less than significant as analyzed in the 2005 MND.

Mitigation Measures:

XII-1 The Proposed Project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574 and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

XII-2 Construction and demolition shall be restricted to the hours of 7:00 AM to 6:00 PM Monday through Friday,

and 8:00 PM to 6:00 PM on Saturdays.

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

XII-4 Power construction equipment with state-of-the-art noise shielding and muffling devices shall be used.

XII-5 The Proposed Project shall comply with the Noise Insulation Standards of Title 24 of the California Code of Regulations, which insure an acceptable interior noise environment.

XII-6 All construction truck traffic shall be restricted to truck routes approved by the City of Los Angeles Department of Building and Safety, which shall avoid residential areas and other sensitive receptors to the extent feasible.

XII-7 Concrete shall be used in place of metal in the construction of parking ramps.

XII-8 The interior of ramps shall be textured to prevent tire squeal at turning areas.

XII-9 All residential exterior windows shall be constructed with double-pane glass. All exterior wall construction shall provide a Sound Transmission Class of 50 or greater as defined in UBC No. 35-1, 1979 edition or any amendment thereto. Alternately the Project Applicant may submit evidence, along with the application for a building permit, of an alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

Note: Mitigation Measure XII-3 has been changed to include the language “to the extent feasible” to reflect the practicality of enforcing this measure during construction. A strict interpretation of this measure would prohibit operating more than one piece of equipment at a time, which is not practical or within the intent of this measure.

XIII. POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Induce substantial population growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing housing necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

In 2000, the estimated population in the Central City CPA was approximately 25,208 persons. The Community

Plan's expected population growth for the Central City CPA in 2010 was projected to be 27,212 persons. In the past decade there has been substantial redevelopment within the Central City Area with a growing demand for housing in the downtown area. Per the 2010 Census, the population of the Central City CPA was 37,675 persons. The Department of City Planning's current population estimate for the Central City CPA in 2014 is 44,375 persons.³

With regard to population and housing impacts, the 2005 MND concluded that the Approved Project would generate 629 dwelling units, approximately 969 residents, and approximately 60 employees within the Central City Planning area of the City of Los Angeles. By comparison the Proposed Project would include the construction of 60 more residential units above the 629 analyzed in the 2005 MND, thereby generating approximately 92 additional residents as compared to the Approved Project. The number of new employees generated by the Proposed Project would be the same as that analyzed in the 2005 MND as no increase in retail square footage is proposed. As the Proposed Project's increase in residents and housing units in the Central City has already been accommodated within regional and local plans (i.e., Central City Community Plan), the Proposed Project's population and housing impacts would be less than significant. Additionally, the Project Site is vacant of any structures and is currently used as surface parking. Therefore, the Proposed Project would not displace existing housing and no significant new population or housing impacts would occur. No mitigation measures are required.

Mitigation Measures:

No potentially significant environmental impacts were identified for this issue area. Therefore, no mitigation measures are necessary.

XIV. PUBLIC SERVICES.

a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

³ Department of City Planning, DRU, Population/Housing Estimate (7/01/2014).

Fire Protection

The 2005 MND analyzed the Approved Project's potential to increase demands upon LAFD services. Based on the response distance from Fire Station No. 10 to the Project Site, the 2005 MND concluded fire protection would be considered adequate. The adequacy of existing water pressure and availability in the project area with respect to required fire flow is determined by LAFD during the site plan review process prior to construction. As part of the project design, improvements to water infrastructure to increase the capacity of the surrounding area would be made in order to meet the requirements of the LAFD. Potential environmental impacts upon fire services were found to be mitigated to a less than significant impact through the implementation of Mitigation Measure XIV-1 (restated below). The Proposed Project would include an increase of 60 residential units, which would marginally increase the demands upon LAFD for fire protection services. However the Proposed Project would be built to current LAMC and Fire Code standards. Therefore, with implementation of Mitigation Measure XIV-1 (restated below) impacts would be reduced and no new impacts would result. No additional fire-related mitigation measure are required for the Proposed Project.

Mitigation Measures:

XIV-1 The Project Applicant shall submit a plot plan to the Fire Department for approval either prior to the recordation of a final map or prior to the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant; and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

Police Protection

The 2005 MND analyzed the Approved Project's potential to increase demands upon LAPD services. The 2005 MND found that environmental impacts may result from project implementation due to the location of the project in an area having marginal police services. However, this potential impact would be mitigated to a level of insignificance by mitigation measure XIV-2 (restated below). As the Proposed Project would include an increase of 60 residential units, impacts upon police protection services would continue to be mitigated to a less than significant impact with mitigation.

Mitigation Measures:

XIV-2 Project design guidelines shall discuss access control to proposed structures, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public spaces with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the Project Site if needed. The Design out Crime Guidelines: Crime Prevention Through Environmental Design, published by LAPD, shall be used for reference. These measures shall be approved by the Police Department prior to the issuance of building

permits.

Schools

As disclosed in the 2005 MND, the Approved Project would generate approximately 131 elementary school students, 59 middle school students and 56 high school students, for a total of approximately 246 students. The Approved Project would develop 60 additional residential units above the 629 residential units allowed under the Approved Project. As such, based on the LAUSD student generation rates used in the 2005 MND, the Proposed Project has the potential to increase the student population by 13 elementary school students, 6 middle school students and 6 high school students. However, current LAUSD student generation rates have actually decreased in recent years for elementary and middle school students. Using current student generation rates provided in the Los Angeles Unified School District School Facilities Needs Analysis, September 2012, the proposed increase of 60 additional residential units has the potential to generate 19 students, including 10 elementary school students, 3 middle school students and 6 high school students. Additionally, under the current LAUSD student generation rates, the 629 units allowed under the Original Project would only generate 193 students. Therefore the proposed 60 additional units combined with the approved 629 residential units would actually result in a net *decrease* of 34 students as compared to the 2005 MND, and therefore no new significant effects or substantially more severe effects would occur with respect to school services by the minor changes proposed by the Applicant.

Furthermore, at the time the 2005 MND was prepared, the Project Site was served by the following schools: 10th Street Elementary School, located at 1000 Grattan Street (K-5th grade); Berendo Middle School, located at 1157 Berendo Street (6th – 8th grade); and Belmont High School, located at 1575 W. 2nd Street (9th – 12th grade). Since the preparation of the 2005 MND several schools have been completed in the vicinity that would also serve the Project Site: Olympic Primary Center, located at 950 S. Albany Street (kindergarten students; completed in 2005); John H. Liechty Middle School, located at 650 S. Union Avenue (6th – 8th grade; completed in 2007); Belmont SH Teacher Preparatory Academy, located 1200 W. Colton Street (9th – 12th grade; completed in 2008); Miguel Contreras Learning Complex, located at 322 S. Lucas Avenue, (9th – 12th grade; completed in 2006); Ramon C. Cortines School of Visual and Performing Arts, located at 450 N. Grand Avenue (9th – 12th grade; completed in 2009); and Edward R. Roybal Learning Center, located at 1200 W. Colton Street (9th – 12th grade; completed in 2008). Olympic Primary Center was built to relieve student volume at 10th Street Elementary. John H. Liechty Middle School was built to relieve student volume at Berendo Middle School. Miguel Contreras Learning Complex, Ramon C. Cortines School of Visual and Performing Arts, Belmont SH Teacher Preparatory Academy, and Edward R. Roybal Learning Center were built to relieve student volume at Belmont High School. Berendo Middle School no longer serves the Project Site. Information provided by LAUSD and contained in the record (Los Angeles Unified School District, Resident School Finder, website: <http://rsi.lausd.net/ResidentSchoolIdentifier/>, accessed May 2015; Los Angeles Unified School District, Enrollments by Ethnicity, website: <http://search.lausd.k12.ca.us/cgi-bin/fccgi.exe?w3exec=enroll0>, accessed May 2015; Facilities Services Division, Los Angeles Unified School District, website: <http://www.laschools.org/find-schools/all-projects-colin>, accessed May 2015) demonstrates that schools serving the Project Site are below capacity and would therefore be able to accommodate the additional students generated by the Project. As discussed in the Addendum, potential school impacts would be mitigated by mitigation measure XIV-3, which

requires payment of applicable school fees in accordance with Government Code Section 65995.

The Proposed Project would not change the conclusions of the 2005 MND with respect to construction impacts on schools because the volume of construction is not increasing. Moreover, the 2005 MND presented a conservative estimate of construction activities as regards Phase II because the volume of construction and soil export required for Phase II is substantially less than for Phase I. Additionally, the nearest school is Olympic Primary Center, which is located at 950 Albany Street, approximately 0.6 mile west of the Project Site.

Nevertheless, potential impacts upon school facilities would be mitigated by mitigation measure XIV-3 (restated below), which would apply to the Proposed Project. Since the payment of school fees is based on the number of dwelling units being developed, the mitigation measure is proportionate to the anticipated level of students to be generated by the Modified Project. Thus, with mitigation, the Proposed Project would not generate any new impacts.

Mitigation Measures:

XIV-3 The Project Applicant shall pay all applicable school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.

Parks

As analyzed in the 2005 MND, the Approved Project includes on-site recreational amenities to serve the recreational needs of the residents and offset additional demands for park facilities that may result from implementation of the Approved Project. ZA-2005-1673-ZV-ZAA-SPR authorized the project to provide 39,208 square feet of common open space in light of the desirability of the project's maximizing ground floor retail space, the cost of property in the South Park Area of Downtown and the project's proximity to such open space and recreational features as Grand Hope Park, L.A. Live, Gilbert Lindsay Plaza, and Pershing Square, as well as the fact that existing buildings located in the same zone and vicinity being converted to residential uses under the Adaptive Reuse Ordinance are not required to comply with open space requirements. As part of the initial phases of the Apex project's development all of the open space required by ZA-2005-1673-ZV-ZAA-SPR for the entirety of the Apex project has been provided through the existing pool deck, mid-block paseo, Urban Park and fitness room. The Apex II project proposes to increase the overall number of units in the Apex project by 9.5%. The Apex II project will also add 13,535 square feet of common open space to the project, thus increasing total common open space by approximately 34% from the amount required by ZA-2005-1673-ZV-ZAA-SPR, for a total requirement of 52,743 square feet of common open space. Such additional open space will be provided by a 4,049 square foot rooftop deck with fire pit, two residential lounges, a 1,959 square foot indoor amenity space, and 5,300 square feet of private open space with residential balconies.

Additionally, pursuant to LAMC Section 21.10.3, the City of Los Angeles imposes a mandatory dwelling unit construction tax to mitigate impacts upon park and recreational facilities. The tax collected pursuant to this ordinance is required to be placed in a "Park and Recreational Sites and Facilities Fund," to be exclusively for the acquisition and development of park and recreational sites and facilities. Any future residential development on

the Project Site would be subject to this tax. Pursuant to LAMC Section 17.12, the Project Applicant would be responsible for the payment of all applicable Quimby fees to the City of Los Angeles. The provision of onsite recreational facilities, along with payment of Quimby fees for the additional dwelling units would serve to mitigate project-related impacts for the Proposed Project. Since the assessment of the City's dwelling unit construction tax and assessment of Quimby fees are based on the number of dwelling units being developed, the mitigation measure is proportionate to the anticipated demands that would be created by the additional dwelling units proposed under the Modified Project. Thus, potential impacts upon neighborhood or regional parks would be reduced to less-than-significant levels upon implementation of mitigation measure XIV-4 (restated below).

Mitigation Measures:

XIV-4 Pursuant to LAMC Section 17.12-A, the Project Applicant shall pay all applicable Quimby fees for the construction of condominium units.

Other Public facilities

With respect to library services, the 2005 MND noted that the Original Project would be served by several Los Angeles Public Library (LAPL) branches, including the Central Library, located at 630 W. 5th Street, approximately 0.6 miles northeast of the Project Site, and the newly built Pico Union Branch Library, located at 1030 Alvarado Street, approximately 1.3 miles west of the Project Site. The 2005 MND also anticipated the construction of the Little Tokyo Branch Library, located 1.4 miles from the Project site. As noted earlier, the student generation potential of the Original Project has decreased from that assumed when the 2005 MND was adopted. The construction of the Little Tokyo Branch Library has now been completed, providing an additional 12,500 square-foot library facility to serve the community. There are no further plans to construct library facilities in the Project area. Accordingly, there is no substantial evidence that the minor changes proposed by the Applicant would result in new or physically altered library facilities, the construction of which could cause significant environmental impacts.

XV. RECREATION.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

As discussed above, ZA-2005-1673-ZV-ZAA-SPR authorized the project to provide 39,208 square feet of common open space on-site to serve the recreational demands for the Project's residents. Under the Proposed Project, the

amount of square feet of common open space would be increased to 52,743 square feet, with the addition of a 4,049 square foot rooftop deck with fire pit, two residential lounges, a 1,959 square foot indoor amenity space, and 5,300 square feet of private open space with residential balconies to serve the demands of the residents in Tower 2. The provision of the onsite recreational and outdoor facilities, together with the payment of any required Quimby fees, would satisfy the need for any new or physically altered parks or recreational facilities in order to maintain current service ratios. The Proposed Project would generate an increase of approximately 92 additional residents as compared to the Approved Project. As such, Mitigation Measure XIV-4 would still apply to the Proposed Project. Therefore, the Proposed Project's impact upon parks and recreational facilities would be reduced to a less-than-significant level.

Mitigation Measures:

No potentially significant environmental impacts were identified for this issue area. Therefore, no mitigation measures are necessary.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/CIRCULATION. Would the project:				
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The 2005 MND analyzed the potential of the project to impact the surrounding roadways and street system. As concluded in the Traffic Study presented in full in Appendix F to the MND, the Approved Project was expected to generate a total of 2,624 daily trips, including 183 a.m. peak hour trips and 238 p.m. peak hour trips. The 2005 Traffic Study was conducted based on 629 dwelling units and 27,000 square feet of commercial/retail space. The analysis contained in that report showed that the proposed project was not expected to generate any significant traffic impacts after mitigation at two locations. LADOT agreed with the findings of that report and drafted an Approval Letter dated May 27, 2005 (DOT Case No. CEN 04-1591).

The Mobility Group submitted a Traffic Review Memorandum on September 23, 2014 addressing minor modifications to the Proposed Project. The revised Project Description totals include 689 apartment units (a 60 unit increase) and 22,963 sq. ft. of retail space (a 4,037 square-foot decrease). Trip generation estimates were prepared for the Revised 2014 Project Description and were compared to those calculated for the Original 2005 Traffic Study. It was determined that the daily trips were expected to increase from 2,624 trips to 2,696 trips. The AM peak hour trips were expected to increase from 183 trips to 197 trips and PM peak hour trips are expected to increase from 238 trips to 244 trips. Revised level of service analyses were conducted at the study intersections identified in the 2005 Traffic Study using the trip generation estimates calculated for the Revised 2014 Project. The LOS calculations were also updated to account for all existing and planned bike lanes that are to be implemented in the study area. It was calculated that the increase in vehicle trips generated by the Revised 2014 Project would not create any new significant impacts at any of the study locations.

In that memorandum it was concluded that the proposed change in the Project Description is expected to result in a slight increase in the overall number of vehicle trips generated by the Project. However, the increase in vehicle trips as a result of the change from the 2005 Project Description to the 2014 Project Description was not expected to create any new significant impacts. It was therefore concluded that the change in Project Description would not create any new significant impacts and that a new traffic study was not necessary. The Original 2005 Traffic Study identified two mitigation measures at the original two impact locations, and these measures would continue to be applicable. That memorandum, dated September 23, 2015 was approved by LADOT on October 3, 2014 (See Attachment B, 2014 Approval Letter).

A supplemental evaluation of the 2014 Project was conducted with a completely updated traffic analysis, including updated 2015 traffic counts, an updated related project list and updated intersection configurations to reflect recently installed and planned bike lanes. The Project description has not changed from the 2014 configuration. This revised analysis (dated November 24, 2015) was conducted in accordance with LADOT's current Traffic Impact Analysis Guidelines and was approved by LADOT staff in a written correspondence dated December 12, 2015 (See Attachment B, 2015 Approval Letter).

The traffic analysis included 2015 traffic counts (conducted in March and May of 2015) at all study intersections. This analysis took into account updated intersection lane configurations to account for existing and planned bike lanes and roadway improvements in the study area, including the MyFigueroa Project, and included a revised related project list with 69 current projects that are approved but not yet constructed, or proposed within the study

area. Trips for the completed Phase 1 portion of the project were included in the new 2015 traffic counts. The analysis of potential new impacts was therefore conducted on the incremental addition of trips from the yet to be completed Phase 2 portion of the project. These trip generation estimates, which are based on ITE Trip Generation 9th Edition, are shown in Table 2 in Attachment B. The intersection analysis was then updated for the existing traffic counts, the 2015 intersection lane configurations and the 2015 related project list. The updated intersection Level of Service analysis and Level of Service calculations are shown in Attachment B to this Addendum. The updated Traffic Study demonstrates that there would be no new significant traffic impacts from the 2005 Original Project and the 2014 Revised Project (Phase 2), as evaluated with updated 2015 conditions. However, the original two mitigation measures would continue to apply for the overall buildout of the project.

It should be noted that the 2005 MND stated that: “[c]onstruction of the Proposed Project could result in temporary closure of sidewalks on the streets surrounding the Project Site, however, lane closures are not anticipated.” It is now anticipated that construction of Phase II will require the temporary closure of the southernmost lane on 9th Street between Figueroa Street and Flower Street and the 9th Street sidewalk adjacent to the Project Site for the duration of the construction period. As noted in Mitigation Measure XVI-3, Construction Plan, below, a construction work site traffic control plan will be required to be submitted for DOT’s approval prior to the start of any construction work. The plan will show the location of the proposed roadway and sidewalk closures. During the construction period, through traffic on 9th Street will be changed from four eastbound lanes with a shared right-turn lane to three through lanes with a shared right-turn lane. Pedestrian access on the south sidewalk along 9th Street between Figueroa Street and Flower Street immediately fronting the Project Site would also be temporarily closed, and pedestrians would be directed to cross to the north side of 9th Street for east-west access between Figueroa Street and Flower Street. The pedestrian sidewalk on the west side of Flower Street fronting the Project Site would be closed only for a 3-month period during the grading and excavation activities, after which a protected and covered pedestrian walkway will be provided to facilitate north-south access on the west side of Flower Street during the remainder of the construction period. As the temporary lane and sidewalk closures would be temporary in nature and would not extend beyond the length of the construction period, this impact would be considered less than significant.

Mitigation Measures:

XVI-1 9th Street and Flower Street. Restripe the eastbound approach from four through lanes, and one exclusive right-turn lane to three through lanes, one shared through/right-turn lane, and one exclusive right-turn lane. This can be accomplished without any additional right-of-way and within the existing curb-to-curb width of 9th Street.

XVI-2 Figueroa Street and Olympic Boulevard: Restripe the westbound approach from one left-turn lane, two through lanes, and one shared through/right-turn lane to one left-turn lane, three through lanes, and one exclusive right-turn lane. This improvement would require street widening and obtaining additional right of way. [Note: This measure has already been complied with and is reflected in the existing conditions.]

XVI-3 Construction Plan: A construction work site traffic control plan shall be submitted to DOT for review and

approval prior to the start of any construction work. The plan should 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. DOT also recommends that all construction related traffic be restricted to off-peak hours.

XVI-4 The Project Applicant shall request and obtain approval for a variance seeking relief from the City Planning Department Deputy Advisory Agency's parking standards. [Note: This measure has already been complied with as reflected in the approved entitlements under Recorded Tract Map No 62367 and Case No. ZA-2005-1673-ZV-ZAA-SPR.]

XVII. UTILITIES. Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resource, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Wastewater

The Project Site is served by existing sewer lines in the streets surrounding the Project Site, including an existing eight-inch, 10-inch and 42-inch sewer lines in Figueroa Street and a 10-inch sewer line in Hope Street, which feed into an existing 24-inch sewer line in Hope Street. At the time the 2005 MND was prepared, current capacities of these sewer lines were unavailable; however, based on design capacities the sewer lines were expected to be able to accommodate the wastewater generated by the Approved Project. Final determination of local sewer line capacity

would be determined as part of the permitting process for the Approved Project. As shown in the 2005 MND, the Approved Project's 629 dwelling units and 27,000 square feet of commercial uses were estimated to generate approximately 88,320 gallons per day of sewage. While the Proposed Project would result in 60 additional dwelling units, the L.A. Green Building Ordinance mandates a 20% reduction in water use for all residential projects. Thus, the 360 dwelling units to be constructed under Phase II would be subject to the new energy and water efficiency standards and would generate less water and wastewater as compared to the Approved Project. As shown in Table 8, below, the wastewater generation for Phase II under the Proposed Project would be reduced by approximately 6,953 gpd as compared to what was estimated in the MND for the Approved Project. As such, the Proposed Project is expected to have a less-than-significant impact with respect to wastewater treatment and infrastructure. No new impacts would be created and no mitigation measures are required.

Table 8
Proposed Project Expected Sewage Generation

Type of Use	Size	Sewage Generation Rate (gpd/unit)	Total Sewage Generated (gpd)
Approved Project ^a			
Multi-Family Residential Units –Studios/1 Bdrm. Condos	386	120/du	46,320
Multi-Family Residential Units - 2 Bdrm. Condos	219	160/du	35,040
Multi-Family Residential Units - 3 Bdrm. Condos	24	200/du	4,800
Commercial Uses	27,000	80/1,000 sf	2,160
Total Sewage Generation of Approved Project			88,320
Phase I of the Approved Project (Completed)			
Multi-Family Residential Units –Studios	41	80/du	3,280
Multi-Family Residential Units –1 Bdrm. Condos	179	120/du	21,480
Multi-Family Residential Units - 2 Bdrm. Condos	123	160/du	19,680
Multi-Family Residential Units - 3 Bdrm. Condos	5	200/du	1,000
Commercial Uses	13,004	80/1,000 sf	1,040
Total Sewage Generation of Completed Phase I			46,480
Proposed Project			
Multi-Family Residential Units –Studios	96 du	64/du ^b	6,144
Multi-Family Residential Units –1 Bdrm. Condos	111 du	96/du ^b	10,656
Multi-Family Residential Units - 2 Bdrm. Condos	134 du	128/du ^b	17,152
Commercial Uses	11,687	80/1,000 sf	935
Total Sewage Generation of Proposed Project (Phase II)			34,887
Total Sewage Generation of Phase I and Phase II Combined			81,367
Net Change in Sewage Generation from Approved Project			-6,953
Notes: du = dwelling unit, gpd = gallons per day, sf = square feet			
^a ENV-2005-1674-MND.			
^b The standard sewerage generation rate was decreased by 20 percent to reflect a 20 percent mandatory water reduction pursuant to Ordinance 181480.			

Stormwater

The Project Site is currently served by existing storm drains in surrounding streets curbs. As discussed in the 2005 MND, the Project Site is entirely paved with surface parking and no permeable surface area remains. The Proposed Project would therefore neither increase nor decrease the amount of permeable surface area. As such, the Proposed Project would not increase the amount of surface runoff from the Project Site and runoff from the Project Site would not exceed the capacity of existing or planned stormwater drainage systems. Therefore, no impact would occur. The Proposed Project would not alter or change this conclusion. All surface water runoff from the site will continue to be conveyed to the public storm drain. The Proposed Project will however, include storm water BMPs (See Section IX. Hydrology And Water Quality), which will serve to retain and treat stormwater prior to discharging surface water runoff into the storm drains. Because no retention basins are provided by the surface parking operations, the Proposed Project will have a net benefit to stormwater flows after development. Impacts would be less than significant.

Water Supplies

Pursuant to Resolution No. 005-185 (See Attachment C), the LADWP Board of Commissioners approved the Water Supply Assessment prepared for the Approved Project and concluded that the water demand generated by the Proposed Project falls within the available and projected water supplies for normal, single-dry, and multiple-dry years through 2020, and within the 20-year water demand growth projected in LADWP's Year 2000 Urban Water Management Plan. As a result, the LADWP found that it would be able to meet the water demand of the Approved Project, in addition to existing and planned future uses of LADWP's system. As such, no new or expanded water entitlements or resources would be necessary for the operation of the Approved Project. With implementation of XVII-1 and XVII-2, impacts upon water availability were found to be less than significant in the prior MND.

L.A. Green Code: In 2010, the City adopted the 2010 California Green Building Standards Code, also known as CALGreen, with amendments, as Ordinance No. 181,480, thereby codifying provisions of CALGreen as the new Los Angeles Green Building Code ("*L.A. Green Building Code*"). As of January 2011, the *L.A. Green Building Code* is applicable to the construction of new buildings (residential and nonresidential), building alterations with a permit valuation of over \$200,000, and residential and nonresidential building additions. The *L.A. Green Building Code* contains both mandatory and voluntary green building measures for the reduction of GHG emissions through energy conservation. The *L.A. Green Building Code* requires projects to achieve a 20 percent reduction in potable water use and wastewater generation, meet and exceed Title 24 Standards adopted by the California Energy Commission on December 17, 2008, and meet 50 percent construction waste recycling levels. In addition, the Proposed Project is required to implement applicable energy conservation measures to reduce GHG emissions such as those described in AB 32, as described above.

The total water demands for the Proposed Project were recalculated to account for a 20 percent mandatory water conservation requirements imposed by the *L.A. Green Building Code*. As shown in Table 9, below, the revised water demand for the entire Project (Phase I and Phase II combined) would be approximately 3,976 gallons per day

(or 4 acre feet per year) below the water demand estimated by the DWP in the 2005 Water Supply Assessment (WSA) that was adopted for the Approved Project. Therefore, because the water demands for the Project would not exceed the estimated demands as identified in the WSA or MND, the Proposed Project would not result in any new significant water supply impacts. Mitigation measures XVII-3 and XVII-4 (restated below), which call for specific water conservation strategies have been superseded with the more restrictive energy conservation mandates imposed by the L.A. Green Building Code.

Table 9
Proposed Project Expected Water Demand

Land Use	Unit	Water Demand (gpd/unit)	Water Demand (gpd)	Water Demand (AF/Yr)
Loft	75	80	6,000	7
1 BR	304	120	36,480	41
2 BR	252	160	40,320	45
Commercial	39,414	0.08	3,153	4
Auto	363,157	0.02	7,263	8
Outdoor Water Use			17,821	20
Total Projected Water Demand (Per WSA)			111,037	124
Phase 1 Development As Built (Tower 1 and Lofts)				
Loft	41	80	3,280	4
1 BR	179	120	21,480	24
2 BR	123	160	19,680	22
3 BR	5	200	1,000	1
Commercial	13,004	0.08	1,040	1
Auto	197,405	0.02	3,948	4
Outdoor water use			17,821	20
Total Phase 1			68,249	76
Phase 2 (Proposed Project)				
Loft	96	80	7,680	9
1 BR	111	120	13,320	15
2 BR	134	160	21,440	24
Commercial	11,687	0.08	935	1
Auto	196,254	0.02	3,925	4
Subtotal Water Demand Phase 2			47,300	53
Less 20% Mandatory Water Conservation for Residential Plumbing Fixtures			-8,488	-10
Total Water Demand Phase 2			38,812	43
TOTAL WATER DEMAND (Phase 1 + Phase 2)			107,061	120
Net Change (Total Existing + Proposed – WSA Projection)			-3,976	-4
<i>Notes: du = dwelling unit, gpd = gallons per day, sf = square feet</i> <i>^a Los Angeles Department of Water and Power Water Supply Assessment for the 9th & Figueroa Project, February 23, 2005 (See Appendix C to this Addendum).</i> <i>^b Per the City of Los Angeles Green Building Code (Ordinance 181480) a schedule of plumbing fixtures and fixture fittings that will reduce the overall use of potable water within the building by at least 20 percent shall be provided.</i> <i>^c Preston Architect, PC, November 5, 2014.</i> <i>Source: Parker Environmental Consultants, 2014.</i>				

Mitigation Measures:

- XVII-1: The Proposed Project shall comply with City Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g., use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).
- XVII-2 If conditions require, LADWP may postpone new water connections for the Proposed Project until water supply capacity is adequate.

Solid Waste

Based on the analysis contained in the 2005 MND, the Approved Project would generate a maximum of 2,746 tons of construction waste during construction. Changes to the Proposed Project would not increase the floor area of the development and as such construction waste would not increase as compared to what was previously analyzed in the 2005 MND. During Operation the 2005 MND concluded that the Approved Project would generate approximately 2,651 pounds (1.32 tons) of solid waste per day during operation. The increase of 60 residential units as proposed by the Proposed Project would generate approximately 240 additional pounds (0.12 tons) of solid waste per day during operation. Although the Proposed Project would increase the Project's generation of solid waste as compared to the Approved Project, the amount of solid waste generated by the Proposed Project is within the available capacities at the area landfills. As such, no new significant solid waste impacts would occur. Additionally, implementation of mitigation measure XVII-3 through XVII-5 (restated below) would remain applicable to the Proposed Project and would further ensure that operational impacts related to solid waste are less than significant.

Mitigation Measures:

- XVII-5 All waste shall be disposed of properly. Use appropriately labeled recycling binds to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete; wood and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal facility.
- XVII-6 The Project Applicant shall institute a recycling program to the satisfaction of the Zoning Administrator to reduce the volume of solid waste going to landfills in compliance with the City's goal of a 50 % reduction in the amount of waste going to landfills by the year 2000.
- XVII-7 Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable materials

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects, which cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

As discussed in Section IV. Biological Resources and Section V. Cultural Resources, the Proposed Project would not create or contribute to any significant impacts to biological or cultural resources. As such, the Project does not have the potential to degrade the environment or habitat, reduce or threaten fish or wildlife populations or animal communities, or eliminate important examples of the major period of California history or prehistory and no impact would occur. In addition, the changes proposed for the Approved Project do not create or contribute to any significant impacts. As such, the Project does not contribute to any cumulatively considerable impacts. As identified in this Addendum, the Proposed Project does not create any significant impacts that may cause substantial adverse effects on human beings, either directly or indirectly. As such, impacts would be less than significant.

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

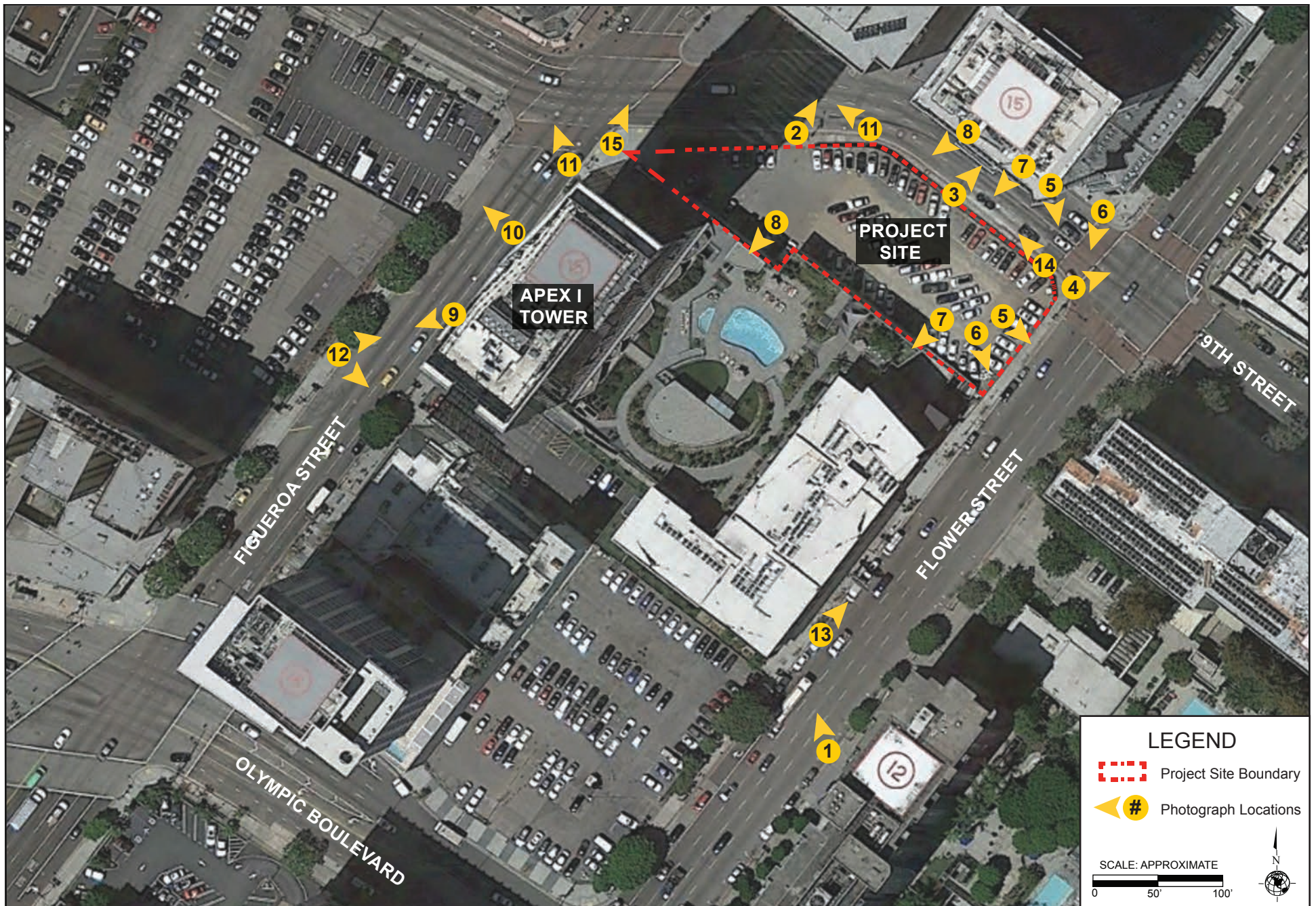
As noted above, the lead agency has determined that the proposed project may result a significant effect on the environment, and an environmental impact report is required.

PREPARED BY	TITLE	TELEPHONE #	DATE
Oliver Netburn	City Planning Associate	(213) 978-1382	January 7, 2016

Exhibits



Figure 1
Project Location Map



Source: Google Earth, 2014

Figure 2
Aerial Photograph of the Project Site



View 1: View from the 14-story residential building, The Metropolitan, looking northwest across Flower Street towards the Project Site.



View 1: View from the west side of Flower Street looking northwest at Tower I and the Lofts Building (Phase I of the Approved Project, constructed in 2009).



View 2: View from the Project Site looking north across 9th Street towards the 35-story International Bank of California tower.



View 2: View from the Project Site looking north across 9th Street towards the 35-story International Bank of California tower.



View 3: View from the Project Site looking north across 9th Street towards a surface parking lot.



View 3: View from the south side of 9th Street looking northeast at the 35-story WaterMarke Tower, formerly surface parking, constructed in 2009.

Source: Parker Environmental Consultants, 2014



Figure 3
Views of the Project Site and Surrounding Land Uses
Views 1, 2 and 3



View 4: View from the Project Site looking northeast across the intersection of 9th Street and Flower Street towards a vacant lot under construction.



View 4: View from the intersection of the 9th Street and Flower Street looking northeast at the seven-story mixed-use development, 9th and Flower, constructed in 2007.



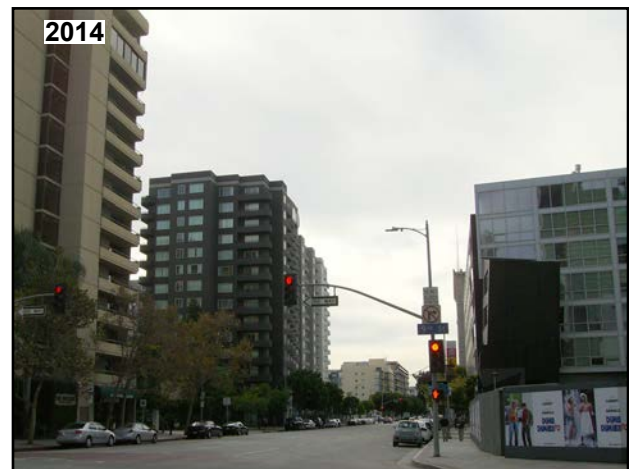
View 5: View from the Project Site looking east across Flower Street towards the 14-story multiple-family residential building, The Skyline.



View 5: View from the north side of 9th Street looking south at the Project Site.



View 6: View from the Project Site looking southeast across Flower Street towards the 14-story multiple-family residential building, The Metropolitan.



View 6: View from the intersection of 9th Street and Flower Street looking south towards the 14-story multiple-family residential building, The Metropolitan.

Source: Parker Environmental Consultants, 2014



View 7: View from the Project Site looking southeast towards a surface parking lot and the five-story Friday Morning Club building (right).



View 8: View from the Project Site looking south at the north face of the Friday Morning Club building located adjacent to the Project Site.



View 9: View from the Project Site looking southwest across Figueroa Street towards the three-story Inn Towne Motel, and the 11-story Hotel Figueroa.



View 7: View from the north side of 9th Street looking southeast at the Project Site and the seven-story Lofts Building, constructed under Phase I of the Approved Project.



View 8: View from the intersection of 9th Street and Flower Street looking east towards the Project Site and Tower I of the Approved Project.



View 9: View from the Project Site looking southwest across Figueroa Street towards the three-story Inn Towne Motel, and the 11-story Hotel Figueroa.

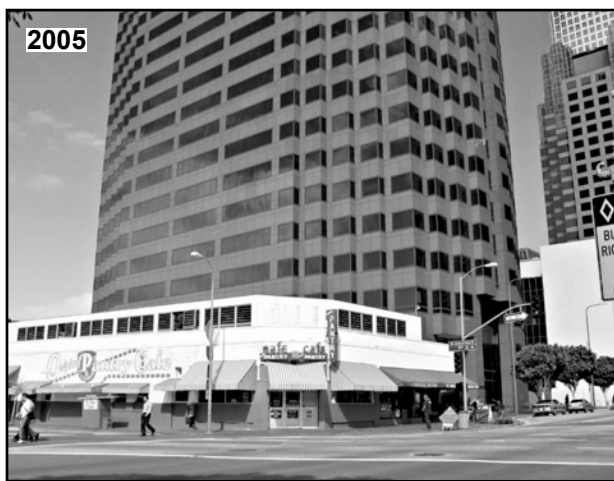
Source: ENV-2005-1674-MND, 2005; Parker Environmental Consultants, 2014



View 10: View from the Project Site looking west across Figueroa Street towards a surface parking lot.



View 10: View from the Project Site looking west across Figueroa Street towards a surface parking lot.



View 11: View from the intersection of 9th Street and Figueroa Street looking northwest towards the low-rise Pantry cafe and the 35-story commercial TCW tower.



View 11: View from the intersection of 9th Street and Figueroa Street looking northwest towards the low-rise Pantry cafe and the 35-story commercial TCW tower.



View 12: View from the west side of Figueroa Street looking east towards the front facade of the Friday Morning Club building.



View 12: View from the west side of Figueroa Street looking northeast towards Tower I of the Approved Project and the front facade of the Friday Morning Club building.

Source: ENV-2005-1674-MND, 2005; Parker Environmental Consultants, 2014



View 13: View from the west side of Flower Street looking north towards downtown Los Angeles.



View 13: View from the west side of Flower Street looking north towards downtown Los Angeles.



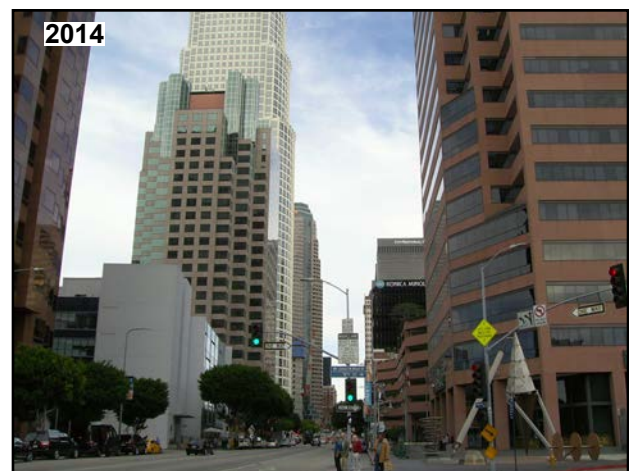
View 14: View from the south side of 9th Street looking west. The 35-story TCW tower and the 20-story International Bank of California tower.



View 14: View from the south side of 9th Street looking west. The 35-story TCW tower and the 20-story International Bank of California tower.

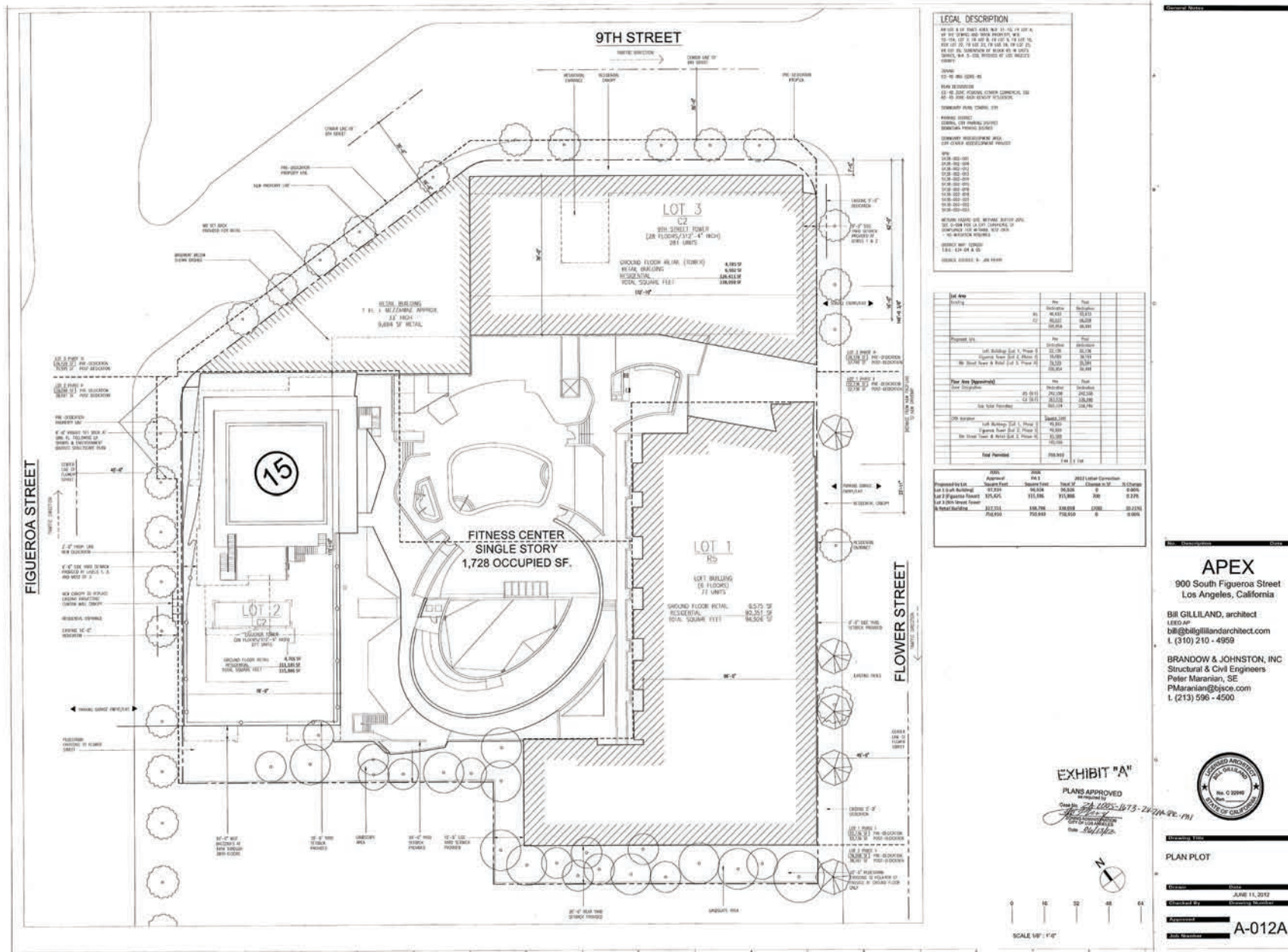


View 15: View from the intersection of 9th Street and Figueroa Street looking north towards downtown Los Angeles.

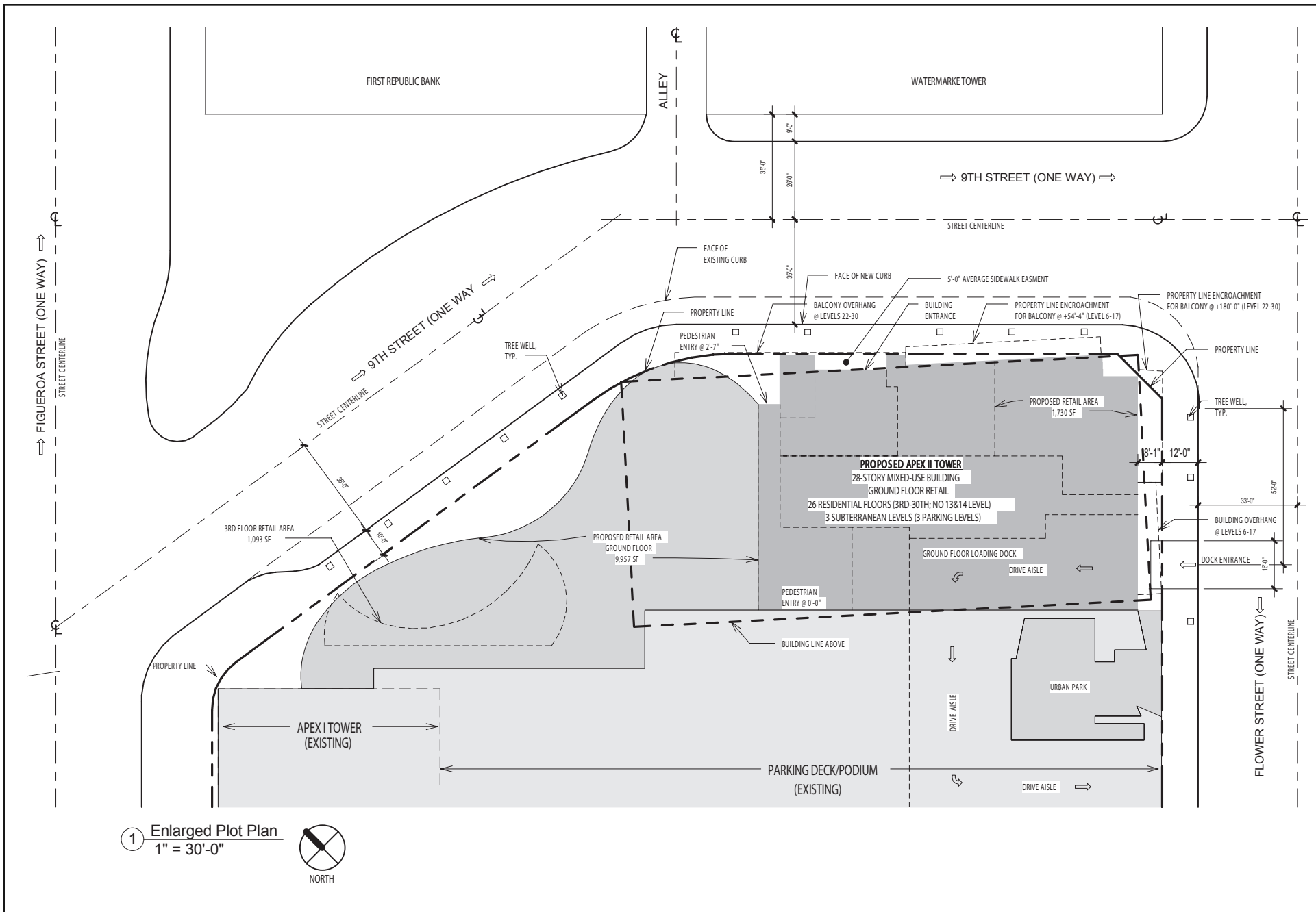


View 15: View from the intersection of 9th Street and Figueroa Street looking north towards downtown Los Angeles.

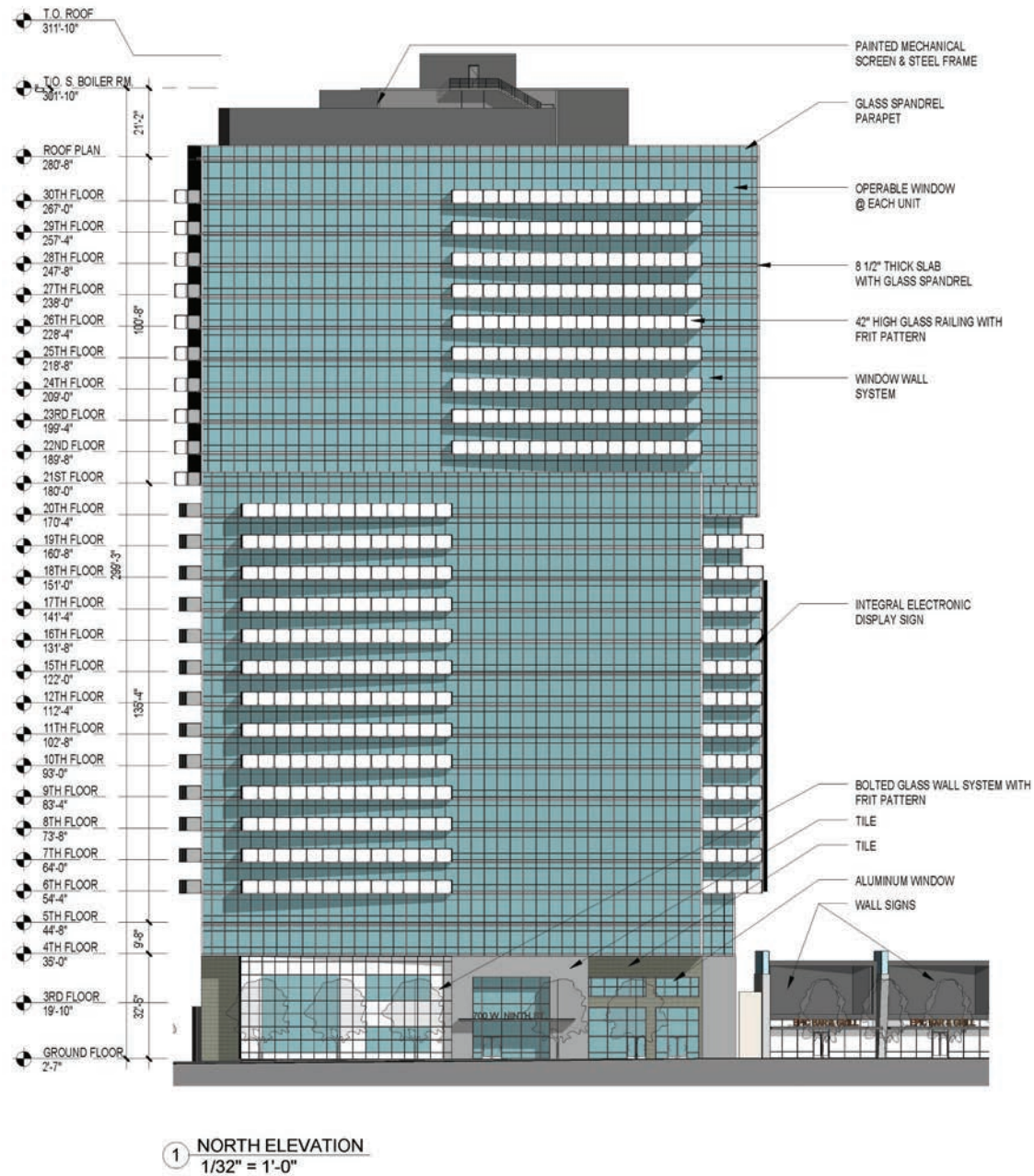
Source: ENV-2005-1674-MND, 2005; Parker Environmental Consultants, 2014



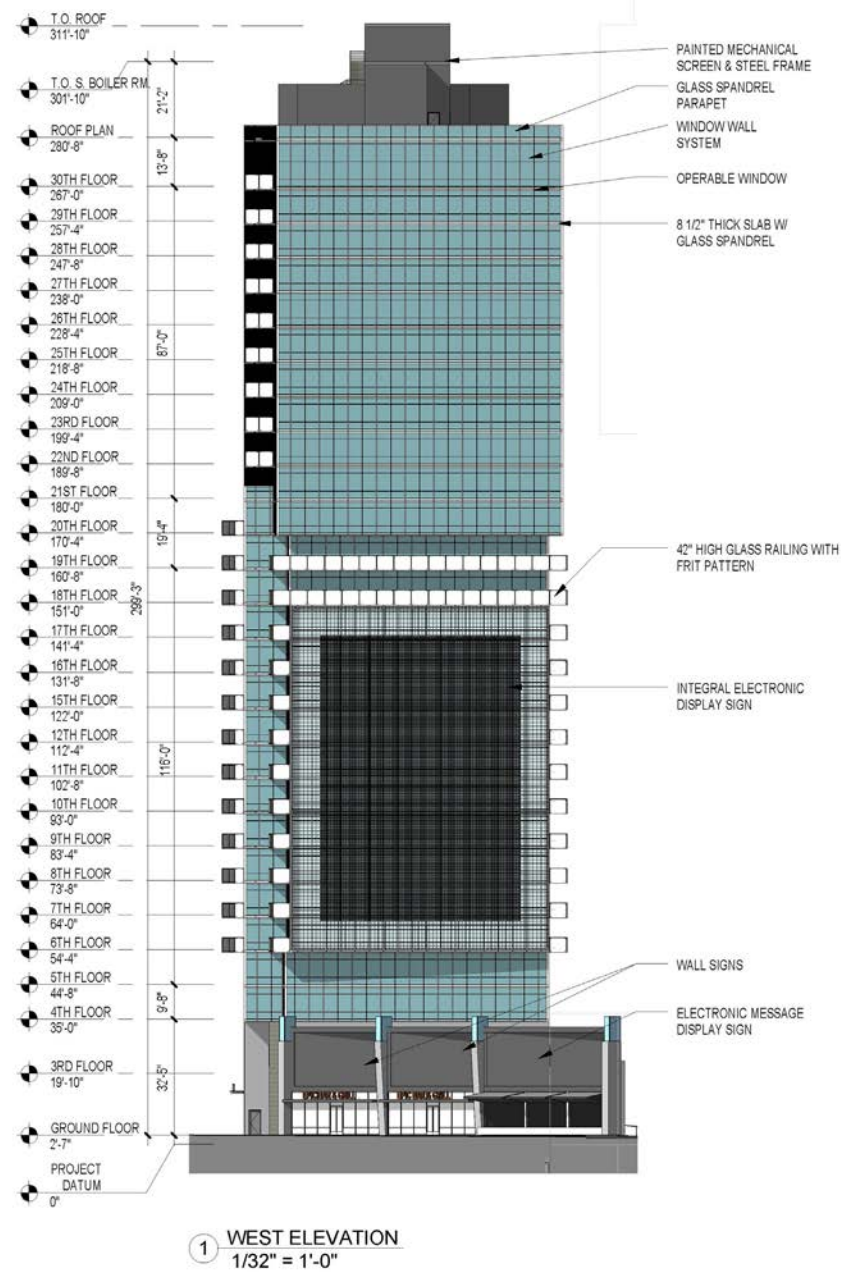
Source: City of Los Angeles, Department of City Planning, ZIMAS, Case No. ZA-2005-1673-ZV-ZAA-SPR., Plot Plan dated August 22, 2012



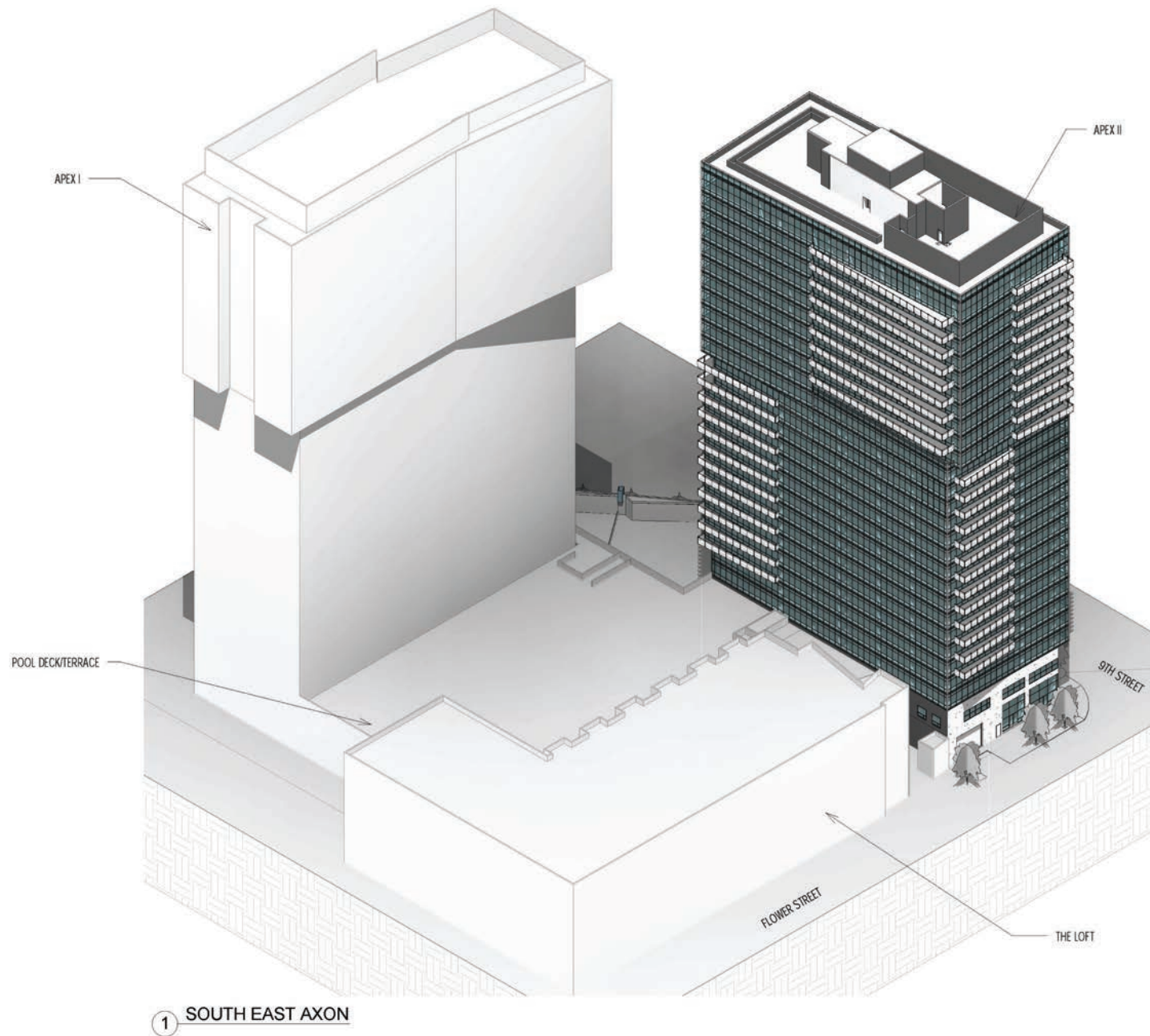
Source: Preston Architects, PC, December 17, 2014



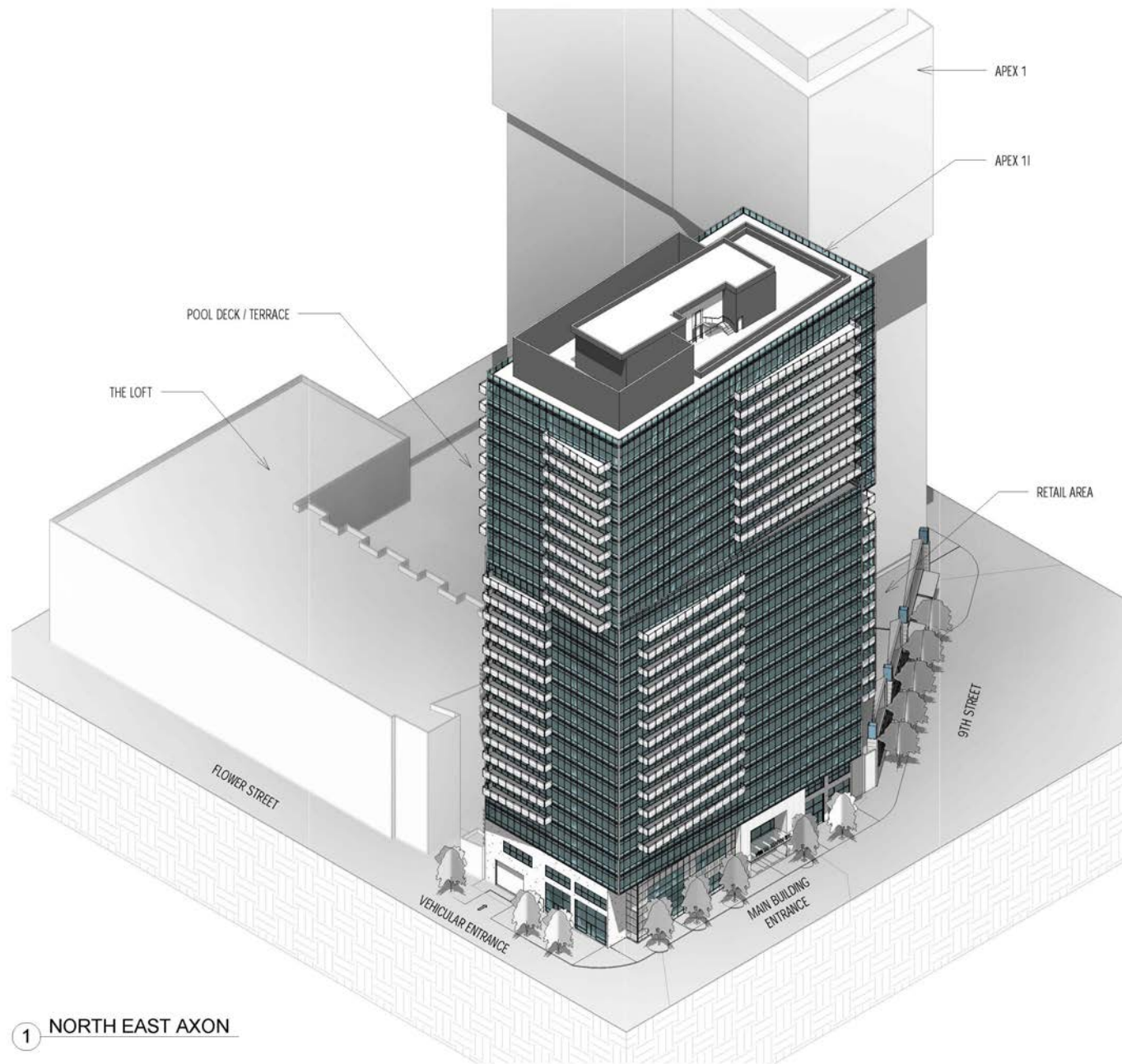
Source: Preston Architects, PC, November 17, 2014



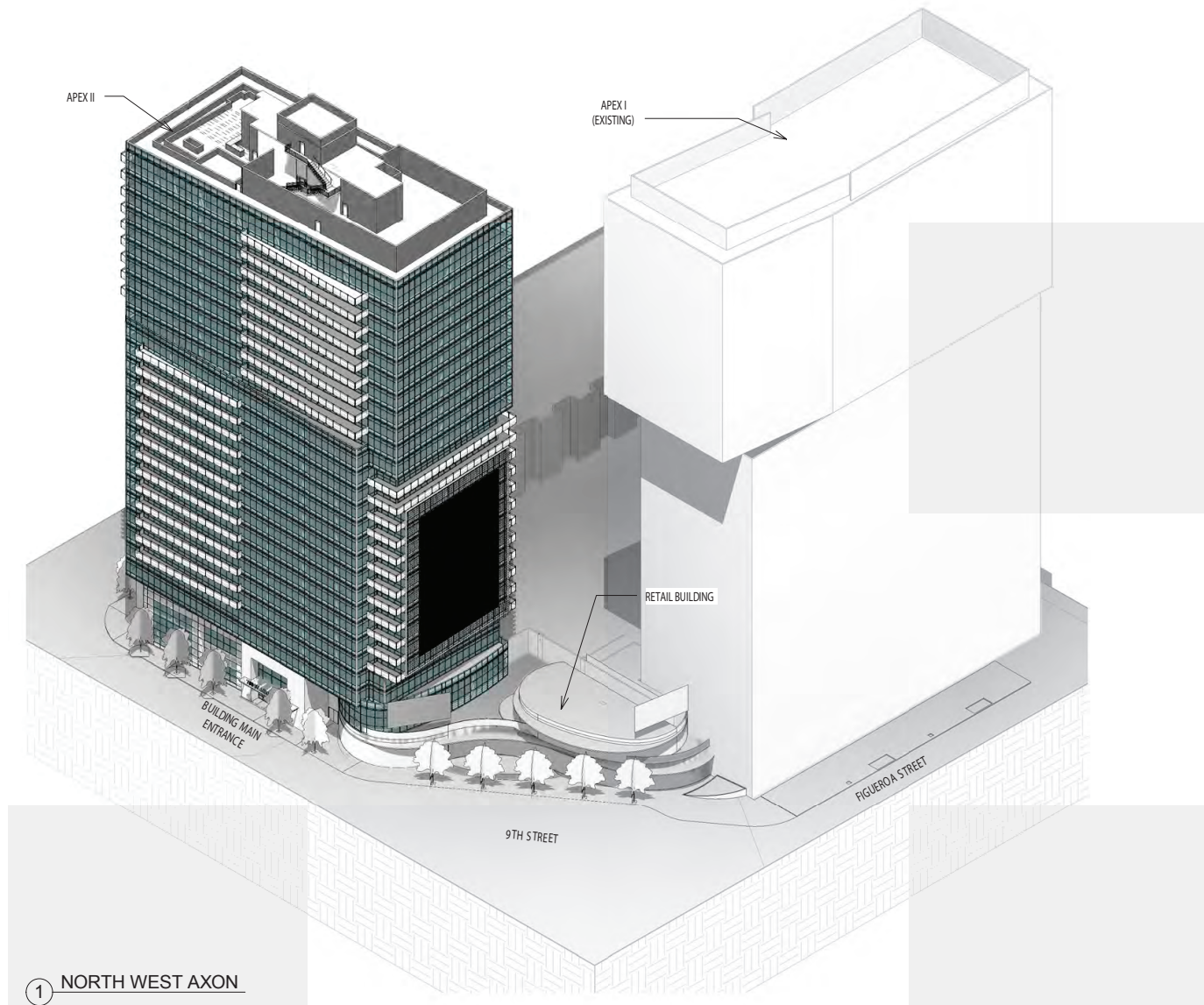
Source: Preston Architects, PC, November 17, 2014



Source: Preston Architects, PC, November 17, 2014



Source: Preston Architects, PC, November 17, 2014



Source: Preston Architects, PC,

Attachment A

CalEEMod Worksheets for the APEX II Project

December 23, 2015

Apex II Revised 12 23 2015

South Coast Air Basin, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Condo/Townhouse High Rise	689.00	Dwelling Unit	0.81	727,947.00	1062
Strip Mall	22.96	1000sqft	0.00	22,963.00	0
Enclosed Parking with Elevator	998.00	Space	0.00	399,200.00	0

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	31
Climate Zone	11			Operational Year	2018
Utility Company	Los Angeles Department of Water & Power				
CO2 Intensity (lb/MWhr)	1227.89	CH4 Intensity (lb/MWhr)	0.029	N2O Intensity (lb/MWhr)	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Operational Project includes Phase I (Tower I and Loft Bldg) and Phase II (Tower2).

Construction Phase - Construction schedule assumes approx. 30 months.

Off-road Equipment - Grading phase equipment to add 1 excavator and 2 loaders/tractors/backhoes (Grading footprint is 14,700sf).

Grading - Site Prep includes entire lot area of 35,594 sf; Grading area is limited to parking garage footprint of 14,700 sf.

Woodstoves - No woodstoves or fireplaces are proposed.

Sequestration - 15 Trees per Site Plan.

Construction Off-road Equipment Mitigation -

Mobile Land Use Mitigation -

Area Mitigation -

Energy Mitigation - Energy mitigation measures reflect City of LA Green Building mandates for high rise residential.

Water Mitigation -

Waste Mitigation -

Off-road Equipment - Site Prep assumes 1 tractor/backhoe. (deleted 1 grader)

Off-road Equipment - Added cement mortar mixer for bldg. construction phase

Off-road Equipment -

Off-road Equipment - Changed cement mortar mixer to 1 for paving.

Architectural Coating - Architectural coating surface area was modified to reflect only Phase II construction as Phase I is completed.

Table Name	Column Name	Default Value	New Value
tblArchitecturalCoating	ConstArea_Nonresidential_Exterior	211,082.00	13,844.00
tblArchitecturalCoating	ConstArea_Nonresidential_Interior	633,245.00	41,543.00
tblArchitecturalCoating	ConstArea_Residential_Exterior	491,364.00	230,175.00
tblArchitecturalCoating	ConstArea_Residential_Interior	1,474,093.00	690,525.00
tblConstructionPhase	NumDays	5.00	160.00
tblConstructionPhase	NumDays	100.00	420.00
tblConstructionPhase	NumDays	2.00	80.00
tblConstructionPhase	NumDays	5.00	10.00

tblConstructionPhase	NumDays	1.00	5.00
tblConstructionPhase	PhaseEndDate	10/1/2018	9/28/2018
tblConstructionPhase	PhaseStartDate	9/18/2018	9/17/2018
tblFireplaces	FireplaceDayYear	25.00	0.00
tblFireplaces	FireplaceHourDay	3.00	0.00
tblFireplaces	FireplaceWoodMass	1,019.20	0.00
tblFireplaces	NumberGas	585.65	0.00
tblFireplaces	NumberNoFireplace	68.90	0.00
tblFireplaces	NumberWood	34.45	0.00
tblGrading	AcresOfGrading	0.00	0.30
tblGrading	AcresOfGrading	2.50	0.80
tblGrading	MaterialExported	0.00	22,233.00
tblGrading	MaterialExported	0.00	250.00
tblLandUse	LandUseSquareFeet	689,000.00	727,947.00
tblLandUse	LotAcreage	10.77	0.81
tblLandUse	LotAcreage	0.53	0.00
tblLandUse	LotAcreage	8.98	0.00
tblLandUse	Population	1,971.00	1,062.00
tblOffRoadEquipment	OffRoadEquipmentType		Cement and Mortar Mixers
tblOffRoadEquipment	OffRoadEquipmentType		Excavators
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	4.00	1.00
tblProjectCharacteristics	OperationalYear	2014	2018
tblSequestration	NumberOfNewTrees	0.00	15.00
tblTripsAndVMT	WorkerTripNumber	13.00	10.00
tblWoodstoves	NumberCatalytic	34.45	0.00
tblWoodstoves	NumberNoncatalytic	34.45	0.00
tblWoodstoves	WoodstoveDayYear	25.00	0.00
tblWoodstoves	WoodstoveWoodMass	999.60	0.00

2.0 Emissions Summary

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2016	0.4642	3.1754	5.2984	0.0108	0.6128	0.1318	0.7445	0.1724	0.1225	0.2949	0.0000	893.3278	893.3278	0.0648	0.0000	894.6876
2017	0.6455	3.7430	7.9992	0.0174	1.0714	0.1463	1.2178	0.2868	0.1350	0.4218	0.0000	1,371.626 3	1,371.626 3	0.0903	0.0000	1,373.521 7
2018	1.7748	0.5864	1.4613	3.4800e-003	0.2253	0.0279	0.2532	0.0601	0.0267	0.0867	0.0000	260.2853	260.2853	0.0170	0.0000	260.6431
Total	2.8846	7.5048	14.7589	0.0317	1.9095	0.3060	2.2155	0.5193	0.2841	0.8034	0.0000	2,525.239 4	2,525.239 4	0.1721	0.0000	2,528.852 4

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2016	0.4642	3.1754	5.2984	0.0108	0.5933	0.1318	0.7250	0.1622	0.1225	0.2847	0.0000	893.3277	893.3277	0.0648	0.0000	894.6874
2017	0.6455	3.7430	7.9992	0.0174	1.0714	0.1463	1.2178	0.2868	0.1350	0.4218	0.0000	1,371.626 1	1,371.626 1	0.0903	0.0000	1,373.521 6
2018	1.7748	0.5864	1.4613	3.4800e-003	0.2253	0.0279	0.2532	0.0601	0.0267	0.0867	0.0000	260.2852	260.2852	0.0170	0.0000	260.6430
Total	2.8846	7.5048	14.7589	0.0317	1.8900	0.3060	2.1960	0.5091	0.2841	0.7931	0.0000	2,525.239 0	2,525.239 0	0.1721	0.0000	2,528.852 0

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	1.02	0.00	0.88	1.97	0.00	1.28	0.00	0.00	0.00	0.00	0.00	0.00

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	5.1516	0.0832	7.1689	3.8000e-004		0.0391	0.0391		0.0391	0.0391	0.0000	11.6319	11.6319	0.0116	0.0000	11.8749
Energy	0.0642	0.5486	0.2343	3.5000e-003		0.0444	0.0444		0.0444	0.0444	0.0000	3,999.8551	3,999.8551	0.0916	0.0281	4,010.4865
Mobile	3.1244	9.5466	36.1155	0.0961	6.5582	0.1358	6.6939	1.7549	0.1251	1.8800	0.0000	7,204.4591	7,204.4591	0.2724	0.0000	7,210.1797
Waste						0.0000	0.0000		0.0000	0.0000	69.2301	0.0000	69.2301	4.0914	0.0000	155.1490
Water						0.0000	0.0000		0.0000	0.0000	14.7814	519.4648	534.2462	1.5305	0.0384	578.2857
Total	8.3402	10.1784	43.5186	0.1000	6.5582	0.2192	6.7774	1.7549	0.2085	1.9635	84.0115	11,735.4109	11,819.4224	5.9975	0.0665	11,965.9758

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	5.1516	0.0832	7.1689	3.8000e-004		0.0391	0.0391		0.0391	0.0391	0.0000	11.6319	11.6319	0.0116	0.0000	11.8749
Energy	0.0536	0.4584	0.1957	2.9300e-003		0.0371	0.0371		0.0371	0.0371	0.0000	3,423.1586	3,423.1586	0.0785	0.0239	3,432.2044
Mobile	2.8768	7.5672	29.8468	0.0735	4.9678	0.1048	5.0725	1.3294	0.0965	1.4259	0.0000	5,504.4133	5,504.4133	0.2119	0.0000	5,508.8624
Waste						0.0000	0.0000		0.0000	0.0000	34.6150	0.0000	34.6150	2.0457	0.0000	77.5745
Water						0.0000	0.0000		0.0000	0.0000	11.8252	440.8103	452.6354	1.2248	0.0308	487.8989
Total	8.0821	8.1087	37.2114	0.0768	4.9678	0.1809	5.1487	1.3294	0.1727	1.5020	46.4402	9,380.0141	9,426.4543	3.5724	0.0547	9,518.4151

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	3.09	20.33	14.49	23.24	24.25	17.46	24.03	24.25	17.18	23.50	44.72	20.07	20.25	40.44	17.79	20.45

2.3 Vegetation

Vegetation

	CO2e
Category	MT
New Trees	10.6200
Total	10.6200

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	3/1/2016	3/7/2016	5	5	
2	Grading	Grading	3/8/2016	6/27/2016	5	80	
3	Building Construction	Building Construction	6/28/2016	2/5/2018	5	420	
4	Architectural Coating	Architectural Coating	2/6/2018	9/17/2018	5	160	
5	Paving	Paving	9/17/2018	9/28/2018	5	10	

Acres of Grading (Site Preparation Phase): 0.8

Acres of Grading (Grading Phase): 0.3

Acres of Paving: 0

Residential Indoor: 690,525; Residential Outdoor: 230,175; Non-Residential Indoor: 41,543; Non-Residential Outdoor: 13,844 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Paving	Cement and Mortar Mixers	1	6.00	9	0.56
Building Construction	Cement and Mortar Mixers	2	8.00	9	0.56
Grading	Excavators	1	8.00	162	0.38
Building Construction	Cranes	1	4.00	226	0.29
Building Construction	Forklifts	2	6.00	89	0.20
Paving	Tractors/Loaders/Backhoes	1	7.00	97	0.37
Paving	Pavers	1	7.00	125	0.42
Paving	Rollers	1	7.00	80	0.38
Grading	Tractors/Loaders/Backhoes	2	6.00	97	0.37
Grading	Concrete/Industrial Saws	1	8.00	81	0.73
Building Construction	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Site Preparation	Graders	1	8.00	174	0.41
Grading	Rubber Tired Dozers	1	1.00	255	0.40
Site Preparation	Tractors/Loaders/Backhoes	1	8.00	97	0.37

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Site Preparation	2	5.00	0.00	31.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Grading	5	10.00	0.00	2,779.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	7	671.00	143.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Paving	4	10.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	134.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Water Exposed Area

Clean Paved Roads

3.2 Site Preparation - 2016**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					4.4000e-004	0.0000	4.4000e-004	5.0000e-005	0.0000	5.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	3.4000e-003	0.0341	0.0184	2.0000e-005		2.0800e-003	2.0800e-003		1.9200e-003	1.9200e-003	0.0000	2.2069	2.2069	6.7000e-004	0.0000	2.2209
Total	3.4000e-003	0.0341	0.0184	2.0000e-005	4.4000e-004	2.0800e-003	2.5200e-003	5.0000e-005	1.9200e-003	1.9700e-003	0.0000	2.2069	2.2069	6.7000e-004	0.0000	2.2209

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	2.8000e-004	4.5200e-003	3.4000e-003	1.0000e-005	2.7000e-004	7.0000e-005	3.3000e-004	7.0000e-005	6.0000e-005	1.3000e-004	0.0000	1.0452	1.0452	1.0000e-005	0.0000	1.0454
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.0000e-005	7.0000e-005	7.7000e-004	0.0000	1.4000e-004	0.0000	1.4000e-004	4.0000e-005	0.0000	4.0000e-005	0.0000	0.1285	0.1285	1.0000e-005	0.0000	0.1286
Total	3.3000e-004	4.5900e-003	4.1700e-003	1.0000e-005	4.1000e-004	7.0000e-005	4.7000e-004	1.1000e-004	6.0000e-005	1.7000e-004	0.0000	1.1737	1.1737	2.0000e-005	0.0000	1.1740

3.2 Site Preparation - 2016**Mitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					1.7000e-004	0.0000	1.7000e-004	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	3.4000e-003	0.0341	0.0184	2.0000e-005		2.0800e-003	2.0800e-003		1.9200e-003	1.9200e-003	0.0000	2.2069	2.2069	6.7000e-004	0.0000	2.2209
Total	3.4000e-003	0.0341	0.0184	2.0000e-005	1.7000e-004	2.0800e-003	2.2500e-003	2.0000e-005	1.9200e-003	1.9400e-003	0.0000	2.2069	2.2069	6.7000e-004	0.0000	2.2209

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	2.8000e-004	4.5200e-003	3.4000e-003	1.0000e-005	2.7000e-004	7.0000e-005	3.3000e-004	7.0000e-005	6.0000e-005	1.3000e-004	0.0000	1.0452	1.0452	1.0000e-005	0.0000	1.0454
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.0000e-005	7.0000e-005	7.7000e-004	0.0000	1.4000e-004	0.0000	1.4000e-004	4.0000e-005	0.0000	4.0000e-005	0.0000	0.1285	0.1285	1.0000e-005	0.0000	0.1286
Total	3.3000e-004	4.5900e-003	4.1700e-003	1.0000e-005	4.1000e-004	7.0000e-005	4.7000e-004	1.1000e-004	6.0000e-005	1.7000e-004	0.0000	1.1737	1.1737	2.0000e-005	0.0000	1.1740

3.3 Grading - 2016**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0315	0.0000	0.0315	0.0168	0.0000	0.0168	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0680	0.6268	0.4853	6.9000e-004		0.0409	0.0409		0.0387	0.0387	0.0000	63.2681	63.2681	0.0147	0.0000	63.5764
Total	0.0680	0.6268	0.4853	6.9000e-004	0.0315	0.0409	0.0724	0.0168	0.0387	0.0555	0.0000	63.2681	63.2681	0.0147	0.0000	63.5764

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0249	0.4053	0.3044	1.0300e-003	0.0238	5.9500e-003	0.0298	6.5300e-003	5.4800e-003	0.0120	0.0000	93.6960	93.6960	6.8000e-004	0.0000	93.7102
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.6000e-003	2.3600e-003	0.0245	5.0000e-005	4.3900e-003	4.0000e-005	4.4300e-003	1.1700e-003	3.0000e-005	1.2000e-003	0.0000	4.1116	4.1116	2.2000e-004	0.0000	4.1162
Total	0.0265	0.4077	0.3289	1.0800e-003	0.0282	5.9900e-003	0.0342	7.7000e-003	5.5100e-003	0.0132	0.0000	97.8076	97.8076	9.0000e-004	0.0000	97.8264

3.3 Grading - 2016

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0123	0.0000	0.0123	6.5400e-003	0.0000	6.5400e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0680	0.6268	0.4853	6.9000e-004		0.0409	0.0409		0.0387	0.0387	0.0000	63.2680	63.2680	0.0147	0.0000	63.5763
Total	0.0680	0.6268	0.4853	6.9000e-004	0.0123	0.0409	0.0532	6.5400e-003	0.0387	0.0453	0.0000	63.2680	63.2680	0.0147	0.0000	63.5763

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0249	0.4053	0.3044	1.0300e-003	0.0238	5.9500e-003	0.0298	6.5300e-003	5.4800e-003	0.0120	0.0000	93.6960	93.6960	6.8000e-004	0.0000	93.7102
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.6000e-003	2.3600e-003	0.0245	5.0000e-005	4.3900e-003	4.0000e-005	4.4300e-003	1.1700e-003	3.0000e-005	1.2000e-003	0.0000	4.1116	4.1116	2.2000e-004	0.0000	4.1162
Total	0.0265	0.4077	0.3289	1.0800e-003	0.0282	5.9900e-003	0.0342	7.7000e-003	5.5100e-003	0.0132	0.0000	97.8076	97.8076	9.0000e-004	0.0000	97.8264

3.4 Building Construction - 2016**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1005	0.9678	0.5915	8.5000e-004		0.0650	0.0650		0.0599	0.0599	0.0000	77.7751	77.7751	0.0222	0.0000	78.2422
Total	0.1005	0.9678	0.5915	8.5000e-004		0.0650	0.0650		0.0599	0.0599	0.0000	77.7751	77.7751	0.0222	0.0000	78.2422

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0853	0.8698	1.1166	2.0800e-003	0.0590	0.0136	0.0725	0.0168	0.0125	0.0293	0.0000	188.9844	188.9844	1.3800e-003	0.0000	189.0134
Worker	0.1803	0.2647	2.7536	6.0600e-003	0.4932	4.2000e-003	0.4974	0.1310	3.8600e-003	0.1349	0.0000	462.1121	462.1121	0.0249	0.0000	462.6344
Total	0.2655	1.1345	3.8702	8.1400e-003	0.5522	0.0178	0.5700	0.1478	0.0163	0.1642	0.0000	651.0965	651.0965	0.0263	0.0000	651.6477

3.4 Building Construction - 2016

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1005	0.9678	0.5915	8.5000e-004		0.0650	0.0650		0.0599	0.0599	0.0000	77.7750	77.7750	0.0222	0.0000	78.2422
Total	0.1005	0.9678	0.5915	8.5000e-004		0.0650	0.0650		0.0599	0.0599	0.0000	77.7750	77.7750	0.0222	0.0000	78.2422

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0853	0.8698	1.1166	2.0800e-003	0.0590	0.0136	0.0725	0.0168	0.0125	0.0293	0.0000	188.9844	188.9844	1.3800e-003	0.0000	189.0134
Worker	0.1803	0.2647	2.7536	6.0600e-003	0.4932	4.2000e-003	0.4974	0.1310	3.8600e-003	0.1349	0.0000	462.1121	462.1121	0.0249	0.0000	462.6344
Total	0.2655	1.1345	3.8702	8.1400e-003	0.5522	0.0178	0.5700	0.1478	0.0163	0.1642	0.0000	651.0965	651.0965	0.0263	0.0000	651.6477

3.4 Building Construction - 2017**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1809	1.7434	1.1253	1.6600e-003		0.1150	0.1150		0.1061	0.1061	0.0000	148.6633	148.6633	0.0431	0.0000	149.5692
Total	0.1809	1.7434	1.1253	1.6600e-003		0.1150	0.1150		0.1061	0.1061	0.0000	148.6633	148.6633	0.0431	0.0000	149.5692

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.1513	1.5359	2.0531	4.0300e-003	0.1144	0.0235	0.1379	0.0327	0.0216	0.0543	0.0000	360.7495	360.7495	2.5900e-003	0.0000	360.8038
Worker	0.3133	0.4638	4.8208	0.0118	0.9570	7.8400e-003	0.9649	0.2542	7.2300e-003	0.2614	0.0000	862.2134	862.2134	0.0445	0.0000	863.1487
Total	0.4646	1.9996	6.8739	0.0158	1.0715	0.0313	1.1028	0.2868	0.0288	0.3157	0.0000	1,222.9629	1,222.9629	0.0471	0.0000	1,223.9525

3.4 Building Construction - 2017

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1809	1.7434	1.1253	1.6600e-003		0.1150	0.1150		0.1061	0.1061	0.0000	148.6632	148.6632	0.0431	0.0000	149.5690
Total	0.1809	1.7434	1.1253	1.6600e-003		0.1150	0.1150		0.1061	0.1061	0.0000	148.6632	148.6632	0.0431	0.0000	149.5690

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.1513	1.5359	2.0531	4.0300e-003	0.1144	0.0235	0.1379	0.0327	0.0216	0.0543	0.0000	360.7495	360.7495	2.5900e-003	0.0000	360.8038
Worker	0.3133	0.4638	4.8208	0.0118	0.9570	7.8400e-003	0.9649	0.2542	7.2300e-003	0.2614	0.0000	862.2134	862.2134	0.0445	0.0000	863.1487
Total	0.4646	1.9996	6.8739	0.0158	1.0715	0.0313	1.1028	0.2868	0.0288	0.3157	0.0000	1,222.9629	1,222.9629	0.0471	0.0000	1,223.9525

3.4 Building Construction - 2018**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0156	0.1520	0.1084	1.7000e-004		9.5500e-003	9.5500e-003		8.8100e-003	8.8100e-003	0.0000	14.6389	14.6389	4.3100e-003	0.0000	14.7294
Total	0.0156	0.1520	0.1084	1.7000e-004		9.5500e-003	9.5500e-003		8.8100e-003	8.8100e-003	0.0000	14.6389	14.6389	4.3100e-003	0.0000	14.7294

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0142	0.1410	0.1967	4.0000e-004	0.0114	2.2100e-003	0.0137	3.2700e-003	2.0400e-003	5.3000e-003	0.0000	35.4697	35.4697	2.6000e-004	0.0000	35.4751
Worker	0.0281	0.0421	0.4366	1.1700e-003	0.0957	7.6000e-004	0.0965	0.0254	7.1000e-004	0.0261	0.0000	83.0031	83.0031	4.1300e-003	0.0000	83.0899
Total	0.0423	0.1830	0.6333	1.5700e-003	0.1071	2.9700e-003	0.1101	0.0287	2.7500e-003	0.0314	0.0000	118.4728	118.4728	4.3900e-003	0.0000	118.5650

3.4 Building Construction - 2018**Mitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0156	0.1520	0.1084	1.7000e-004		9.5500e-003	9.5500e-003		8.8100e-003	8.8100e-003	0.0000	14.6389	14.6389	4.3100e-003	0.0000	14.7294
Total	0.0156	0.1520	0.1084	1.7000e-004		9.5500e-003	9.5500e-003		8.8100e-003	8.8100e-003	0.0000	14.6389	14.6389	4.3100e-003	0.0000	14.7294

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0142	0.1410	0.1967	4.0000e-004	0.0114	2.2100e-003	0.0137	3.2700e-003	2.0400e-003	5.3000e-003	0.0000	35.4697	35.4697	2.6000e-004	0.0000	35.4751
Worker	0.0281	0.0421	0.4366	1.1700e-003	0.0957	7.6000e-004	0.0965	0.0254	7.1000e-004	0.0261	0.0000	83.0031	83.0031	4.1300e-003	0.0000	83.0899
Total	0.0423	0.1830	0.6333	1.5700e-003	0.1071	2.9700e-003	0.1101	0.0287	2.7500e-003	0.0314	0.0000	118.4728	118.4728	4.3900e-003	0.0000	118.5650

3.5 Architectural Coating - 2018

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	1.6545					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0239	0.1605	0.1483	2.4000e-004		0.0120	0.0120		0.0120	0.0120	0.0000	20.4261	20.4261	1.9400e-003	0.0000	20.4668
Total	1.6784	0.1605	0.1483	2.4000e-004		0.0120	0.0120		0.0120	0.0120	0.0000	20.4261	20.4261	1.9400e-003	0.0000	20.4668

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0346	0.0517	0.5366	1.4400e-003	0.1176	9.4000e-004	0.1186	0.0312	8.7000e-004	0.0321	0.0000	102.0054	102.0054	5.0800e-003	0.0000	102.1121
Total	0.0346	0.0517	0.5366	1.4400e-003	0.1176	9.4000e-004	0.1186	0.0312	8.7000e-004	0.0321	0.0000	102.0054	102.0054	5.0800e-003	0.0000	102.1121

3.5 Architectural Coating - 2018

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	1.6545					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0239	0.1605	0.1483	2.4000e-004		0.0120	0.0120		0.0120	0.0120	0.0000	20.4260	20.4260	1.9400e-003	0.0000	20.4668
Total	1.6784	0.1605	0.1483	2.4000e-004		0.0120	0.0120		0.0120	0.0120	0.0000	20.4260	20.4260	1.9400e-003	0.0000	20.4668

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0346	0.0517	0.5366	1.4400e-003	0.1176	9.4000e-004	0.1186	0.0312	8.7000e-004	0.0321	0.0000	102.0054	102.0054	5.0800e-003	0.0000	102.1121
Total	0.0346	0.0517	0.5366	1.4400e-003	0.1176	9.4000e-004	0.1186	0.0312	8.7000e-004	0.0321	0.0000	102.0054	102.0054	5.0800e-003	0.0000	102.1121

3.6 Paving - 2018**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	3.8900e-003	0.0390	0.0322	5.0000e-005		2.3600e-003	2.3600e-003		2.1800e-003	2.1800e-003	0.0000	4.2663	4.2663	1.2900e-003	0.0000	4.2934
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	3.8900e-003	0.0390	0.0322	5.0000e-005		2.3600e-003	2.3600e-003		2.1800e-003	2.1800e-003	0.0000	4.2663	4.2663	1.2900e-003	0.0000	4.2934

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.6000e-004	2.4000e-004	2.5000e-003	1.0000e-005	5.5000e-004	0.0000	5.5000e-004	1.5000e-004	0.0000	1.5000e-004	0.0000	0.4758	0.4758	2.0000e-005	0.0000	0.4763
Total	1.6000e-004	2.4000e-004	2.5000e-003	1.0000e-005	5.5000e-004	0.0000	5.5000e-004	1.5000e-004	0.0000	1.5000e-004	0.0000	0.4758	0.4758	2.0000e-005	0.0000	0.4763

3.6 Paving - 2018

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	3.8900e-003	0.0390	0.0322	5.0000e-005		2.3600e-003	2.3600e-003		2.1800e-003	2.1800e-003	0.0000	4.2663	4.2663	1.2900e-003	0.0000	4.2934
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	3.8900e-003	0.0390	0.0322	5.0000e-005		2.3600e-003	2.3600e-003		2.1800e-003	2.1800e-003	0.0000	4.2663	4.2663	1.2900e-003	0.0000	4.2934

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.6000e-004	2.4000e-004	2.5000e-003	1.0000e-005	5.5000e-004	0.0000	5.5000e-004	1.5000e-004	0.0000	1.5000e-004	0.0000	0.4758	0.4758	2.0000e-005	0.0000	0.4763
Total	1.6000e-004	2.4000e-004	2.5000e-003	1.0000e-005	5.5000e-004	0.0000	5.5000e-004	1.5000e-004	0.0000	1.5000e-004	0.0000	0.4758	0.4758	2.0000e-005	0.0000	0.4763

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Increase Density

Improve Walkability Design

Improve Destination Accessibility

Increase Transit Accessibility

Improve Pedestrian Network

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	2.8768	7.5672	29.8468	0.0735	4.9678	0.1048	5.0725	1.3294	0.0965	1.4259	0.0000	5,504.413 3	5,504.413 3	0.2119	0.0000	5,508.862 4
Unmitigated	3.1244	9.5466	36.1155	0.0961	6.5582	0.1358	6.6939	1.7549	0.1251	1.8800	0.0000	7,204.459 1	7,204.459 1	0.2724	0.0000	7,210.179 7

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Condo/Townhouse High Rise	4,540.51	4,933.24	4182.23	15,532,430	11,765,659
Enclosed Parking with Elevator	0.00	0.00	0.00		
Strip Mall	1,017.72	965.36	469.13	1,772,974	1,343,010
Total	5,558.23	5,898.60	4,651.36	17,305,404	13,108,669

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Condo/Townhouse High Rise	14.70	5.90	8.70	40.20	19.20	40.60	86	11	3
Enclosed Parking with Elevator	16.60	8.40	6.90	0.00	0.00	0.00	0	0	0
Strip Mall	16.60	8.40	6.90	16.60	64.40	19.00	45	40	15

LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
0.512137	0.059943	0.180601	0.139123	0.042256	0.006647	0.016115	0.031670	0.001940	0.002502	0.004362	0.000588	0.002117

5.0 Energy Detail

4.4 Fleet Mix

Historical Energy Use: N

5.1 Mitigation Measures Energy

Exceed Title 24

Install High Efficiency Lighting

Install Energy Efficient Appliances

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	2,892.4530	2,892.4530	0.0683	0.0141	2,898.2691
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	3,364.6269	3,364.6269	0.0795	0.0164	3,371.3924
NaturalGas Mitigated	0.0536	0.4584	0.1957	2.9300e-003		0.0371	0.0371		0.0371	0.0371	0.0000	530.7056	530.7056	0.0102	9.7300e-003	533.9354
NaturalGas Unmitigated	0.0642	0.5486	0.2343	3.5000e-003		0.0444	0.0444		0.0444	0.0444	0.0000	635.2282	635.2282	0.0122	0.0117	639.0941

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Enclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Strip Mall	39037.1	2.1000e-004	1.9100e-003	1.6100e-003	1.0000e-005		1.5000e-004	1.5000e-004		1.5000e-004	1.5000e-004	0.0000	2.0832	2.0832	4.0000e-005	4.0000e-005	2.0959
Condo/Townhouse High Rise	1.18647e+007	0.0640	0.5467	0.2326	3.4900e-003		0.0442	0.0442		0.0442	0.0442	0.0000	633.1451	633.1451	0.0121	0.0116	636.9983
Total		0.0642	0.5486	0.2343	3.5000e-003		0.0444	0.0444		0.0444	0.0444	0.0000	635.2282	635.2282	0.0122	0.0117	639.0941

5.2 Energy by Land Use - NaturalGas

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Enclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Strip Mall	33480.1	1.8000e-004	1.6400e-003	1.3800e-003	1.0000e-005		1.2000e-004	1.2000e-004		1.2000e-004	1.2000e-004	0.0000	1.7866	1.7866	3.0000e-005	3.0000e-005	1.7975
Condo/Townhouse High Rise	9.91157e+006	0.0534	0.4567	0.1943	2.9200e-003		0.0369	0.0369		0.0369	0.0369	0.0000	528.9190	528.9190	0.0101	9.7000e-003	532.1379
Total		0.0536	0.4584	0.1957	2.9300e-003		0.0371	0.0371		0.0371	0.0371	0.0000	530.7056	530.7056	0.0102	9.7300e-003	533.9354

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Condo/Townhouse High Rise	3.00208e+006	1,672.0449	0.0395	8.1700e-003	1,675.4070
Enclosed Parking with Elevator	2.69061e+006	1,498.5652	0.0354	7.3200e-003	1,501.5784
Strip Mall	348349	194.0168	4.5800e-003	9.5000e-004	194.4070
Total		3,364.6269	0.0795	0.0164	3,371.3924

5.3 Energy by Land Use - Electricity

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Condo/Townhouse High Rise	2.7321e+006	1,521.6765	0.0359	7.4400e-003	1,524.7363
Enclosed Parking with Elevator	2.16766e+006	1,207.3010	0.0285	5.9000e-003	1,209.7286
Strip Mall	293513	163.4755	3.8600e-003	8.0000e-004	163.8042
Total		2,892.4530	0.0683	0.0141	2,898.2691

6.0 Area Detail

6.1 Mitigation Measures Area

Use Low VOC Paint - Residential Interior

Use Low VOC Paint - Residential Exterior

Use Low VOC Paint - Non-Residential Interior

Use Low VOC Paint - Non-Residential Exterior

No Hearths Installed

Use Low VOC Cleaning Supplies

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	5.1516	0.0832	7.1689	3.8000e-004		0.0391	0.0391		0.0391	0.0391	0.0000	11.6319	11.6319	0.0116	0.0000	11.8749
Unmitigated	5.1516	0.0832	7.1689	3.8000e-004		0.0391	0.0391		0.0391	0.0391	0.0000	11.6319	11.6319	0.0116	0.0000	11.8749

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.7739					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	4.1559					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.2218	0.0832	7.1689	3.8000e-004		0.0391	0.0391		0.0391	0.0391	0.0000	11.6319	11.6319	0.0116	0.0000	11.8749
Total	5.1516	0.0832	7.1689	3.8000e-004		0.0391	0.0391		0.0391	0.0391	0.0000	11.6319	11.6319	0.0116	0.0000	11.8749

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.7739					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	4.1559					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.2218	0.0832	7.1689	3.8000e-004		0.0391	0.0391		0.0391	0.0391	0.0000	11.6319	11.6319	0.0116	0.0000	11.8749
Total	5.1516	0.0832	7.1689	3.8000e-004		0.0391	0.0391		0.0391	0.0391	0.0000	11.6319	11.6319	0.0116	0.0000	11.8749

7.0 Water Detail

7.1 Mitigation Measures Water

Install Low Flow Bathroom Faucet

Install Low Flow Kitchen Faucet

Install Low Flow Toilet

Install Low Flow Shower

Use Water Efficient Irrigation System

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	452.6354	1.2248	0.0308	487.8989
Unmitigated	534.2462	1.5305	0.0384	578.2857

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Condo/Townhouse High Rise	44.8911 / 28.3009	514.9228	1.4746	0.0370	557.3551
Enclosed Parking with Elevator	0 / 0	0.0000	0.0000	0.0000	0.0000
Strip Mall	1.70071 / 1.04237	19.3234	0.0559	1.4000e-003	20.9306
Total		534.2462	1.5305	0.0384	578.2857

7.2 Water by Land Use

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Condo/Townhouse High Rise	35.9129 / 26.5746	436.2802	1.1800	0.0297	470.2568
Enclosed Parking with Elevator	0 / 0	0.0000	0.0000	0.0000	0.0000
Strip Mall	1.36056 / 0.978783	16.3553	0.0447	1.1200e-003	17.6421
Total		452.6354	1.2247	0.0308	487.8989

8.0 Waste Detail

8.1 Mitigation Measures Waste

Institute Recycling and Composting Services

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	34.6150	2.0457	0.0000	77.5745
Unmitigated	69.2301	4.0914	0.0000	155.1490

8.2 Waste by Land Use**Unmitigated**

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Condo/Townhouse High Rise	316.94	64.3360	3.8022	0.0000	144.1810
Enclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000
Strip Mall	24.11	4.8941	0.2892	0.0000	10.9680
Total		69.2301	4.0914	0.0000	155.1490

8.2 Waste by Land Use

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Condo/Townhouse High Rise	158.47	32.1680	1.9011	0.0000	72.0905
Enclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000
Strip Mall	12.055	2.4471	0.1446	0.0000	5.4840
Total		34.6150	2.0457	0.0000	77.5745

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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10.0 Vegetation

	Total CO2	CH4	N2O	CO2e
Category	MT			
Unmitigated	10.6200	0.0000	0.0000	10.6200

10.2 Net New Trees

Species Class

	Number of Trees	Total CO2	CH4	N2O	CO2e
		MT			
Miscellaneous	15	10.6200	0.0000	0.0000	10.6200
Total		10.6200	0.0000	0.0000	10.6200

Apex II Revised 12 23 2015

South Coast Air Basin, Summer

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Condo/Townhouse High Rise	689.00	Dwelling Unit	0.81	727,947.00	1062
Strip Mall	22.96	1000sqft	0.00	22,963.00	0
Enclosed Parking with Elevator	998.00	Space	0.00	399,200.00	0

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	31
Climate Zone	11			Operational Year	2018
Utility Company	Los Angeles Department of Water & Power				
CO2 Intensity (lb/MWhr)	1227.89	CH4 Intensity (lb/MWhr)	0.029	N2O Intensity (lb/MWhr)	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Operational Project includes Phase I (Tower I and Loft Bldg) and Phase II (Tower2).

Construction Phase - Construction schedule assumes approx. 30 months.

Off-road Equipment - Grading phase equipment to add 1 excavator and 2 loaders/tractors/backhoes (Grading footprint is 14,700sf).

Grading - Site Prep includes entire lot area of 35,594 sf; Grading area is limited to parking garage footprint of 14,700 sf.

Woodstoves - No woodstoves or fireplaces are proposed.

Sequestration - 15 Trees per Site Plan.

Construction Off-road Equipment Mitigation -

Mobile Land Use Mitigation -

Area Mitigation -

Energy Mitigation - Energy mitigation measures reflect City of LA Green Building mandates for high rise residential.

Water Mitigation -

Waste Mitigation -

Off-road Equipment - Site Prep assumes 1 tractor/backhoe. (deleted 1 grader)

Off-road Equipment - Added cement mortar mixer for bldg. construction phase

Off-road Equipment -

Off-road Equipment - Changed cement mortar mixer to 1 for paving.

Architectural Coating - Architectural coating surface area was modified to reflect only Phase II construction as Phase I is completed.

Table Name	Column Name	Default Value	New Value
tblArchitecturalCoating	ConstArea_Nonresidential_Exterior	211,082.00	13,844.00
tblArchitecturalCoating	ConstArea_Nonresidential_Interior	633,245.00	41,543.00
tblArchitecturalCoating	ConstArea_Residential_Exterior	491,364.00	230,175.00
tblArchitecturalCoating	ConstArea_Residential_Interior	1,474,093.00	690,525.00
tblConstructionPhase	NumDays	5.00	160.00
tblConstructionPhase	NumDays	100.00	420.00
tblConstructionPhase	NumDays	2.00	80.00
tblConstructionPhase	NumDays	5.00	10.00

tblConstructionPhase	NumDays	1.00	5.00
tblConstructionPhase	PhaseEndDate	10/1/2018	9/28/2018
tblConstructionPhase	PhaseStartDate	9/18/2018	9/17/2018
tblFireplaces	FireplaceDayYear	25.00	0.00
tblFireplaces	FireplaceHourDay	3.00	0.00
tblFireplaces	FireplaceWoodMass	1,019.20	0.00
tblFireplaces	NumberGas	585.65	0.00
tblFireplaces	NumberNoFireplace	68.90	0.00
tblFireplaces	NumberWood	34.45	0.00
tblGrading	AcresOfGrading	0.00	0.30
tblGrading	AcresOfGrading	2.50	0.80
tblGrading	MaterialExported	0.00	22,233.00
tblGrading	MaterialExported	0.00	250.00
tblLandUse	LandUseSquareFeet	689,000.00	727,947.00
tblLandUse	LotAcreage	10.77	0.81
tblLandUse	LotAcreage	0.53	0.00
tblLandUse	LotAcreage	8.98	0.00
tblLandUse	Population	1,971.00	1,062.00
tblOffRoadEquipment	OffRoadEquipmentType		Cement and Mortar Mixers
tblOffRoadEquipment	OffRoadEquipmentType		Excavators
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	4.00	1.00
tblProjectCharacteristics	OperationalYear	2014	2018
tblSequestration	NumberOfNewTrees	0.00	15.00
tblTripsAndVMT	WorkerTripNumber	13.00	10.00
tblWoodstoves	NumberCatalytic	34.45	0.00
tblWoodstoves	NumberNoncatalytic	34.45	0.00
tblWoodstoves	WoodstoveDayYear	25.00	0.00
tblWoodstoves	WoodstoveWoodMass	999.60	0.00

2.0 Emissions Summary

2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2016	5.4872	30.3567	66.6158	0.1389	8.3939	1.2338	9.6277	2.2436	1.1374	3.3810	0.0000	12,381.9174	12,381.9174	0.7976	0.0000	12,398.6662
2017	4.9977	27.8735	61.4610	0.1388	8.3942	1.1249	9.5191	2.2437	1.0374	3.2811	0.0000	12,006.9301	12,006.9301	0.7651	0.0000	12,022.9963
2018	22.2424	24.9403	56.9112	0.1388	8.3942	0.9628	9.3570	2.2437	0.8884	3.1321	0.0000	11,650.5265	11,650.5265	0.7375	0.0000	11,666.0138
Total	32.7273	83.1705	184.9880	0.4165	25.1822	3.3216	28.5038	6.7310	3.0632	9.7942	0.0000	36,039.3740	36,039.3740	2.3001	0.0000	36,087.6763

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2016	5.4872	30.3567	66.6158	0.1389	8.3939	1.2338	9.6277	2.2436	1.1374	3.3810	0.0000	12,381.9174	12,381.9174	0.7976	0.0000	12,398.6662
2017	4.9977	27.8735	61.4610	0.1388	8.3942	1.1249	9.5191	2.2437	1.0374	3.2811	0.0000	12,006.9301	12,006.9301	0.7651	0.0000	12,022.9963
2018	22.2424	24.9403	56.9112	0.1388	8.3942	0.9628	9.3570	2.2437	0.8884	3.1321	0.0000	11,650.5265	11,650.5265	0.7375	0.0000	11,666.0138
Total	32.7273	83.1705	184.9880	0.4165	25.1822	3.3216	28.5038	6.7310	3.0632	9.7942	0.0000	36,039.3740	36,039.3740	2.3001	0.0000	36,087.6763

[illegible]

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	28.7873	0.6654	57.3510	3.0100e-003		0.3128	0.3128		0.3128	0.3128	0.0000	102.5760	102.5760	0.1021	0.0000	104.7190
Energy	0.3517	3.0061	1.2836	0.0192		0.2430	0.2430		0.2430	0.2430		3,836.8178	3,836.8178	0.0735	0.0703	3,860.1681
Mobile	19.0252	53.1692	216.4610	0.5970	39.8581	0.8097	40.6678	10.6498	0.7460	11.3959		49,238.1901	49,238.1901	1.7933		49,275.8493
Total	48.1642	56.8407	275.0956	0.6192	39.8581	1.3655	41.2236	10.6498	1.3019	11.9517	0.0000	53,177.5839	53,177.5839	1.9689	0.0703	53,240.7363

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	28.7873	0.6654	57.3510	3.0100e-003		0.3128	0.3128		0.3128	0.3128	0.0000	102.5760	102.5760	0.1021	0.0000	104.7190
Energy	0.2938	2.5115	1.0725	0.0160		0.2030	0.2030		0.2030	0.2030		3,205.4946	3,205.4946	0.0614	0.0588	3,225.0027
Mobile	17.5114	42.2413	175.8578	0.4561	30.1921	0.6247	30.8168	8.0672	0.5756	8.6427		37,613.1436	37,613.1436	1.3946		37,642.4294
Total	46.5925	45.4182	234.2813	0.4751	30.1921	1.1405	31.3326	8.0672	1.0914	9.1585	0.0000	40,921.2142	40,921.2142	1.5581	0.0588	40,972.1510

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	3.26	20.10	14.84	23.27	24.25	16.48	23.99	24.25	16.17	23.37	0.00	23.05	23.05	20.87	16.45	23.04

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	3/1/2016	3/7/2016	5	5	
2	Grading	Grading	3/8/2016	6/27/2016	5	80	
3	Building Construction	Building Construction	6/28/2016	2/5/2018	5	420	
4	Architectural Coating	Architectural Coating	2/6/2018	9/17/2018	5	160	
5	Paving	Paving	9/17/2018	9/28/2018	5	10	

Acres of Grading (Site Preparation Phase): 0.8

Acres of Grading (Grading Phase): 0.3

Acres of Paving: 0

Residential Indoor: 690,525; Residential Outdoor: 230,175; Non-Residential Indoor: 41,543; Non-Residential Outdoor: 13,844 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Paving	Cement and Mortar Mixers	1	6.00	9	0.56
Building Construction	Cement and Mortar Mixers	2	8.00	9	0.56
Grading	Excavators	1	8.00	162	0.38
Building Construction	Cranes	1	4.00	226	0.29
Building Construction	Forklifts	2	6.00	89	0.20
Paving	Tractors/Loaders/Backhoes	1	7.00	97	0.37
Paving	Pavers	1	7.00	125	0.42
Paving	Rollers	1	7.00	80	0.38
Grading	Tractors/Loaders/Backhoes	2	6.00	97	0.37
Grading	Concrete/Industrial Saws	1	8.00	81	0.73
Building Construction	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Site Preparation	Graders	1	8.00	174	0.41
Grading	Rubber Tired Dozers	1	1.00	255	0.40
Site Preparation	Tractors/Loaders/Backhoes	1	8.00	97	0.37

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Site Preparation	2	5.00	0.00	31.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Grading	5	10.00	0.00	2,779.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	7	671.00	143.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Paving	4	10.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	134.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Water Exposed Area

Clean Paved Roads

3.2 Site Preparation - 2016**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.1753	0.0000	0.1753	0.0192	0.0000	0.0192			0.0000			0.0000
Off-Road	1.3593	13.6350	7.3401	9.3500e-003		0.8338	0.8338		0.7671	0.7671		973.0842	973.0842	0.2935		979.2481
Total	1.3593	13.6350	7.3401	9.3500e-003	0.1753	0.8338	1.0091	0.0192	0.7671	0.7862		973.0842	973.0842	0.2935		979.2481

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.1069	1.7160	1.2064	4.5800e-003	0.1080	0.0265	0.1346	0.0296	0.0244	0.0540		461.3087	461.3087	3.3100e-003		461.3782
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0208	0.0260	0.3243	7.1000e-004	0.0559	4.7000e-004	0.0564	0.0148	4.3000e-004	0.0153		59.4791	59.4791	3.0500e-003		59.5432
Total	0.1277	1.7420	1.5307	5.2900e-003	0.1639	0.0270	0.1909	0.0444	0.0249	0.0692		520.7879	520.7879	6.3600e-003		520.9213

3.2 Site Preparation - 2016**Mitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.0684	0.0000	0.0684	7.4800e-003	0.0000	7.4800e-003			0.0000			0.0000
Off-Road	1.3593	13.6350	7.3401	9.3500e-003		0.8338	0.8338		0.7671	0.7671	0.0000	973.0842	973.0842	0.2935		979.2481
Total	1.3593	13.6350	7.3401	9.3500e-003	0.0684	0.8338	0.9021	7.4800e-003	0.7671	0.7745	0.0000	973.0842	973.0842	0.2935		979.2481

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.1069	1.7160	1.2064	4.5800e-003	0.1080	0.0265	0.1346	0.0296	0.0244	0.0540		461.3087	461.3087	3.3100e-003		461.3782
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0208	0.0260	0.3243	7.1000e-004	0.0559	4.7000e-004	0.0564	0.0148	4.3000e-004	0.0153		59.4791	59.4791	3.0500e-003		59.5432
Total	0.1277	1.7420	1.5307	5.2900e-003	0.1639	0.0270	0.1909	0.0444	0.0249	0.0692		520.7879	520.7879	6.3600e-003		520.9213

3.3 Grading - 2016**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.7882	0.0000	0.7882	0.4190	0.0000	0.4190			0.0000			0.0000
Off-Road	1.7004	15.6693	12.1332	0.0173		1.0219	1.0219		0.9679	0.9679		1,743.5287	1,743.5287	0.4045		1,752.0232
Total	1.7004	15.6693	12.1332	0.0173	0.7882	1.0219	1.8101	0.4190	0.9679	1.3869		1,743.5287	1,743.5287	0.4045		1,752.0232

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.5987	9.6142	6.7592	0.0256	0.6051	0.1487	0.7539	0.1657	0.1368	0.3025		2,584.6310	2,584.6310	0.0185		2,585.0201
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0416	0.0521	0.6486	1.4200e-003	0.1118	9.3000e-004	0.1127	0.0296	8.6000e-004	0.0305		118.9583	118.9583	6.1000e-003		119.0863
Total	0.6403	9.6663	7.4078	0.0271	0.7169	0.1497	0.8666	0.1953	0.1377	0.3330		2,703.5893	2,703.5893	0.0246		2,704.1064

3.3 Grading - 2016**Mitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.3074	0.0000	0.3074	0.1634	0.0000	0.1634			0.0000			0.0000
Off-Road	1.7004	15.6693	12.1332	0.0173		1.0219	1.0219		0.9679	0.9679	0.0000	1,743.5287	1,743.5287	0.4045		1,752.0232
Total	1.7004	15.6693	12.1332	0.0173	0.3074	1.0219	1.3293	0.1634	0.9679	1.1313	0.0000	1,743.5287	1,743.5287	0.4045		1,752.0232

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.5987	9.6142	6.7592	0.0256	0.6051	0.1487	0.7539	0.1657	0.1368	0.3025		2,584.6310	2,584.6310	0.0185		2,585.0201
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0416	0.0521	0.6486	1.4200e-003	0.1118	9.3000e-004	0.1127	0.0296	8.6000e-004	0.0305		118.9583	118.9583	6.1000e-003		119.0863
Total	0.6403	9.6663	7.4078	0.0271	0.7169	0.1497	0.8666	0.1953	0.1377	0.3330		2,703.5893	2,703.5893	0.0246		2,704.1064

3.4 Building Construction - 2016

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.4993	14.4442	8.8289	0.0128		0.9695	0.9695		0.8943	0.8943		1,279.5877	1,279.5877	0.3660		1,287.2733
Total	1.4993	14.4442	8.8289	0.0128		0.9695	0.9695		0.8943	0.8943		1,279.5877	1,279.5877	0.3660		1,287.2733

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	1.1945	12.4190	14.2637	0.0311	0.8937	0.2017	1.0954	0.2545	0.1854	0.4400		3,120.2307	3,120.2307	0.0224		3,120.7008
Worker	2.7934	3.4935	43.5233	0.0950	7.5002	0.0627	7.5629	1.9891	0.0576	2.0467		7,982.0990	7,982.0990	0.4092		7,990.6921
Total	3.9879	15.9125	57.7869	0.1262	8.3939	0.2644	8.6582	2.2436	0.2431	2.4867		11,102.3297	11,102.3297	0.4316		11,111.3929

3.4 Building Construction - 2016

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.4993	14.4442	8.8289	0.0128		0.9695	0.9695		0.8943	0.8943	0.0000	1,279.587 7	1,279.587 7	0.3660		1,287.273 3
Total	1.4993	14.4442	8.8289	0.0128		0.9695	0.9695		0.8943	0.8943	0.0000	1,279.587 7	1,279.587 7	0.3660		1,287.273 3

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	1.1945	12.4190	14.2637	0.0311	0.8937	0.2017	1.0954	0.2545	0.1854	0.4400		3,120.230 7	3,120.230 7	0.0224		3,120.700 8
Worker	2.7934	3.4935	43.5233	0.0950	7.5002	0.0627	7.5629	1.9891	0.0576	2.0467		7,982.099 0	7,982.099 0	0.4092		7,990.692 1
Total	3.9879	15.9125	57.7869	0.1262	8.3939	0.2644	8.6582	2.2436	0.2431	2.4867		11,102.32 97	11,102.32 97	0.4316		11,111.39 29

3.4 Building Construction - 2017

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.3915	13.4107	8.6562	0.0128		0.8847	0.8847		0.8162	0.8162		1,260.5637	1,260.5637	0.3658		1,268.2448
Total	1.3915	13.4107	8.6562	0.0128		0.8847	0.8847		0.8162	0.8162		1,260.5637	1,260.5637	0.3658		1,268.2448

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	1.0950	11.3079	13.4148	0.0311	0.8940	0.1800	1.0739	0.2546	0.1655	0.4201		3,069.7404	3,069.7404	0.0217		3,070.1950
Worker	2.5112	3.1549	39.3900	0.0950	7.5002	0.0603	7.5605	1.9891	0.0556	2.0447		7,676.6261	7,676.6261	0.3776		7,684.5566
Total	3.6062	14.4628	52.8048	0.1261	8.3942	0.2403	8.6344	2.2437	0.2211	2.4649		10,746.3664	10,746.3664	0.3993		10,754.7516

3.4 Building Construction - 2017**Mitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.3915	13.4107	8.6562	0.0128		0.8847	0.8847		0.8162	0.8162	0.0000	1,260.563 7	1,260.563 7	0.3658		1,268.244 8
Total	1.3915	13.4107	8.6562	0.0128		0.8847	0.8847		0.8162	0.8162	0.0000	1,260.563 7	1,260.563 7	0.3658		1,268.244 8

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	1.0950	11.3079	13.4148	0.0311	0.8940	0.1800	1.0739	0.2546	0.1655	0.4201		3,069.740 4	3,069.740 4	0.0217		3,070.195 0
Worker	2.5112	3.1549	39.3900	0.0950	7.5002	0.0603	7.5605	1.9891	0.0556	2.0447		7,676.626 1	7,676.626 1	0.3776		7,684.556 6
Total	3.6062	14.4628	52.8048	0.1261	8.3942	0.2403	8.6344	2.2437	0.2211	2.4649		10,746.36 64	10,746.36 64	0.3993		10,754.75 16

3.4 Building Construction - 2018

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.1961	11.6941	8.3406	0.0128		0.7345	0.7345		0.6780	0.6780		1,241.281 4	1,241.281 4	0.3655		1,248.956 1
Total	1.1961	11.6941	8.3406	0.0128		0.7345	0.7345		0.6780	0.6780		1,241.281 4	1,241.281 4	0.3655		1,248.956 1

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	1.0271	10.3841	12.7809	0.0310	0.8940	0.1696	1.0636	0.2546	0.1560	0.4106		3,018.263 5	3,018.263 5	0.0215		3,018.715 4
Worker	2.2640	2.8621	35.7897	0.0950	7.5002	0.0587	7.5589	1.9891	0.0543	2.0434		7,390.981 6	7,390.981 6	0.3505		7,398.342 3
Total	3.2911	13.2462	48.5705	0.1260	8.3942	0.2283	8.6225	2.2437	0.2104	2.4541		10,409.24 52	10,409.24 52	0.3720		10,417.05 77

3.4 Building Construction - 2018

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.1961	11.6941	8.3406	0.0128		0.7345	0.7345		0.6780	0.6780	0.0000	1,241.281 4	1,241.281 4	0.3655		1,248.956 1
Total	1.1961	11.6941	8.3406	0.0128		0.7345	0.7345		0.6780	0.6780	0.0000	1,241.281 4	1,241.281 4	0.3655		1,248.956 1

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	1.0271	10.3841	12.7809	0.0310	0.8940	0.1696	1.0636	0.2546	0.1560	0.4106		3,018.263 5	3,018.263 5	0.0215		3,018.715 4
Worker	2.2640	2.8621	35.7897	0.0950	7.5002	0.0587	7.5589	1.9891	0.0543	2.0434		7,390.981 6	7,390.981 6	0.3505		7,398.342 3
Total	3.2911	13.2462	48.5705	0.1260	8.3942	0.2283	8.6225	2.2437	0.2104	2.4541		10,409.24 52	10,409.24 52	0.3720		10,417.05 77

3.5 Architectural Coating - 2018

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	20.6809					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2986	2.0058	1.8542	2.9700e-003		0.1506	0.1506		0.1506	0.1506		281.4485	281.4485	0.0267		282.0102
Total	20.9796	2.0058	1.8542	2.9700e-003		0.1506	0.1506		0.1506	0.1506		281.4485	281.4485	0.0267		282.0102

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.4521	0.5716	7.1473	0.0190	1.4978	0.0117	1.5095	0.3972	0.0109	0.4081		1,475.9934	1,475.9934	0.0700		1,477.4633
Total	0.4521	0.5716	7.1473	0.0190	1.4978	0.0117	1.5095	0.3972	0.0109	0.4081		1,475.9934	1,475.9934	0.0700		1,477.4633

3.5 Architectural Coating - 2018

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	20.6809					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2986	2.0058	1.8542	2.9700e-003		0.1506	0.1506		0.1506	0.1506	0.0000	281.4485	281.4485	0.0267		282.0102
Total	20.9796	2.0058	1.8542	2.9700e-003		0.1506	0.1506		0.1506	0.1506	0.0000	281.4485	281.4485	0.0267		282.0102

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.4521	0.5716	7.1473	0.0190	1.4978	0.0117	1.5095	0.3972	0.0109	0.4081		1,475.993 4	1,475.993 4	0.0700		1,477.463 3
Total	0.4521	0.5716	7.1473	0.0190	1.4978	0.0117	1.5095	0.3972	0.0109	0.4081		1,475.993 4	1,475.993 4	0.0700		1,477.463 3

3.6 Paving - 2018**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.7770	7.7949	6.4317	9.5000e-003		0.4724	0.4724		0.4354	0.4354		940.5528	940.5528	0.2850		946.5367
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	0.7770	7.7949	6.4317	9.5000e-003		0.4724	0.4724		0.4354	0.4354		940.5528	940.5528	0.2850		946.5367

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0337	0.0427	0.5334	1.4200e-003	0.1118	8.8000e-004	0.1127	0.0296	8.1000e-004	0.0305		110.1488	110.1488	5.2200e-003		110.2585
Total	0.0337	0.0427	0.5334	1.4200e-003	0.1118	8.8000e-004	0.1127	0.0296	8.1000e-004	0.0305		110.1488	110.1488	5.2200e-003		110.2585

3.6 Paving - 2018

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.7770	7.7949	6.4317	9.5000e-003		0.4724	0.4724		0.4354	0.4354	0.0000	940.5528	940.5528	0.2850		946.5366
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	0.7770	7.7949	6.4317	9.5000e-003		0.4724	0.4724		0.4354	0.4354	0.0000	940.5528	940.5528	0.2850		946.5366

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0337	0.0427	0.5334	1.4200e-003	0.1118	8.8000e-004	0.1127	0.0296	8.1000e-004	0.0305		110.1488	110.1488	5.2200e-003		110.2585
Total	0.0337	0.0427	0.5334	1.4200e-003	0.1118	8.8000e-004	0.1127	0.0296	8.1000e-004	0.0305		110.1488	110.1488	5.2200e-003		110.2585

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Increase Density

Improve Walkability Design

Improve Destination Accessibility

Increase Transit Accessibility

Improve Pedestrian Network

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	17.5114	42.2413	175.8578	0.4561	30.1921	0.6247	30.8168	8.0672	0.5756	8.6427		37,613.1436	37,613.1436	1.3946		37,642.4294
Unmitigated	19.0252	53.1692	216.4610	0.5970	39.8581	0.8097	40.6678	10.6498	0.7460	11.3959		49,238.1901	49,238.1901	1.7933		49,275.8493

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Condo/Townhouse High Rise	4,540.51	4,933.24	4182.23	15,532,430	11,765,659
Enclosed Parking with Elevator	0.00	0.00	0.00		
Strip Mall	1,017.72	965.36	469.13	1,772,974	1,343,010
Total	5,558.23	5,898.60	4,651.36	17,305,404	13,108,669

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Condo/Townhouse High Rise	14.70	5.90	8.70	40.20	19.20	40.60	86	11	3
Enclosed Parking with Elevator	16.60	8.40	6.90	0.00	0.00	0.00	0	0	0
Strip Mall	16.60	8.40	6.90	16.60	64.40	19.00	45	40	15

LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
0.512137	0.059943	0.180601	0.139123	0.042256	0.006647	0.016115	0.031670	0.001940	0.002502	0.004362	0.000588	0.002117

5.0 Energy Detail

4.4 Fleet Mix

Historical Energy Use: N

5.1 Mitigation Measures Energy

Exceed Title 24

Install High Efficiency Lighting

Install Energy Efficient Appliances

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.2938	2.5115	1.0725	0.0160		0.2030	0.2030		0.2030	0.2030		3,205.4946	3,205.4946	0.0614	0.0588	3,225.0027
NaturalGas Unmitigated	0.3517	3.0061	1.2836	0.0192		0.2430	0.2430		0.2430	0.2430		3,836.8178	3,836.8178	0.0735	0.0703	3,860.1681

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Enclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Strip Mall	106.951	1.1500e-003	0.0105	8.8100e-003	6.0000e-005		8.0000e-004	8.0000e-004		8.0000e-004	8.0000e-004		12.5825	12.5825	2.4000e-004	2.3000e-004	12.6590
Condo/Townhouse High Rise	32506	0.3506	2.9957	1.2748	0.0191		0.2422	0.2422		0.2422	0.2422		3,824.2354	3,824.2354	0.0733	0.0701	3,847.5090
Total		0.3517	3.0061	1.2836	0.0192		0.2430	0.2430		0.2430	0.2430		3,836.8178	3,836.8178	0.0735	0.0703	3,860.1681

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Strip Mall	0.0917262	9.9000e-004	8.9900e-003	7.5500e-003	5.0000e-005		6.8000e-004	6.8000e-004		6.8000e-004	6.8000e-004		10.7913	10.7913	2.1000e-004	2.0000e-004	10.8570
Condo/Townhouse High Rise	27.155	0.2929	2.5025	1.0649	0.0160		0.2023	0.2023		0.2023	0.2023		3,194.7032	3,194.7032	0.0612	0.0586	3,214.1457
Enclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		0.2938	2.5115	1.0725	0.0160		0.2030	0.2030		0.2030	0.2030		3,205.4945	3,205.4945	0.0614	0.0588	3,225.0027

6.0 Area Detail

6.1 Mitigation Measures Area

Use Low VOC Paint - Residential Interior

Use Low VOC Paint - Residential Exterior

Use Low VOC Paint - Non-Residential Interior

Use Low VOC Paint - Non-Residential Exterior

No Hearths Installed

Use Low VOC Cleaning Supplies

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	28.7873	0.6654	57.3510	3.0100e-003		0.3128	0.3128		0.3128	0.3128	0.0000	102.5760	102.5760	0.1021	0.0000	104.7190
Unmitigated	28.7873	0.6654	57.3510	3.0100e-003		0.3128	0.3128		0.3128	0.3128	0.0000	102.5760	102.5760	0.1021	0.0000	104.7190

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	4.2404					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	22.7722					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	1.7747	0.6654	57.3510	3.0100e-003		0.3128	0.3128		0.3128	0.3128		102.5760	102.5760	0.1021		104.7190
Total	28.7873	0.6654	57.3510	3.0100e-003		0.3128	0.3128		0.3128	0.3128	0.0000	102.5760	102.5760	0.1021	0.0000	104.7190

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	4.2404					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	22.7722					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	1.7747	0.6654	57.3510	3.0100e-003		0.3128	0.3128		0.3128	0.3128		102.5760	102.5760	0.1021		104.7190
Total	28.7873	0.6654	57.3510	3.0100e-003		0.3128	0.3128		0.3128	0.3128	0.0000	102.5760	102.5760	0.1021	0.0000	104.7190

7.0 Water Detail

7.1 Mitigation Measures Water

Install Low Flow Bathroom Faucet

Install Low Flow Kitchen Faucet

Install Low Flow Toilet

Install Low Flow Shower

Use Water Efficient Irrigation System

8.0 Waste Detail

8.1 Mitigation Measures Waste

Institute Recycling and Composting Services

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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10.0 Vegetation

Apex II Revised 12 23 2015
South Coast Air Basin, Winter

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Condo/Townhouse High Rise	689.00	Dwelling Unit	0.81	727,947.00	1062
Strip Mall	22.96	1000sqft	0.00	22,963.00	0
Enclosed Parking with Elevator	998.00	Space	0.00	399,200.00	0

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	31
Climate Zone	11			Operational Year	2018
Utility Company	Los Angeles Department of Water & Power				
CO2 Intensity (lb/MWhr)	1227.89	CH4 Intensity (lb/MWhr)	0.029	N2O Intensity (lb/MWhr)	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Operational Project includes Phase I (Tower I and Loft Bldg) and Phase II (Tower2).

Construction Phase - Construction schedule assumes approx. 30 months.

Off-road Equipment - Grading phase equipment to add 1 excavator and 2 loaders/tractors/backhoes (Grading footprint is 14,700sf).

Grading - Site Prep includes entire lot area of 35,594 sf; Grading area is limited to parking garage footprint of 14,700 sf.

Woodstoves - No woodstoves or fireplaces are proposed.

Sequestration - 15 Trees per Site Plan.

Construction Off-road Equipment Mitigation -

Mobile Land Use Mitigation -

Area Mitigation -

Energy Mitigation - Energy mitigation measures reflect City of LA Green Building mandates for high rise residential.

Water Mitigation -

Waste Mitigation -

Off-road Equipment - Site Prep assumes 1 tractor/backhoe. (deleted 1 grader)

Off-road Equipment - Added cement mortar mixer for bldg. construction phase

Off-road Equipment -

Off-road Equipment - Changed cement mortar mixer to 1 for paving.

Architectural Coating - Architectural coating surface area was modified to reflect only Phase II construction as Phase I is completed.

Table Name	Column Name	Default Value	New Value
tblArchitecturalCoating	ConstArea_Nonresidential_Exterior	211,082.00	13,844.00
tblArchitecturalCoating	ConstArea_Nonresidential_Interior	633,245.00	41,543.00
tblArchitecturalCoating	ConstArea_Residential_Exterior	491,364.00	230,175.00
tblArchitecturalCoating	ConstArea_Residential_Interior	1,474,093.00	690,525.00
tblConstructionPhase	NumDays	5.00	160.00
tblConstructionPhase	NumDays	100.00	420.00
tblConstructionPhase	NumDays	2.00	80.00
tblConstructionPhase	NumDays	5.00	10.00

tblConstructionPhase	NumDays	1.00	5.00
tblConstructionPhase	PhaseEndDate	10/1/2018	9/28/2018
tblConstructionPhase	PhaseStartDate	9/18/2018	9/17/2018
tblFireplaces	FireplaceDayYear	25.00	0.00
tblFireplaces	FireplaceHourDay	3.00	0.00
tblFireplaces	FireplaceWoodMass	1,019.20	0.00
tblFireplaces	NumberGas	585.65	0.00
tblFireplaces	NumberNoFireplace	68.90	0.00
tblFireplaces	NumberWood	34.45	0.00
tblGrading	AcresOfGrading	0.00	0.30
tblGrading	AcresOfGrading	2.50	0.80
tblGrading	MaterialExported	0.00	22,233.00
tblGrading	MaterialExported	0.00	250.00
tblLandUse	LandUseSquareFeet	689,000.00	727,947.00
tblLandUse	LotAcreage	10.77	0.81
tblLandUse	LotAcreage	0.53	0.00
tblLandUse	LotAcreage	8.98	0.00
tblLandUse	Population	1,971.00	1,062.00
tblOffRoadEquipment	OffRoadEquipmentType		Cement and Mortar Mixers
tblOffRoadEquipment	OffRoadEquipmentType		Excavators
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	4.00	1.00
tblProjectCharacteristics	OperationalYear	2014	2018
tblSequestration	NumberOfNewTrees	0.00	15.00
tblTripsAndVMT	WorkerTripNumber	13.00	10.00
tblWoodstoves	NumberCatalytic	34.45	0.00
tblWoodstoves	NumberNoncatalytic	34.45	0.00
tblWoodstoves	WoodstoveDayYear	25.00	0.00
tblWoodstoves	WoodstoveWoodMass	999.60	0.00

2.0 Emissions Summary

2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2016	5.6643	31.0143	66.0752	0.1327	8.3939	1.2359	9.6298	2.2436	1.1393	3.3829	0.0000	11,859.98 52	11,859.98 52	0.7982	0.0000	11,876.74 80
2017	5.1490	28.4622	61.0908	0.1326	8.3942	1.1267	9.5209	2.2437	1.0390	3.2827	0.0000	11,503.31 28	11,503.31 28	0.7657	0.0000	11,519.39 32
2018	22.2510	25.4712	56.6818	0.1325	8.3942	0.9644	9.3586	2.2437	0.8899	3.1336	0.0000	11,164.12 48	11,164.12 48	0.7382	0.0000	11,179.62 67
Total	33.0643	84.9477	183.8478	0.3979	25.1822	3.3271	28.5093	6.7310	3.0682	9.7992	0.0000	34,527.42 28	34,527.42 28	2.3021	0.0000	34,575.76 78

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2016	5.6643	31.0143	66.0752	0.1327	8.3939	1.2359	9.6298	2.2436	1.1393	3.3829	0.0000	11,859.98 52	11,859.98 52	0.7982	0.0000	11,876.74 80
2017	5.1490	28.4622	61.0908	0.1326	8.3942	1.1267	9.5209	2.2437	1.0390	3.2827	0.0000	11,503.31 28	11,503.31 28	0.7657	0.0000	11,519.39 32
2018	22.2510	25.4712	56.6818	0.1325	8.3942	0.9644	9.3586	2.2437	0.8899	3.1336	0.0000	11,164.12 48	11,164.12 48	0.7382	0.0000	11,179.62 67
Total	33.0643	84.9477	183.8478	0.3979	25.1822	3.3271	28.5093	6.7310	3.0682	9.7992	0.0000	34,527.42 28	34,527.42 28	2.3021	0.0000	34,575.76 78

[illegible]

2.2 Overall Operational**Unmitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	28.7873	0.6654	57.3510	3.0100e-003		0.3128	0.3128		0.3128	0.3128	0.0000	102.5760	102.5760	0.1021	0.0000	104.7190
Energy	0.3517	3.0061	1.2836	0.0192		0.2430	0.2430		0.2430	0.2430		3,836.8178	3,836.8178	0.0735	0.0703	3,860.1681
Mobile	19.6191	55.8690	213.5161	0.5670	39.8581	0.8128	40.6709	10.6498	0.7489	11.3987		46,874.1235	46,874.1235	1.7950		46,911.8182
Total	48.7580	59.5405	272.1507	0.5892	39.8581	1.3686	41.2267	10.6498	1.3047	11.9545	0.0000	50,813.5173	50,813.5173	1.9706	0.0703	50,876.7052

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	28.7873	0.6654	57.3510	3.0100e-003		0.3128	0.3128		0.3128	0.3128	0.0000	102.5760	102.5760	0.1021	0.0000	104.7190
Energy	0.2938	2.5115	1.0725	0.0160		0.2030	0.2030		0.2030	0.2030		3,205.4946	3,205.4946	0.0614	0.0588	3,225.0027
Mobile	18.1574	44.3024	177.1145	0.4333	30.1921	0.6278	30.8199	8.0672	0.5784	8.6455		35,809.6469	35,809.6469	1.3963		35,838.9682
Total	47.2385	47.4793	235.5380	0.4524	30.1921	1.1436	31.3357	8.0672	1.0942	9.1614	0.0000	39,117.7174	39,117.7174	1.5597	0.0588	39,168.6898

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	3.12	20.26	13.45	23.23	24.25	16.44	23.99	24.25	16.13	23.36	0.00	23.02	23.02	20.85	16.45	23.01

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	3/1/2016	3/7/2016	5	5	
2	Grading	Grading	3/8/2016	6/27/2016	5	80	
3	Building Construction	Building Construction	6/28/2016	2/5/2018	5	420	
4	Architectural Coating	Architectural Coating	2/6/2018	9/17/2018	5	160	
5	Paving	Paving	9/17/2018	9/28/2018	5	10	

Acres of Grading (Site Preparation Phase): 0.8

Acres of Grading (Grading Phase): 0.3

Acres of Paving: 0

Residential Indoor: 690,525; Residential Outdoor: 230,175; Non-Residential Indoor: 41,543; Non-Residential Outdoor: 13,844 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Paving	Cement and Mortar Mixers	1	6.00	9	0.56
Building Construction	Cement and Mortar Mixers	2	8.00	9	0.56
Grading	Excavators	1	8.00	162	0.38
Building Construction	Cranes	1	4.00	226	0.29
Building Construction	Forklifts	2	6.00	89	0.20
Paving	Tractors/Loaders/Backhoes	1	7.00	97	0.37
Paving	Pavers	1	7.00	125	0.42
Paving	Rollers	1	7.00	80	0.38
Grading	Tractors/Loaders/Backhoes	2	6.00	97	0.37
Grading	Concrete/Industrial Saws	1	8.00	81	0.73
Building Construction	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Site Preparation	Graders	1	8.00	174	0.41
Grading	Rubber Tired Dozers	1	1.00	255	0.40
Site Preparation	Tractors/Loaders/Backhoes	1	8.00	97	0.37

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Site Preparation	2	5.00	0.00	31.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Grading	5	10.00	0.00	2,779.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	7	671.00	143.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Paving	4	10.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	134.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Water Exposed Area

Clean Paved Roads

3.2 Site Preparation - 2016**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.1753	0.0000	0.1753	0.0192	0.0000	0.0192			0.0000			0.0000
Off-Road	1.3593	13.6350	7.3401	9.3500e-003		0.8338	0.8338		0.7671	0.7671		973.0842	973.0842	0.2935		979.2481
Total	1.3593	13.6350	7.3401	9.3500e-003	0.1753	0.8338	1.0091	0.0192	0.7671	0.7862		973.0842	973.0842	0.2935		979.2481

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.1129	1.7781	1.3822	4.5700e-003	0.1080	0.0266	0.1346	0.0296	0.0245	0.0541		460.2132	460.2132	3.3500e-003		460.2835
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0213	0.0286	0.2990	6.6000e-004	0.0559	4.7000e-004	0.0564	0.0148	4.3000e-004	0.0153		55.7848	55.7848	3.0500e-003		55.8488
Total	0.1341	1.8067	1.6812	5.2300e-003	0.1639	0.0271	0.1910	0.0444	0.0249	0.0693		515.9979	515.9979	6.4000e-003		516.1323

3.2 Site Preparation - 2016**Mitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.0684	0.0000	0.0684	7.4800e-003	0.0000	7.4800e-003			0.0000			0.0000
Off-Road	1.3593	13.6350	7.3401	9.3500e-003		0.8338	0.8338		0.7671	0.7671	0.0000	973.0842	973.0842	0.2935		979.2481
Total	1.3593	13.6350	7.3401	9.3500e-003	0.0684	0.8338	0.9021	7.4800e-003	0.7671	0.7745	0.0000	973.0842	973.0842	0.2935		979.2481

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.1129	1.7781	1.3822	4.5700e-003	0.1080	0.0266	0.1346	0.0296	0.0245	0.0541		460.2132	460.2132	3.3500e-003		460.2835
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0213	0.0286	0.2990	6.6000e-004	0.0559	4.7000e-004	0.0564	0.0148	4.3000e-004	0.0153		55.7848	55.7848	3.0500e-003		55.8488
Total	0.1341	1.8067	1.6812	5.2300e-003	0.1639	0.0271	0.1910	0.0444	0.0249	0.0693		515.9979	515.9979	6.4000e-003		516.1323

3.3 Grading - 2016**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.7882	0.0000	0.7882	0.4190	0.0000	0.4190			0.0000			0.0000
Off-Road	1.7004	15.6693	12.1332	0.0173		1.0219	1.0219		0.9679	0.9679		1,743.528 7	1,743.528 7	0.4045		1,752.023 2
Total	1.7004	15.6693	12.1332	0.0173	0.7882	1.0219	1.8101	0.4190	0.9679	1.3869		1,743.528 7	1,743.528 7	0.4045		1,752.023 2

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.6323	9.9624	7.7443	0.0256	0.6051	0.1491	0.7542	0.1657	0.1371	0.3028		2,578.492 8	2,578.492 8	0.0188		2,578.887 0
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0426	0.0572	0.5980	1.3300e-003	0.1118	9.3000e-004	0.1127	0.0296	8.6000e-004	0.0305		111.5695	111.5695	6.1000e-003		111.6976
Total	0.6748	10.0196	8.3423	0.0269	0.7169	0.1500	0.8669	0.1953	0.1380	0.3333		2,690.062 3	2,690.062 3	0.0249		2,690.584 6

3.3 Grading - 2016**Mitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.3074	0.0000	0.3074	0.1634	0.0000	0.1634			0.0000			0.0000
Off-Road	1.7004	15.6693	12.1332	0.0173		1.0219	1.0219		0.9679	0.9679	0.0000	1,743.528 7	1,743.528 7	0.4045		1,752.023 2
Total	1.7004	15.6693	12.1332	0.0173	0.3074	1.0219	1.3293	0.1634	0.9679	1.1313	0.0000	1,743.528 7	1,743.528 7	0.4045		1,752.023 2

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.6323	9.9624	7.7443	0.0256	0.6051	0.1491	0.7542	0.1657	0.1371	0.3028		2,578.492 8	2,578.492 8	0.0188		2,578.887 0
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0426	0.0572	0.5980	1.3300e-003	0.1118	9.3000e-004	0.1127	0.0296	8.6000e-004	0.0305		111.5695	111.5695	6.1000e-003		111.6976
Total	0.6748	10.0196	8.3423	0.0269	0.7169	0.1500	0.8669	0.1953	0.1380	0.3333		2,690.062 3	2,690.062 3	0.0249		2,690.584 6

3.4 Building Construction - 2016**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.4993	14.4442	8.8289	0.0128		0.9695	0.9695		0.8943	0.8943		1,279.5877	1,279.5877	0.3660		1,287.2733
Total	1.4993	14.4442	8.8289	0.0128		0.9695	0.9695		0.8943	0.8943		1,279.5877	1,279.5877	0.3660		1,287.2733

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	1.3093	12.7326	17.1204	0.0309	0.8937	0.2037	1.0974	0.2545	0.1874	0.4419		3,094.0830	3,094.0830	0.0231		3,094.5671
Worker	2.8557	3.8375	40.1259	0.0891	7.5002	0.0627	7.5629	1.9891	0.0576	2.0467		7,486.3145	7,486.3145	0.4092		7,494.9076
Total	4.1650	16.5701	57.2463	0.1200	8.3939	0.2664	8.6603	2.2436	0.2450	2.4886		10,580.3976	10,580.3976	0.4322		10,589.4747

3.4 Building Construction - 2016

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.4993	14.4442	8.8289	0.0128		0.9695	0.9695		0.8943	0.8943	0.0000	1,279.5877	1,279.5877	0.3660		1,287.2733
Total	1.4993	14.4442	8.8289	0.0128		0.9695	0.9695		0.8943	0.8943	0.0000	1,279.5877	1,279.5877	0.3660		1,287.2733

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	1.3093	12.7326	17.1204	0.0309	0.8937	0.2037	1.0974	0.2545	0.1874	0.4419		3,094.0830	3,094.0830	0.0231		3,094.5671
Worker	2.8557	3.8375	40.1259	0.0891	7.5002	0.0627	7.5629	1.9891	0.0576	2.0467		7,486.3145	7,486.3145	0.4092		7,494.9076
Total	4.1650	16.5701	57.2463	0.1200	8.3939	0.2664	8.6603	2.2436	0.2450	2.4886		10,580.3976	10,580.3976	0.4322		10,589.4747

3.4 Building Construction - 2017

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.3915	13.4107	8.6562	0.0128		0.8847	0.8847		0.8162	0.8162		1,260.563 7	1,260.563 7	0.3658		1,268.244 8
Total	1.3915	13.4107	8.6562	0.0128		0.8847	0.8847		0.8162	0.8162		1,260.563 7	1,260.563 7	0.3658		1,268.244 8

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	1.1959	11.5869	16.2530	0.0309	0.8940	0.1817	1.0757	0.2546	0.1671	0.4218		3,043.953 3	3,043.953 3	0.0223		3,044.422 1
Worker	2.5616	3.4646	36.1816	0.0890	7.5002	0.0603	7.5605	1.9891	0.0556	2.0447		7,198.795 8	7,198.795 8	0.3776		7,206.726 3
Total	3.7575	15.0515	52.4346	0.1199	8.3942	0.2420	8.6362	2.2437	0.2228	2.4665		10,242.74 91	10,242.74 91	0.4000		10,251.14 84

3.4 Building Construction - 2017

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.3915	13.4107	8.6562	0.0128		0.8847	0.8847		0.8162	0.8162	0.0000	1,260.563 7	1,260.563 7	0.3658		1,268.244 8
Total	1.3915	13.4107	8.6562	0.0128		0.8847	0.8847		0.8162	0.8162	0.0000	1,260.563 7	1,260.563 7	0.3658		1,268.244 8

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	1.1959	11.5869	16.2530	0.0309	0.8940	0.1817	1.0757	0.2546	0.1671	0.4218		3,043.953 3	3,043.953 3	0.0223		3,044.422 1
Worker	2.5616	3.4646	36.1816	0.0890	7.5002	0.0603	7.5605	1.9891	0.0556	2.0447		7,198.795 8	7,198.795 8	0.3776		7,206.726 3
Total	3.7575	15.0515	52.4346	0.1199	8.3942	0.2420	8.6362	2.2437	0.2228	2.4665		10,242.74 91	10,242.74 91	0.4000		10,251.14 84

3.4 Building Construction - 2018

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.1961	11.6941	8.3406	0.0128		0.7345	0.7345		0.6780	0.6780		1,241.281 4	1,241.281 4	0.3655		1,248.956 1
Total	1.1961	11.6941	8.3406	0.0128		0.7345	0.7345		0.6780	0.6780		1,241.281 4	1,241.281 4	0.3655		1,248.956 1

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	1.1180	10.6349	15.5964	0.0308	0.8940	0.1712	1.0652	0.2546	0.1575	0.4121		2,992.855 2	2,992.855 2	0.0222		2,993.321 6
Worker	2.3039	3.1422	32.7448	0.0890	7.5002	0.0587	7.5589	1.9891	0.0543	2.0434		6,929.988 3	6,929.988 3	0.3505		6,937.349 0
Total	3.4219	13.7771	48.3411	0.1198	8.3942	0.2300	8.6241	2.2437	0.2118	2.4556		9,922.843 5	9,922.843 5	0.3727		9,930.670 6

3.4 Building Construction - 2018

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.1961	11.6941	8.3406	0.0128		0.7345	0.7345		0.6780	0.6780	0.0000	1,241.281 4	1,241.281 4	0.3655		1,248.956 1
Total	1.1961	11.6941	8.3406	0.0128		0.7345	0.7345		0.6780	0.6780	0.0000	1,241.281 4	1,241.281 4	0.3655		1,248.956 1

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	1.1180	10.6349	15.5964	0.0308	0.8940	0.1712	1.0652	0.2546	0.1575	0.4121		2,992.855 2	2,992.855 2	0.0222		2,993.321 6
Worker	2.3039	3.1422	32.7448	0.0890	7.5002	0.0587	7.5589	1.9891	0.0543	2.0434		6,929.988 3	6,929.988 3	0.3505		6,937.349 0
Total	3.4219	13.7771	48.3411	0.1198	8.3942	0.2300	8.6241	2.2437	0.2118	2.4556		9,922.843 5	9,922.843 5	0.3727		9,930.670 6

3.5 Architectural Coating - 2018

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	20.6809					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2986	2.0058	1.8542	2.9700e-003		0.1506	0.1506		0.1506	0.1506		281.4485	281.4485	0.0267		282.0102
Total	20.9796	2.0058	1.8542	2.9700e-003		0.1506	0.1506		0.1506	0.1506		281.4485	281.4485	0.0267		282.0102

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.4601	0.6275	6.5392	0.0178	1.4978	0.0117	1.5095	0.3972	0.0109	0.4081		1,383.9321	1,383.9321	0.0700		1,385.4020
Total	0.4601	0.6275	6.5392	0.0178	1.4978	0.0117	1.5095	0.3972	0.0109	0.4081		1,383.9321	1,383.9321	0.0700		1,385.4020

3.5 Architectural Coating - 2018

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	20.6809					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2986	2.0058	1.8542	2.9700e-003		0.1506	0.1506		0.1506	0.1506	0.0000	281.4485	281.4485	0.0267		282.0102
Total	20.9796	2.0058	1.8542	2.9700e-003		0.1506	0.1506		0.1506	0.1506	0.0000	281.4485	281.4485	0.0267		282.0102

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.4601	0.6275	6.5392	0.0178	1.4978	0.0117	1.5095	0.3972	0.0109	0.4081		1,383.9321	1,383.9321	0.0700		1,385.4020
Total	0.4601	0.6275	6.5392	0.0178	1.4978	0.0117	1.5095	0.3972	0.0109	0.4081		1,383.9321	1,383.9321	0.0700		1,385.4020

3.6 Paving - 2018**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.7770	7.7949	6.4317	9.5000e-003		0.4724	0.4724		0.4354	0.4354		940.5528	940.5528	0.2850		946.5367
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	0.7770	7.7949	6.4317	9.5000e-003		0.4724	0.4724		0.4354	0.4354		940.5528	940.5528	0.2850		946.5367

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0343	0.0468	0.4880	1.3300e-003	0.1118	8.8000e-004	0.1127	0.0296	8.1000e-004	0.0305		103.2785	103.2785	5.2200e-003		103.3882
Total	0.0343	0.0468	0.4880	1.3300e-003	0.1118	8.8000e-004	0.1127	0.0296	8.1000e-004	0.0305		103.2785	103.2785	5.2200e-003		103.3882

3.6 Paving - 2018

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.7770	7.7949	6.4317	9.5000e-003		0.4724	0.4724		0.4354	0.4354	0.0000	940.5528	940.5528	0.2850		946.5366
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	0.7770	7.7949	6.4317	9.5000e-003		0.4724	0.4724		0.4354	0.4354	0.0000	940.5528	940.5528	0.2850		946.5366

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0343	0.0468	0.4880	1.3300e-003	0.1118	8.8000e-004	0.1127	0.0296	8.1000e-004	0.0305		103.2785	103.2785	5.2200e-003		103.3882
Total	0.0343	0.0468	0.4880	1.3300e-003	0.1118	8.8000e-004	0.1127	0.0296	8.1000e-004	0.0305		103.2785	103.2785	5.2200e-003		103.3882

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Increase Density

Improve Walkability Design

Improve Destination Accessibility

Increase Transit Accessibility

Improve Pedestrian Network

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	18.1574	44.3024	177.1145	0.4333	30.1921	0.6278	30.8199	8.0672	0.5784	8.6455		35,809.6469	35,809.6469	1.3963		35,838.9682
Unmitigated	19.6191	55.8690	213.5161	0.5670	39.8581	0.8128	40.6709	10.6498	0.7489	11.3987		46,874.1235	46,874.1235	1.7950		46,911.8182

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Condo/Townhouse High Rise	4,540.51	4,933.24	4182.23	15,532,430	11,765,659
Enclosed Parking with Elevator	0.00	0.00	0.00		
Strip Mall	1,017.72	965.36	469.13	1,772,974	1,343,010
Total	5,558.23	5,898.60	4,651.36	17,305,404	13,108,669

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Condo/Townhouse High Rise	14.70	5.90	8.70	40.20	19.20	40.60	86	11	3
Enclosed Parking with Elevator	16.60	8.40	6.90	0.00	0.00	0.00	0	0	0
Strip Mall	16.60	8.40	6.90	16.60	64.40	19.00	45	40	15

LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
0.512137	0.059943	0.180601	0.139123	0.042256	0.006647	0.016115	0.031670	0.001940	0.002502	0.004362	0.000588	0.002117

5.0 Energy Detail

4.4 Fleet Mix

Historical Energy Use: N

5.1 Mitigation Measures Energy

Exceed Title 24

Install High Efficiency Lighting

Install Energy Efficient Appliances

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.2938	2.5115	1.0725	0.0160		0.2030	0.2030		0.2030	0.2030		3,205.4946	3,205.4946	0.0614	0.0588	3,225.0027
NaturalGas Unmitigated	0.3517	3.0061	1.2836	0.0192		0.2430	0.2430		0.2430	0.2430		3,836.8178	3,836.8178	0.0735	0.0703	3,860.1681

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Enclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Strip Mall	106.951	1.1500e-003	0.0105	8.8100e-003	6.0000e-005		8.0000e-004	8.0000e-004		8.0000e-004	8.0000e-004		12.5825	12.5825	2.4000e-004	2.3000e-004	12.6590
Condo/Townhouse High Rise	32506	0.3506	2.9957	1.2748	0.0191		0.2422	0.2422		0.2422	0.2422		3,824.2354	3,824.2354	0.0733	0.0701	3,847.5090
Total		0.3517	3.0061	1.2836	0.0192		0.2430	0.2430		0.2430	0.2430		3,836.8178	3,836.8178	0.0735	0.0703	3,860.1681

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Enclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Strip Mall	0.0917262	9.9000e-004	8.9900e-003	7.5500e-003	5.0000e-005		6.8000e-004	6.8000e-004		6.8000e-004	6.8000e-004		10.7913	10.7913	2.1000e-004	2.0000e-004	10.8570
Condo/Townhouse High Rise	27.155	0.2929	2.5025	1.0649	0.0160		0.2023	0.2023		0.2023	0.2023		3,194.7032	3,194.7032	0.0612	0.0586	3,214.1457
Total		0.2938	2.5115	1.0725	0.0160		0.2030	0.2030		0.2030	0.2030		3,205.4945	3,205.4945	0.0614	0.0588	3,225.0027

6.0 Area Detail

6.1 Mitigation Measures Area

Use Low VOC Paint - Residential Interior

Use Low VOC Paint - Residential Exterior

Use Low VOC Paint - Non-Residential Interior

Use Low VOC Paint - Non-Residential Exterior

No Hearths Installed

Use Low VOC Cleaning Supplies

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	28.7873	0.6654	57.3510	3.0100e-003		0.3128	0.3128		0.3128	0.3128	0.0000	102.5760	102.5760	0.1021	0.0000	104.7190
Unmitigated	28.7873	0.6654	57.3510	3.0100e-003		0.3128	0.3128		0.3128	0.3128	0.0000	102.5760	102.5760	0.1021	0.0000	104.7190

6.2 Area by SubCategory**Unmitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	4.2404					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	22.7722					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	1.7747	0.6654	57.3510	3.0100e-003		0.3128	0.3128		0.3128	0.3128		102.5760	102.5760	0.1021		104.7190
Total	28.7873	0.6654	57.3510	3.0100e-003		0.3128	0.3128		0.3128	0.3128	0.0000	102.5760	102.5760	0.1021	0.0000	104.7190

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	4.2404					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	22.7722					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	1.7747	0.6654	57.3510	3.0100e-003		0.3128	0.3128		0.3128	0.3128		102.5760	102.5760	0.1021		104.7190
Total	28.7873	0.6654	57.3510	3.0100e-003		0.3128	0.3128		0.3128	0.3128	0.0000	102.5760	102.5760	0.1021	0.0000	104.7190

7.0 Water Detail

7.1 Mitigation Measures Water

Install Low Flow Bathroom Faucet

Install Low Flow Kitchen Faucet

Install Low Flow Toilet

Install Low Flow Shower

Use Water Efficient Irrigation System

8.0 Waste Detail

8.1 Mitigation Measures Waste

Institute Recycling and Composting Services

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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10.0 Vegetation

Attachment B

LADOT Correspondence Re: Traffic Assessment Letter, December 12, 2015


Updated Traffic Study, The Mobility Group, November 24, 2015

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

700 W. 9th St
DOT Case No. CEN 15-43880

Date: December 12, 2015

To: Karen Hoo, City Planner
Department of City Planning

From:  Wes Pringle, Transportation Engineer
Department of Transportation

Subject: **UPDATED TRAFFIC ASSESSMENT FOR THE APEX PHASE II (9TH & FIGUEROA) PROPOSED DEVELOPMENT PROJECT**

DOT has reviewed the updated traffic analysis prepared for the revised Apex Phase II Project, dated November 24, 2015, by The Mobility Group. The proposed residential project is located at the southeast corner of 9th Street and Figueroa Street. The original project scope was the subject of a traffic study prepared in March 2005 and of a DOT report dated May 27, 2005. A supplemental traffic analysis in September 23, 2014 was the subject of another DOT assessment letter dated October 3, 2014. The original project proposed to construct 629 condominiums and 27,000 square-feet of retail space. In the supplemental analysis, the project was revised to the construction of 689 condominiums and 22,963 square-feet of retail space.

According to the original traffic impact study from March 2005 and the supplemental analysis from September 23, 2014, the project was expected to result in two significant traffic impacts at the nine intersections identified for detailed analysis. The revised project described in the September 23, 2014 letter was estimated to generate 2,696 net new daily trips, 197 net new trips in the a.m. peak hour and 244 net new trips in the p.m. peak hour. The updated analysis was prepared utilizing current (2015) counts at the study intersections, the latest related project list, and the inclusion of both planned and installed bike lanes that were not part of the last analysis. There have been no changes to the project description. The analysis of the project with the updated conditions did not result in any new significant traffic impacts.

DOT concurs with the updated analysis that the project's expected impacts would not change. On August 11, 2015, the City Council adopted the Mobility Plan 2035 which represents the new Mobility Element of the General Plan. A key feature of the updated plan is to revise street standards in an effort to provide a more enhanced balance between traffic flow and other important street functions including transit routes and stops, pedestrian environments, bicycle routes, building design and site access, etc. The applicant should check with BOE's Land Development Group to determine the specific highway dedication, street widening and/or sidewalk requirements for this project. Other than any previously made highway dedication and street widening recommendations, all of prior conditions of

DOT's May 27, 2005 and September 23, 2014 letters (attached for reference) shall remain in effect.

If you have any questions, please contact me at (213) 972-8482.

Attachments

K:\Letters\2015\CEN15-43880_700 9th st_mu_rev_ltr.doc

c: Kevin Ocubillo, Council District No. 14
Mehrdad Moshksar, Central District, DOT
Taimour Tanavoli, Citywide Planning Coordination Section, DOT
Gregg Vandergriff, Central District, BOE
Mike Bates, The Mobility Group

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

700 W. 9th St
DOT Case No. CEN 14-42408

Date: October 3, 2014

To: Karen Hoo, City Planner
Department of City Planning



From: Tomas Carranza, Senior Transportation Engineer
Department of Transportation

Subject: **SUPPLEMENTAL TRAFFIC ANALYSIS FOR APEX PHASE II (9TH & FIGUEROA) PROJECT**

The Department of Transportation (DOT) has reviewed the supplemental traffic analysis, dated September 23, 2014, and prepared by The Mobility Group, for the Apex Phase II project located at the southeast corner of 9th Street and Figueroa Street. The original scope for this project was the subject of a traffic study prepared in March 2005 and of a DOT report dated May 27, 2005. The Vesting Tentative Tract Map (No. 62367) for this project was approved on July 5, 2005 entitling the applicant to construct 629 condominium units and 27,000 square feet of retail space. Since that time, the project has constructed 348 dwelling units and 11,276 square feet of commercial space. The project proposal has been revised and the applicant now proposes to construct a total of 689 residential units and 22,963 square-feet of retail use. This reflects an increase in residential units and a decrease in retail space from the approved project.

The supplemental analysis estimated the trip generation for the revised project proposal and included a revised level-of-service analysis of the original nine intersections selected for detailed evaluation. The analysis (attached for reference) indicates that the change in the project's scope would not result in any new significant traffic impacts and that DOT's original findings are still valid. The revised project scope is estimated to increase the amount of trips generated by the project as follows: 74 more daily trips, 14 more a.m. peak hour trips and 6 more p.m. peak hour trips. For the purpose of this comparison, trip generation from the Institute of Transportation (ITE) Engineers Trip Generation Manual (7th Edition) were used for both project scenarios. The latest edition of this manual was published in 2012 and included updated trip generation rates based on increased data sets and surveys. When comparing the two project scenarios using rates from the 9th Edition, the revised project is actually estimated to result in less trips for the three compared time periods.

The revised project is estimated to generate 2,698 net new daily trips, 197 net new trips in the a.m. peak hour and 244 net new trips in the p.m. peak hour. The revised analysis evaluated the original nine study intersections and determined that, as in the previous study, the same two study intersections would be significantly impacted by project related traffic. Therefore, DOT concurs with the findings of the supplemental traffic analysis that the changes to the project scope would not result in any new significant traffic impacts.

If you have any questions, please contact Wes Pringle of my staff at (213) 972-8482.

s:\letters\CEN14-42408_700 9th St_rev proj.wpd

Attachment (Technical Memorandum from The Mobility Group dated September 23, 2014)

c: Tanner Blackman, Council District 14
Taimour Tanavoli, Citywide Planning Coordination Section, DOT
Mike Bates, The Mobility Group

Memorandum

To: Tomas Carranza, LADOT
From: Matthew Simons, The Mobility Group
Subject: Traffic Review for Apex Phase II (9th & Figueroa) Project
Date: September 23, 2014

The Mobility Group (TMG) initially submitted a Traffic Study for this project, which is located immediately south of 9th Street between Figueroa Street and Flower Street, on March 25, 2005. At that time, the Project Description comprised 629 condominiums and 27,000 sq. ft. of retail space. The analysis contained in that report showed that the proposed project was not expected to generate any significant traffic impacts after mitigation. LADOT agreed with the findings of that report and drafted an Approval Letter (Attachment A) dated May 27, 2005 (DOT Case No. CEN 04-1591). The Vesting Tentative Tract Map (No. 62367) was approved on July 5, 2005, and the Zone Variance and Site Plan Review (ZA 2005-1673(ZV)(ZAA)(SPR) was approved on September 26, 2005.

Since that time, a large part of the Project has been constructed. This has included 348 dwelling units and 11,276 sq. ft. of commercial retail space. The Applicant is now proceeding with construction of the third part of the Project, and wishes to make some minor changes to the Project Description.

Original 2005 Project and Traffic Study Report

The original 2005 report was based on a Project Description of 629 residential condominiums and 27,000 sq. ft. of retail space. The report identified that the Project would generate 2,624 daily trips, 183 AM peak hour trips and 238 PM peak hour trips (Attachment A, Original 2005 Approval Letter, Page 1).

Revised 2014 Project and Analysis

The Applicant has revised the Project Description to include a total of 689 apartment units and 22,963 sq. ft. of retail space. TMG prepared trip generation estimates for the revised Project

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Description using trip rates from the 7th Edition (Attachment B, Table B.1) of the Institute of Transportation Engineers (ITE) *Trip Generation* for consistency with the earlier Traffic Study. As for the earlier study, for a conservative analysis and to provide the Project more flexibility, the revised Project trip generation was based on condominium land use (with a slightly higher trip rate than apartment land use).

When the trip generation estimates from the Original 2005 Traffic Study were compared to those calculated for the Revised 2014 Project Description, it was determined that the daily trips are expected to increase from 2,624 trips to 2,698 trips. The AM peak hour trips are expected to increase from 183 trips to 197 trips and PM peak hour trips are expected to increase from 238 trips to 244 trips. Revised level of service analyses were conducted at the study intersections identified in the 2005 Traffic Study using the trip generation estimates calculated for the Revised 2014 Project. The LOS calculations were updated to account for all existing and planned bike lanes that are to be implemented in the study area. The increase in vehicle trips generated by the Revised 2014 Project is not expected to create any new significant impacts at any of the study intersections (Attachment B, Tables B.2 and B.3).

TMG also calculated the trip generation estimates using the trips rates from the 9th Edition (Attachment B, Table B.4) of ITE's *Trip Generation* and compared the results to those calculated using the 7th Edition trip rates. The number of trips in both the AM and PM peak hours is lower when calculated using the 9th Edition trip rates than those calculated using the 7th Edition trip rates. This further supports our conclusion that using the results calculated using the 7th Edition trip rates is the most conservative method of analysis and shows there would not be any new significant impacts.

Conclusion

The proposed change in the Project Description is expected to result in a slight increase in the overall number of vehicle trips the Project is expected to generate. Two significant impacts and acceptable mitigation measures were identified in the Original 2005 Traffic Study. The increase in vehicle trips as a result of the change from the 2005 Project Description to the 2014 Project Description is not expected to create any new significant impacts.

We therefore conclude that the change in Project Description will not create any new significant impacts and that a new traffic study is not necessary.

We respectfully request your concurrence with the above conclusion. If necessary, the Applicant requests a supplemental LADOT letter, describing the changes in the Project Description - and confirming the results of the trip generation analysis and that there would still be no significant impacts at any of the study intersections. They would like to move forward as quickly as possible, so if necessary they are requesting the supplemental letter at your earliest convenience.

18301 Von Karman Ave.
Suite 490
Irvine, CA 92612
Phone: 949-474-1591
Fax: 949-474-1599

The Mobility Group

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We appreciate your assistance on this project. You may call me at (949)-474-1591 x15 or e-mail me at msimons@mobilitygrp.com, if you have any questions.

18301 Von Karman Ave.
Suite 490
Irvine, CA 92612
Phone: 949-474-1591
Fax: 949-474-1599


FILE

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

9th St & Figueroa St
DOT Case No. CEN 04-1591

Date: May 27, 2005

To: Hadar Plafkin, City Planner
City Planning Department

From: 
Mike Bagheri, Transportation Engineer
Department of Transportation

Subject: **TRAFFIC IMPACT STUDY FOR THE PROPOSED MIXED-USE PROJECT
LOCATED ON THE SOUTHEAST CORNER OF 9TH STREET AND
FIGUEROA STREET (VT#62367)**

The Department of Transportation (DOT) has reviewed the traffic impact study, prepared by traffic consultant The Mobility Group, March 25, 2005, for a proposed mixed-use project located at the southeast corner of 9th Street and Figueroa Street. The study analyzed 9 intersections and determined that two of the study intersections would be significantly impacted by the project related traffic. Except as noted, the study adequately evaluated the project-related traffic impacts on the surrounding community.

DISCUSSION AND FINDINGS

Project Description

The proposed project consists of constructing 629 condominium units and a 27,000 square foot (SF) retail area. The site is currently occupied by a surface parking lot. The project will provide a total of 977 parking spaces in a surface parking structure and subterranean parking structure. The project will take access from one driveway on Figueroa Street and one driveway on Flower Street. The project is expected to be complete by year 2007.

Trip Generation

The project will generate approximately 2,624 net daily trips with 183 net trips in the AM peak hour and 238 net trips in the PM peak hour.

Significant Traffic Impact Locations

The proposed project will experience significant traffic impacts at the following locations:

1. 9th Street and Flower Street
2. Figueroa Street and Olympic Boulevard

PROJECT REQUIREMENTS

A. 9th Street and Flower Street

The proposal to widen the south side of 9th Street and restripe the eastbound approach from four through lanes and one right-turn only lane to four through lanes and two right-turn only lanes is acceptable to DOT. Implementation of this improvement measure may require modification of the traffic signal. The proposed improvement will mitigate the impact at this location to a level of insignificance.

B. Figueroa Street and Olympic Boulevard

The proposal is to obtain additional right-of-way and widen the north side of Olympic Boulevard and restripe the westbound approach from one left-turn only lane, two through lanes and one shared through-right turn lane to one left turn only lane, three through lanes, and one right-turn only lane. The north side of Olympic Boulevard between Flower Street and Figueroa Street has a variable half-width roadway of 35-feet to 46-feet on a variable half-width right-of-way of 50-feet to 58-feet. The proposed mitigation measure would require a half-width roadway widening of 5-feet to 16-feet and a half-width right-of-way dedication of 5-feet to 18-feet. The proposed mitigation measure is acceptable to DOT. The proposed improvement will mitigate the impact at this location to a level of insignificance.

C. Construction Impacts

DOT recommends that a construction work site traffic control plan be submitted to DOT for review and approval prior to the start of any construction work. The plan should 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. DOT also recommends that all construction related traffic be restricted to off-peak hours.

D. Highway Dedication And Street Widening Requirements

Figueroa Street is classified as a Major Highway Class II which requires a 40-foot half-width roadway on a 52-foot half-width right-of-way.

9th Street is classified as a Secondary Highway which requires a 35-foot half-width roadway on a 45-foot half-width right-of-way. DOT recommends a 10-foot widening and a 10-foot dedication along the project frontage.

Flower Street is also classified as a Secondary Highway.

It appears that additional highway dedication and street widening may be required for the proposed project. The developer must check with the Bureau of Engineering (BOE) Land Development Group to determine the highway dedication, street widening and sidewalk requirements for the project.

E. Improvements and Mitigation Measures Implementation

Unless otherwise specified, the proposed mitigation measures and improvements shall be implemented through the Bureau of Engineering (BOE) B-Permit process. Construction of the improvements to the satisfaction of DOT and BOE must be completed before issuance of any certificate of occupancy. Should any improvement not receive required approval, the City may substitute an alternative measure of an equivalent effectiveness. Prior to setting the bond amount, BOE shall require that the developer's engineer or contractor contact DOT's B-Permit Coordinator, telephone (213) 928-9663, to arrange a pre-design meeting to finalize the proposed design needed for the project.

F. Parking Analysis

As noted previously, the proposed project will provide 977 parking spaces. The developer should also check with the Department of Building and Safety on the number of Code required parking spaces needed for the project.

G. Driveway Access

The review of this study does not constitute approval of the driveway access and circulation scheme. Those require separate review and approval and should be coordinated as soon as possible with DOT's Citywide Planning Coordination Section (201 N. Figueroa Street, 4th Floor, Station 3, @ 213-482-7024) to avoid delays in the building permit approval process. In order to minimize and prevent last minute building design changes, it is highly imperative that the applicant, prior to the commencement of building or parking layout design efforts, contact DOT for driveway width and internal circulation requirements so that such traffic flow considerations are designed and incorporated early into the building and parking layout plans to avoid any unnecessary time delays and potential costs associated with late design changes. All driveways should be Case 2 driveways and 30 feet and 18 feet wide for two-way and one-way operations, respectively.

If you have any questions, please contact Wes Pringle of my staff at (213) 972-8482.

s:\letters\9th_figueroa_mixed_use.wpd

c: Angie English, Council District No. 9
Martha Stephenson, Central District, DOT
Tim Conger, DOT Design
Taimour Tanavoli, Citywide Planning Coordination Section, DOT
Edmond Yew, Land Development Group, BOE
The Mobility Group

Memorandum

To: Tomas Carranza, LADOT

From: Michael Bates

Subject: Apex II – Traffic Assessment for 2015 Update

Date: November 24, 2015

The Mobility Group (TMG) initially submitted a Traffic Study for this project, which is located immediately south of 9th Street between Figueroa Street and Flower Street, on March 25, 2005. At that time, the Project Description comprised 629 condominiums and 27,000 sq. ft. of retail space. The analysis contained in that report showed that the proposed project was not expected to generate any significant traffic impacts after mitigation at two locations. LADOT agreed with the findings of that report and drafted an Approval Letter (Attachment A) dated May 27, 2005 (DOT Case No. CEN 04-1591). The Vesting Tentative Tract Map (No. 62367) was approved on July 5, 2005, and the Zone Variance and Site Plan Review (ZA 2005-1673(ZV)(ZAA)(SPR) was approved on September 26, 2005.

Since that time, a large part of the Project has been constructed. This has included 348 dwelling units and 11,276 sq. ft. of commercial retail space. The Applicant is now proceeding with construction of the third part of the Project.

Original 2005 Project and Traffic Study Report

The original 2005 report was based on a Project Description of 629 residential condominiums and 27,000 sq. ft. of retail space. The report identified that the Project would generate 2,624 daily trips, 183 AM peak hour trips and 238 PM peak hour trips (Attachment A, Original 2005 Approval Letter, Page 1).

Revised 2014 Project and Analysis

The Mobility Group submitted a Traffic Review Memorandum on September 23, 2014 addressing minor modifications to the proposed program. The revised Project Description

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totals include 689 apartment units (small increase) and 22,963 sq. ft. of retail space (small decrease).

Trip generation estimates were prepared for the Revised 2014 Project Description and were compared to those calculated for the Original 2005 Traffic Study. It was determined that the daily trips were expected to increase from 2,624 trips to 2,696 trips. The AM peak hour trips were expected to increase from 183 trips to 197 trips and PM peak hour trips are expected to increase from 238 trips to 244 trips. Revised level of service analyses were conducted at the study intersections identified in the 2005 Traffic Study using the trip generation estimates calculated for the Revised 2014 Project. The LOS calculations were also updated to account for all existing and planned bike lanes that are to be implemented in the study area. It was calculated that the increase in vehicle trips generated by the Revised 2014 Project would not create any new significant impacts at any of the study locations.

In that memorandum we concluded that the proposed change in the Project Description is expected to result in a slight increase in the overall number of vehicle trips the Project is expected to generate. However, the increase in vehicle trips as a result of the change from the 2005 Project Description to the 2014 Project Description was not expected to create any new significant impacts. We therefore concluded that the change in Project Description would not create any new significant impacts and that a new traffic study was not necessary. The original 2005 Traffic Study identified two mitigation measures at the original two impact locations, and these measures would continue to be applicable. That memorandum was approved by LADOT (Attachment B, 2014 Approval Letter).

Updated Traffic Analysis

The foregoing notwithstanding, The Mobility Group has now conducted an evaluation of the 2014 Project with a completely updated traffic analysis including updated 2015 traffic counts, an updated related project list and updated intersection configurations to reflect recently installed and planned bike lanes. The Project description has not changed from the 2014 configuration. This analysis was conducted in accordance with LADOT's current Traffic Impact Analysis Guidelines.

Updated Traffic Counts

The traffic analysis included 2015 traffic counts (conducted in March and May of 2015) at all study intersections.

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Updated Related Projects List

A total of 70 related projects were assumed in the traffic study for the 2005 Mitigated Negative Declaration. This analysis prepared a new related projects list, which includes 69 projects. This list and the number of total AM and PM peak hour trips for each project is shown in Appendix C. The updated list has slightly more trips than the traffic study for the 2005 Mitigated Negative Declaration list in both the AM and PM peak hours (+3% and +1%, respectively), as summarized in Table 1.

Updated Lane Configurations

This analysis took into account updated intersection lane configurations to account for existing and planned bike lanes and roadway improvements in the study area, including the MyFigueroa Project.

Updated Level of Service Analysis

Trips for the already completed phase of the project are included in the new 2015 traffic counts. The analysis of potential new impacts was therefore conducted on the incremental addition of trips from the yet to be completed part of the project (Phase 2). These trip generation estimates, which are based on ITE Trip Generation 9th Edition, are shown in Table 2.

The intersection analysis was then updated for the existing traffic counts, the 2015 intersection lane configurations and the 2015 related project list. The updated intersection Level of Service analysis is shown in Table 3 and Table 4. Level of Service calculations are shown in Appendix D

These tables demonstrate that there would be no new significant traffic impacts from the 2014 Revised Project (Phase 2), as evaluated with updated 2015 conditions. However, the original two mitigation measures would continue to apply for the overall buildout of the project.

Conclusions

This memorandum has demonstrated that:

- This 2015 Analysis Update included updated existing traffic counts, updated intersection lane configurations and an updated related project list.

Table 1 Related Project List Comparison

11/24/2015

Project Document	# of Related Project	Related Project A.M Peak Hour			Related Project P.M Peak Hour		
		In	Out	Total	In	Out	Total
2005 Project	70	9,877	7,288	17,163	11,725	13,041	24,766
2015 Update	69	8,709	9,007	17,716	12,338	12,631	24,969

11/24/2015

Land Use Assumptions	Source ¹ & Code	Quantity	Units	Daily	
				Trip Rate	Total Trips
<u>Proposed</u>					
Condominiums	ITE 232	341	DU	4.18	1,425
(Reduction for transit / walk trips) - 20%					-285
Net Condominiums					1,140
Retail	ITE 820	11,687	S.F	42.70	500
(Reduction for internal / walk trips) - 10%					-50
(Reduction for pass-by trips) - 50%					-225
Net Retail					225
Total Proposed					1,365
Total					1,365

Land Use Assumptions	Source 1 & Code	Quantity	Units	A.M Peak Hour					
				Trip Rate			Total Trips		
				In	Out	Total	In	Out	Total
Proposed									
Condominiums	ITE 232	341	DU	0.06	0.28	0.34	22	94	116
(Reduction for transit / walk trips) - 20%							-4	-19	-23
Net Condominiums							18	75	93
Retail	ITE 820	11,687	S.F	0.60	0.37	0.96	7	4	11
(Reduction for internal) - 10%							-1	0	-1
(Reduction for transit / walk trips) - 20%							-1	-1	-2
(Reduction for pass-by trips) - 50%							-3	-1	-4
Net Retail							2	2	4
Total Proposed							20	77	97
Total							20	77	97

Table 2. Apex II Project - Phase 2 Program

11/24/2015

P.M Peak

Land Use Assumptions	Source ¹ & Code	Quantity	Units	P.M Peak Hour					
				Trip Rate			Total Trips		
				In	Out	Total	In	Out	Total
<u>Proposed</u>									
Condominiums	ITE 232	341	DU	0.24	0.14	0.38	81	49	130
(Reduction for transit / walk trips) - 20%							-16	-10	-26
Net Condominiums							65	39	104
Retail	ITE 820	11,667	S.F	1.78	1.93	3.71	21	23	44
(Reduction for internal) - 10%							-2	-2	-4
(Reduction for transit / walk trips) - 20%							-4	-4	-8
(Reduction for pass-by trips) - 50%							-8	-8	-16
Net Retail							7	9	16
Total Proposed							72	48	120
Total							72	48	120

1. ITE Rates from Trip Generation, 9th Edition, Institute of Transportation Engineers, Washington, DC, 2012.

**Table 3 Future With Project Conditions - Intersection Level of Service
AM Peak Hour**

Intersection	AM Peak Hour				Change in V / C	Significant Impact
	Future Without Project		Future With Project			
	V / C	LOS	V / C	LOS		
1. Figueroa St & 8 th St	1.138	F	1.143	F	0.005	No
2. Figueroa St & 9 th St	1.029	F	1.038	F	0.009	No
3. Figueroa St & Olympic Blvd	1.588	F	1.592	F	0.004	No
4. Flower St & 8 th St	0.416	A	0.417	A	0.001	No
5. Flower St & 9 th St	0.389	A	0.394	A	0.005	No
6. Flower St & Olympic Blvd	0.566	A	0.569	A	0.003	No
7. Bixel St & 8 th St	0.933	E	0.935	E	0.002	No
8. Francisco St & 9 th St	0.352	A	0.353	A	0.001	No
9. Francisco St & 8 th St	0.359	A	0.361	A	0.002	No

**Table 4 Future With Project Conditions - Intersection Level of Service
PM Peak Hour**

Intersection	PM Peak Hour				Change in V / C	Significant Impact
	Future Without Project		Future With Project			
	V / C	LOS	V / C	LOS		
1. Figueroa St & 8 th St	1.152	F	1.155	F	0.003	No
2. Figueroa St & 9 th St	0.901	E	0.910	E	0.009	No
3. Figueroa St & Olympic Blvd	1.438	F	1.447	F	0.009	No
4. Flower St & 8 th St	0.657	B	0.661	B	0.004	No
5. Flower St & 9 th St	0.735	C	0.745	C	0.010	No
6. Flower St & Olympic Blvd	0.827	D	0.837	D	0.010	No
7. Bixel St & 8 th St	1.131	F	1.136	F	0.005	No
8. Francisco St & 9 th St	0.411	A	0.414	A	0.003	No
9. Francisco St & 8 th St	0.498	A	0.500	A	0.002	No

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- The 2015 Analysis Update demonstrated that the intersection V/C increases due to the Phase 2 Project would still be below the threshold for significance, and there would be no new significant intersection impacts.

We respectfully request LADOT's concurrence with these conclusions.



- Legend**
- Project Site
 - One-Way Street
 - M Blue Line Station
 - MTA Blue Line



Not to Scale
11/24/15

Figure 1
Project Location

Apex II Project

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Legend

- Project Site
- One-Way Street
- M Blue Line Station
- MTA Blue Line



Not to Scale

11/24/15

Figure 2
Location of Analyzed Intersections

Apex II Project

The Mobility Group
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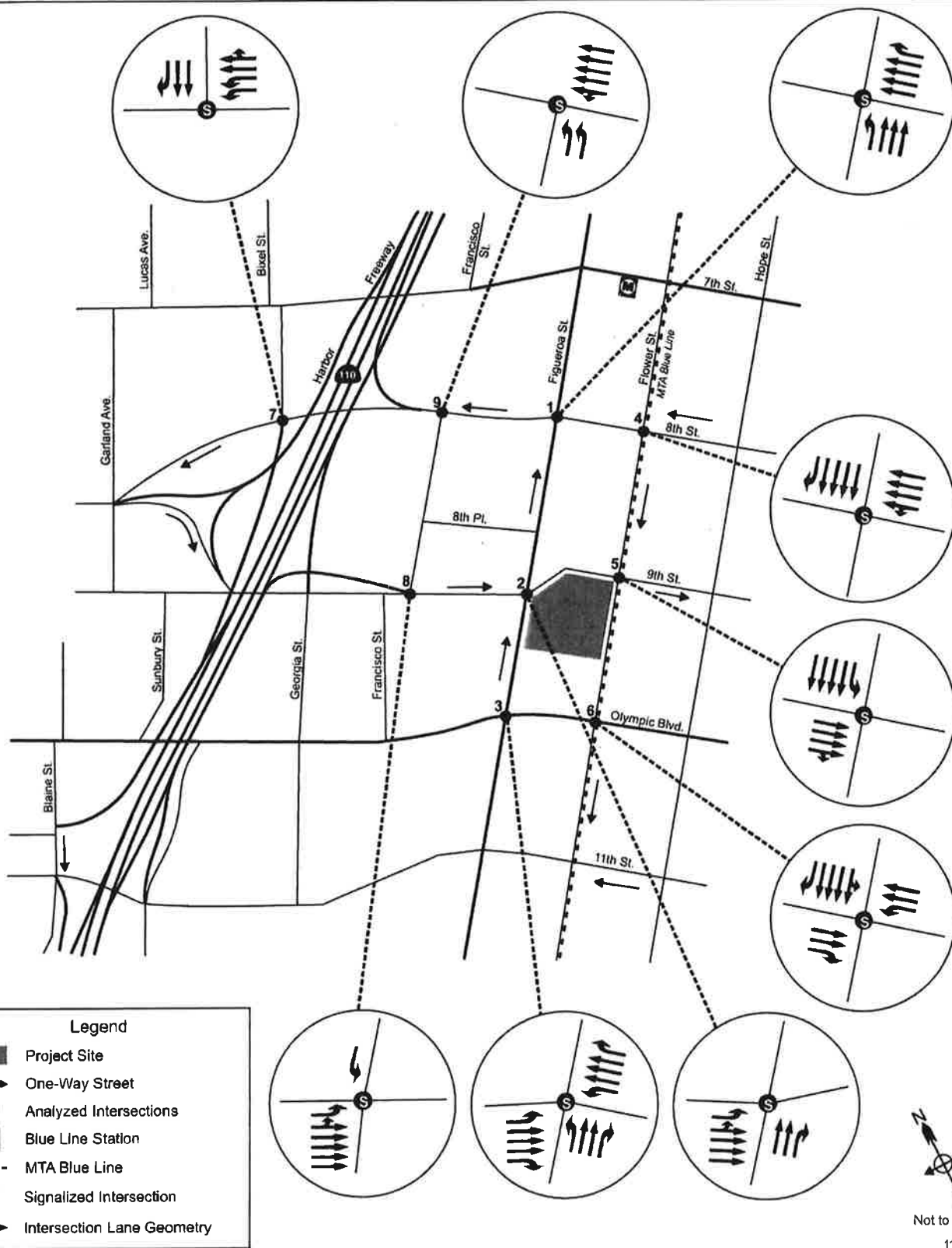


Figure 3
Configuration of Analyzed Intersections

Apex II Project

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Appendix A

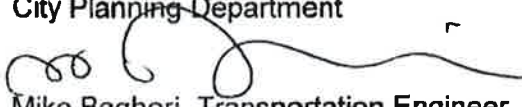
2005 LADOT Approval Letter

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

9th St & Figueroa St
DOT Case No. CEN 04-1591

Date: May 27, 2005

To: Hadar Plafkin, City Planner
City Planning Department

From: 
Mike Bagheri, Transportation Engineer
Department of Transportation



Subject: **TRAFFIC IMPACT STUDY FOR THE PROPOSED MIXED-USE PROJECT
LOCATED ON THE SOUTHEAST CORNER OF 9TH STREET AND
FIGUEROA STREET (VT#62367)**

The Department of Transportation (DOT) has reviewed the traffic impact study, prepared by traffic consultant The Mobility Group, March 25, 2005, for a proposed mixed-use project located at the southeast corner of 9th Street and Figueroa Street. The study analyzed 9 intersections and determined that two of the study intersections would be significantly impacted by the project related traffic. Except as noted, the study adequately evaluated the project-related traffic impacts on the surrounding community.

DISCUSSION AND FINDINGS

Project Description

The proposed project consists of constructing 629 condominium units and a 27,000 square foot (SF) retail area. The site is currently occupied by a surface parking lot. The project will provide a total of 977 parking spaces in a surface parking structure and subterranean parking structure. The project will take access from one driveway on Figueroa Street and one driveway on Flower Street. The project is expected to be complete by year 2007.

Trip Generation

The project will generate approximately 2,624 net daily trips with 183 net trips in the AM peak hour and 238 net trips in the PM peak hour.

Significant Traffic Impact Locations

The proposed project will experience significant traffic impacts at the following locations:

1. 9th Street and Flower Street
2. Figueroa Street and Olympic Boulevard

PROJECT REQUIREMENTS**A. 9th Street and Flower Street**

The proposal to widen the south side of 9th Street and restripe the eastbound approach from four through lanes and one right-turn only lane to four through lanes and two right-turn only lanes is acceptable to DOT. Implementation of this improvement measure may require modification of the traffic signal. The proposed improvement will mitigate the impact at this location to a level of insignificance.

B. Figueroa Street and Olympic Boulevard

The proposal is to obtain additional right-of-way and widen the north side of Olympic Boulevard and restripe the westbound approach from one left-turn only lane, two through lanes and one shared through-right turn lane to one left turn only lane, three through lanes, and one right-turn only lane. The north side of Olympic Boulevard between Flower Street and Figueroa Street has a variable half-width roadway of 35-feet to 46-feet on a variable half-width right-of-way of 50-feet to 58-feet. The proposed mitigation measure would require a half-width roadway widening of 5-feet to 16-feet and a half-width right-of-way dedication of 5-feet to 18-feet. The proposed mitigation measure is acceptable to DOT. The proposed improvement will mitigate the impact at this location to a level of insignificance.

C. Construction Impacts

DOT recommends that a construction work site traffic control plan be submitted to DOT for review and approval prior to the start of any construction work. The plan should 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. DOT also recommends that all construction related traffic be restricted to off-peak hours.

D. Highway Dedication And Street Widening Requirements

Figueroa Street is classified as a Major Highway Class II which requires a 40-foot half-width roadway on a 52-foot half-width right-of-way.

9th Street is classified as a Secondary Highway which requires a 35-foot half-width roadway on a 45-foot half-width right-of-way. DOT recommends a 10-foot widening and a 10-foot dedication along the project frontage.

Flower Street is also classified as a Secondary Highway.

It appears that additional highway dedication and street widening may be required for the proposed project. The developer must check with the Bureau of Engineering (BOE) Land Development Group to determine the highway dedication, street widening and sidewalk requirements for the project.

E. Improvements and Mitigation Measures Implementation

Unless otherwise specified, the proposed mitigation measures and improvements shall be implemented through the Bureau of Engineering (BOE) B-Permit process. Construction of the improvements to the satisfaction of DOT and BOE must be completed before issuance of any certificate of occupancy. Should any improvement not receive required approval, the City may substitute an alternative measure of an equivalent effectiveness. Prior to setting the bond amount, BOE shall require that the developer's engineer or contractor contact DOT's B-Permit Coordinator, telephone (213) 928-9663, to arrange a pre-design meeting to finalize the proposed design needed for the project.

F. Parking Analysis

As noted previously, the proposed project will provide 977 parking spaces. The developer should also check with the Department of Building and Safety on the number of Code required parking spaces needed for the project.

G. Driveway Access

The review of this study does not constitute approval of the driveway access and circulation scheme. Those require separate review and approval and should be coordinated as soon as possible with DOT's Citywide Planning Coordination Section (201 N. Figueroa Street, 4th Floor, Station 3, @ 213-482-7024) to avoid delays in the building permit approval process. In order to minimize and prevent last minute building design changes, it is highly imperative that the applicant, prior to the commencement of building or parking layout design efforts, contact DOT for driveway width and internal circulation requirements so that such traffic flow considerations are designed and incorporated early into the building and parking layout plans to avoid any unnecessary time delays and potential costs associated with late design changes. All driveways should be Case 2 driveways and 30 feet and 18 feet wide for two-way and one-way operations, respectively.

If you have any questions, please contact Wes Pringle of my staff at (213) 972-8482.

s:\letters\9th_figueroa_mixed_use.wpd

c: Angie English, Council District No. 9
Martha Stephenson, Central District, DOT
Tim Conger, DOT Design
Taimour Tanavoli, Citywide Planning Coordination Section, DOT
Edmond Yew, Land Development Group, BOE
The Mobility Group

Appendix B

2014 LADOT Approval Letter

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

700 W. 9th St
DOT Case No. CEN 14-42408

Date: October 3, 2014

To: Karen Hoo, City Planner
Department of City Planning

From: Tomas Carranza, Senior Transportation Engineer
Department of Transportation

Subject: **SUPPLEMENTAL TRAFFIC ANALYSIS FOR APEX PHASE II (9TH & FIGUEROA) PROJECT**

The Department of Transportation (DOT) has reviewed the supplemental traffic analysis, dated September 23, 2014, and prepared by The Mobility Group, for the Apex Phase II project located at the southeast corner of 9th Street and Figueroa Street. The original scope for this project was the subject of a traffic study prepared in March 2005 and of a DOT report dated May 27, 2005. The Vesting Tentative Tract Map (No. 62367) for this project was approved on July 5, 2005 entitling the applicant to construct 629 condominium units and 27,000 square feet of retail space. Since that time, the project has constructed 348 dwelling units and 11,276 square feet of commercial space. The project proposal has been revised and the applicant now proposes to construct a total of 689 residential units and 22,963 square-feet of retail use. This reflects an increase in residential units and a decrease in retail space from the approved project.

The supplemental analysis estimated the trip generation for the revised project proposal and included a revised level-of-service analysis of the original nine intersections selected for detailed evaluation. The analysis (attached for reference) indicates that the change in the project's scope would not result in any new significant traffic impacts and that DOT's original findings are still valid. The revised project scope is estimated to increase the amount of trips generated by the project as follows: 74 more daily trips, 14 more a.m. peak hour trips and 6 more p.m. peak hour trips. For the purpose of this comparison, trip generation from the Institute of Transportation (ITE) Engineers Trip Generation Manual (7th Edition) were used for both project scenarios. The latest edition of this manual was published in 2012 and included updated trip generation rates based on increased data sets and surveys. When comparing the two project scenarios using rates from the 9th Edition, the revised project is actually estimated to result in less trips for the three compared time periods.

The revised project is estimated to generate 2,698 net new daily trips, 197 net new trips in the a.m. peak hour and 244 net new trips in the p.m. peak hour. The revised analysis evaluated the original nine study intersections and determined that, as in the previous study, the same two study intersections would be significantly impacted by project related traffic. Therefore, DOT concurs with the findings of the supplemental traffic analysis that the changes to the project scope would not result in any new significant traffic impacts.

If you have any questions, please contact Wes Pringle of my staff at (213) 972-8482.

s:\letters\CEN14-42408_700 9th St_rev proj wpd

Attachment (Technical Memorandum from The Mobility Group dated September 23, 2014)

c: Tanner Blackman, Council District 14
Taimour Tanavoli, Citywide Planning Coordination Section, DOT
Mike Bates, The Mobility Group

Memorandum

To: Tomas Carranza, LADOT
From: Matthew Simons, The Mobility Group
Subject: Traffic Review for Apex Phase II (9th & Figueroa) Project
Date: September 23, 2014

The Mobility Group (TMG) initially submitted a Traffic Study for this project, which is located immediately south of 9th Street between Figueroa Street and Flower Street, on March 25, 2005. At that time, the Project Description comprised 629 condominiums and 27,000 sq. ft. of retail space. The analysis contained in that report showed that the proposed project was not expected to generate any significant traffic impacts after mitigation. LADOT agreed with the findings of that report and drafted an Approval Letter (Attachment A) dated May 27, 2005 (DOT Case No. CEN 04-1591). The Vesting Tentative Tract Map (No. 62367) was approved on July 5, 2005, and the Zone Variance and Site Plan Review (ZA 2005-1673(ZV)(ZAA)(SPR) was approved on September 26, 2005.

Since that time, a large part of the Project has been constructed. This has included 348 dwelling units and 11,276 sq. ft. of commercial retail space. The Applicant is now proceeding with construction of the third part of the Project, and wishes to make some minor changes to the Project Description.

Original 2005 Project and Traffic Study Report

The original 2005 report was based on a Project Description of 629 residential condominiums and 27,000 sq. ft. of retail space. The report identified that the Project would generate 2,624 daily trips, 183 AM peak hour trips and 238 PM peak hour trips (Attachment A, Original 2005 Approval Letter, Page 1).

Revised 2014 Project and Analysis

The Applicant has revised the Project Description to include a total of 689 apartment units and 22,963 sq. ft. of retail space. TMG prepared trip generation estimates for the revised Project

The Mobility Group

Transportation Strategies & Solutions

Description using trip rates from the 7th Edition (Attachment B, Table B.1) of the Institute of Transportation Engineers (ITE) *Trip Generation* for consistency with the earlier Traffic Study. As for the earlier study, for a conservative analysis and to provide the Project more flexibility, the revised Project trip generation was based on condominium land use (with a slightly higher trip rate than apartment land use).

When the trip generation estimates from the Original 2005 Traffic Study were compared to those calculated for the Revised 2014 Project Description, it was determined that the daily trips are expected to increase from 2,624 trips to 2,698 trips. The AM peak hour trips are expected to increase from 183 trips to 197 trips and PM peak hour trips are expected to increase from 238 trips to 244 trips. Revised level of service analyses were conducted at the study intersections identified in the 2005 Traffic Study using the trip generation estimates calculated for the Revised 2014 Project. The LOS calculations were updated to account for all existing and planned bike lanes that are to be implemented in the study area. The increase in vehicle trips generated by the Revised 2014 Project is not expected to create any new significant impacts at any of the study intersections (Attachment B, Tables B.2 and B.3).

TMG also calculated the trip generation estimates using the trips rates from the 9th Edition (Attachment B, Table B.4) of ITE's *Trip Generation* and compared the results to those calculated using the 7th Edition trip rates. The number of trips in both the AM and PM peak hours is lower when calculated using the 9th Edition trip rates than those calculated using the 7th Edition trip rates. This further supports our conclusion that using the results calculated using the 7th Edition trip rates is the most conservative method of analysis and shows there would not be any new significant impacts.

Conclusion

The proposed change in the Project Description is expected to result in a slight increase in the overall number of vehicle trips the Project is expected to generate. Two significant impacts and acceptable mitigation measures were identified in the Original 2005 Traffic Study. The increase in vehicle trips as a result of the change from the 2005 Project Description to the 2014 Project Description is not expected to create any new significant impacts.

We therefore conclude that the change in Project Description will not create any new significant impacts and that a new traffic study is not necessary.

We respectfully request your concurrence with the above conclusion. If necessary, the Applicant requests a supplemental LADOT letter, describing the changes in the Project Description - and confirming the results of the trip generation analysis and that there would still be no significant impacts at any of the study intersections. They would like to move forward as quickly as possible, so if necessary they are requesting the supplemental letter at your earliest convenience.

18301 Von Karman Ave.
Suite 490
Irvine, CA 92612
Phone: 949-474-1591
Fax: 949-474-1599

The Mobility Group

Transportation Strategies & Solutions

We appreciate your assistance on this project. You may call me at (949)-474-1591 x15 or e-mail me at msimons@mobilitygrp.com, if you have any questions.

18301 Von Karman Ave.
Suite 490
Irvine, CA 92612
Phone: 949-474-1591
Fax: 949-474-1599

Appendix C

Updated Related Projects Table

Table C.1 Related Project List and Trip Generation Estimates

5/19/2015

Project #	Project Name - EAF # / DOT Case #	Location / Address	Project Description	Daily Trips	AM Peak Hour			PM Peak Hour		
					In	Out	Total	In	Out	Total
1	Apartments	1247 S Grand Ave	118 DU	763	10	41	51	42	25	67
2	1400 S Figueroa Residential Project	1400 S Figueroa	106 DU	647	10	38	48	39	32	71
3	Mixed-Use	820 S Olive St	589 DU 4,500 sf	3,309	63	202	265	195	106	302
4	Variety Arts Project	940 S Figueroa St	3,295 sf	1,954	132	1	133	55	138	193
5	8th & Grand Mixed-Use Project	710 S Grand	700 DU 27,000 s.f 5,000 s.f	3,131	88	185	273	275	202	477
6	DTLA South Park - Site 1	1120 S Grand Ave	481 DU 300 Rooms 8,700 sf	3,878	110	143	253	167	136	303
7	DTLA South Park - Site 4	1230 S Olive St	362 DU	2,114	31	126	157	127	69	196
8	Mixed-Use (Herald Examiner)	146 W 11th (11th St / Broadway)	391 DU 39,720 s.f 40,000 s.f	5,198	144	176	320	258	274	532
9	Mixed-Use	327 N Fremont Ave (Fremont / Temple)	600 DU 25,000 s.f	2,457	113	248	361	286	217	503
10	Restaurant Project	1035 S Grand Ave	7,149 sf	492	2	3	5	27	14	41
11	ADP		22 DU	25,312	1,438	878	2,316	1,083	1,800	2,883
			7,443,200 sf 645,000 sf 750 Room 20,000 sf 70,000 sf							
12	LA Plaza Cultura Village	527 N Spring St 555 N Broadway	384 DU 50,000 sf	4,889	69	175	244	244	180	424
13	Mixed-Use Development 2006-CEN-3596	745 S. Spring (Spring/8th St.)	247 DU 10,675 s.f	1,543	23	67	90	80	60	140

Table C.1 Related Project List and Trip Generation Estimates

5/19/2015

Project #	Project Name - EAF # / DOT Case #	Location / Address	Project Description	Daily Trips	AM Peak Hour			PM Peak Hour		
					In	Out	Total	In	Out	Total
14	Onyx Apartment	Pico Blvd b/w Flower and Grand	419 DU 29,200 sf Retail Quality Restaurant Fast-food Restaurant	4,260	88	105	193	136	102	238
15	G12 Project	North of Pico b/w Grand and Olive	640 DU 30,000 sf 10,000 sf Retail Restaurant	4,886	92	148	240	181	134	315
16	Mixed-Use ENV/2008-4679EA; 2008-CEN-4802	1050 S Grand Ave (Grand Ave / 11th St.)	128 DU 3,472 s.f Retail Restaurant	676	15	54	69	64	35	99
17	8th/Grand/Hope Project	609 W 8th	225 DU 200 Rooms Hotel Retail Restaurant	4,908	85	109	194	243	158	401
18	11th & Hill Project 2007-CEN-3969	1115 S Hill St	172 DU 6,850 s.f Retail	543	-45	40	-5	50	-7	43
19	Mixed Use	SOLA Village	900 DU 550 DU 210 Rooms Retail/Commercial Office Gallery/Museum Gym	12,737	390	552	942	637	566	1203
20	New Medical Office Building (Good Samaritan Hospital) ENV/2009-0884EA	Wilshire Blvd/Wilmer St	56,450 s.f Imaging center, pharmacy, surgical suites, and physician offices	3,986	190	70	260	106	246	352
21	Charter High School	1552 W Rockwood St	600 Students Charter High School	715	122	58	180	26	29	54
22	Park/Fifth Project	427 W 5th	900 DU 19,000 s.f 19,200 s.f Condominiums Retail Restaurant	3,134	42	115	157	164	97	261
23	Kawada Tower 2008-CEN-4803	250 S Hill (Hill & 3rd)	330 DU 12,000 s.f Retail	1,551	21	73	94	66	42	108

Table C.1 Related Project List and Trip Generation Estimates

5/19/2015

Project #	Project Name - EAF # / DOT Case #	Location / Address	Project Description	Daily Trips	AM Peak Hour			PM Peak Hour		
					In	Out	Total	In	Out	Total
24	Mixed Use 2012-CEN-40016	1435 W 3rd Street	122 DU 3,500 Sf Apartment Retail	711	11	42	53	41	25	66
25	Grand Avenue Project 2006-CEN-3022	Parcel Q and Parcel W - Bounded by 1st Street, Grand Avenue, Hill Street, & Upper 2nd Street. Parcel LJM-2 - Bounded by GTK Way, Hope Street, & Upper 2nd Street	1,648 DU 412 DU 681,000 s.f 53,000 s.f 67,000 s.f 225,250 s.f 250 Seats 50,000 s.f 275 Rooms Condominiums Apartments County Office Building Super Market Restaurant Retail Event Facility Health Club Hotel	22,601	919	632	1,551	1,120	1,344	2,464
26	Washington Bl Opportunity MU (Mercy Hsg) 2009-CEN-5050	E Washington Bl/Los Angeles St	230 DU 32 DU 19,000 sf Residential Units Renovate Residential Units Specialty Retail/Restaurant	2,113	38	118	156	125	53	178
27	Mixed Use 2010-CEN-5294	2100 S Figueroa	291 DU 7,134 sf Condominium Retail	870	-92	66	-16	67	-28	39
28	9th / Olive Project	840688 S Olive St	303 DU 9,680 sf 1,500 sf Apartments Retail Restaurant	3,007	80	165	245	171	93	264
29	Office 2006-CEN-4699	1130 W Wilshire Bl	86,844 s.f Office	530	91	12	103	14	69	83
30	Beverly + Lucas Project 2006-CEN-4799	1430 W Beverly Bl	157 DU Apartments	867	13	53	66	52	28	80
31	Broadway Mixed	955 S Broadway	201 DU 6,000 sf Apartments Retail	1,275	21	72	93	74	43	117
32	801 S Olive Street Project	801 S Olive St	363 DU 2,500 sf 7,500 sf Apartments Retail Restaurant	2,557	33	129	162	149	83	232
33	Mixed-Use Building ENV2006-0386EA; 2006-CEN-4672	233 W Washington Bl	160 DU 24,250 sf Apartments Retail	438	25	56	81	89	71	160

Table C.1 Related Project List and Trip Generation Estimates

5/19/2015

Project #	Project Name - EAF # / DOT Case #	Location / Address	Project Description	Daily Trips	AM Peak Hour			PM Peak Hour		
					In	Out	Total	In	Out	Total
34	Good Samaritan Mixed-Use Project ENV2007-5887EL, 2007-CEN-4520	1136 W 6th St	648 DU 39,996 sf Apartments Retail	4,200	61	195	256	232	155	387
35	Condominiums ENV2008-0432EA; 2008-CEN-4671	1340 S Olive St	150 DU Condominiums	879	11	55	66	52	26	78
36	SB OMEGA	601 S Main St	350 DU 32,000 sf High-rise Condo Retail	2,536	39	132	171	145	90	235
37	Hill Mixed	920 S Hill	213 DU 5,400 sf Apartments Retail	1,328	22	76	98	79	44	123
38	Winter Project	1329 W. 7th St (7th / Winter)	94 DU 2,000 sf Condominiums Retail	1,486	16	37	53	39	22	61
39	1133 Hope Street Project	1133 Hope Street	208 DU 5,029 sf Condominiums Restaurant	1,543	20	74	94	91	50	141
40	700 Cesar Chavez Ave Project	700 Cesar Chavez	247 DU 8,000 sf Apartment Retail	1,159	2	67	69	78	42	120
41	1340 S Figueroa 2006-CEN-4714	1340 S Figueroa St	252 DU 11,000 sf Apartments Restaurant	1,781	29	89	118	101	85	186
42	Oak Village Residences 2006-CEN-4888	902 W Washington Bl	142 DU Condominiums	482	2	25	27	35	16	51
43	Broadway Lofts	1148 S Broadway	94 DU 2,500 sf Apartments Retail	553	8	30	38	32	18	50
44	Mixed-Use	928 S Broadway	662 DU 47,000 sf 11,000 sf 34,924 sf Apartments Retail Live/Work Office	4,715	21	229	250	272	109	381
45	Los Angeles Street Civic Center Project	150 N Los Angeles Street	712,500 sf 35,000 sf 2,500 sf Government Office Retail Child Care Facility	13,534	930	118	1,048	432	942	1,374
46	Metropolis Mixed-Use	851 S. Francisco St. (8th St. / Francisco St.)	480 Rooms 836 DU 988,225 sf 46,000 sf Hotel Condominiums Office Retail	8,010	307	318	625	386	512	898

Table C.1 Related Project List and Trip Generation Estimates

5/19/2015

Project #	Project Name - EAF # / DOT Case #	Location / Address	Project Description	Daily Trips	AM Peak Hour			PM Peak Hour		
					In	Out	Total	In	Out	Total
47	Mixed-Use Development 2006-CEN-2870	1027 W. Wilshire Project (Wilshire / St. Paul St.)	407 DU 7,472 s.f.	1,498	21	92	113	83	53	136
48	Residential Project	1027 S Olive Street	100 DU	665	10	41	51	40	22	62
49	Embassy Tower 2008-CEN-4779	946 S Grand Av	420 DU 38,500 s.f.	3,862	36	174	210	263	124	377
50	LASED Entertainment District (Excluding development to date)	Figueras St / 11th St.	1,264 DU 95,706 s.f. 148,583 s.f. 60,000 s.f. 12,309 s.f. 6,000 s.f. 183 Rooms 367,300 s.f. 298,500 s.f. 250,000 s.f.	22,171	403	287	690	661	1,025	1,686
51	City Market Project	San Pedro Street b/w 9th St and 12th St	1,400 Students 176,733 s.f. 744 Seats 945 DU 210 Rooms 294,641 GSF	16,433	837	434	1,271	632	957	1,589
52	Wilshire Grand Redevelopment Project ENV2009-1577EA; 2009-CEN-5080	930 W Wilshire Bl	560 Rooms 100 DU 1,500,000 s.f. 275,000 s.f.	3,624	725	75	800	94	764	858
53	1212 Flower		730 DU 10,500 sf 70,465 sf	3,956	78	233	312	229	121	350
54	Olympic / Hill Project	Northwest corner of Olympic / Hill	300 DU 14,500 sf 8,500 sf	2,456	30	104	134	143	82	225

Table C.1 Related Project List and Trip Generation Estimates

5/19/2015

Project #	Project Name - EAF # / DOT Case #	Location / Address	Project Description	Daily Trips	AM Peak Hour			PM Peak Hour		
					In	Out	Total	In	Out	Total
55	1500 S Figueroa	1500 S Figueroa St	190 DU 12,432 sf Apartment Retail/Restaurant	1,199	18	67	85	71	40	111
56	1700 W Olympic Hotel	1700 W Olympic	160 Rooms Hotel	1,157	44	32	76	45	42	87
57	Mixed-Use	534 S Main St	160 DU 18,000 sf 3,500 sf 3,500 sf Apartments Retail Restaurant Fast-food Restaurant	2,213	52	75	127	87	58	145
58	1000 Grand Project	1000 Grand Ave	274 DU 12,000 sf Apartment Restaurant	2,216	27	94	121	130	69	199
59	400 S Broadway Mixed-Use Project	400-416 Broadway	430 DU 10,000 sf 5,000 sf Apartments Retail Lounge	2,628	36	147	183	139	73	212
60	1001 S Olive	1001 S Olive St	225 DU 5,000 sf Apartments Restaurant	1,581	22	79	100	94	51	145
61	Olive & Olympic	Northeast corner of Olive & Olympic	283 DU 14,500 sf Apartments Restaurant	2,266	25	91	116	133	70	203
62	L A Trade Tech College - 5-Year Master Plan	400 Washington Blvd (Washington Blvd / Flower St.)	6,300 Stu S-year Master Plan Project	8,420	336	127	463	574	266	842
63	Palmetto	Northeast corner of Palmetto & Seallon	234 DU 14,018 sf Apartments Restaurant	2,908	73	141	214	147	83	230
64	Mixed Use	1335 W 1st St	101 DU 3,514 sf Apartments Retail	714	10	40	50	42	24	66
65	Residential	459 S Hartford Ave	94 DU Apartments	658	9	37	46	43	23	66
66	Residential Project	401 N Boylston St	101 DU Apartments	649	9	40	49	38	21	59
67	Mixed-Use Project	1150 W Wilshire	80 DU 4,588 sf Apartment Restaurant	511	-22	26	4	39	-5	34

Table C.1 Related Project List and Trip Generation Estimates

5/19/2015

Project #	Project Name - EAF # / DOT Case #	Location / Address	Project Description	Daily Trips	AM Peak Hour			PM Peak Hour		
					In	Out	Total	In	Out	Total
68	Mixed Use	737 S Spring	320 DU 25,000 sf Apartments Pharmacy	3,942	72	141	213	161	122	283
69	Apartments	1218 w Ingraham St	90 DU Apartments	532	8	33	41	33	17	50

Total				256,407	8,709	9,007	17,716	12,336	12,631	24,969
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Exhibit 7

Appeal No. 1

Astani Appeal of

VTT-62367-M3

ORIGINAL



Application:

APPEAL APPLICATION

This application is to be used for any appeals authorized by the Los Angeles Municipal Code (LAMC) for discretionary actions administered by the Department of City Planning.

1. APPELLANT BODY/CASE INFORMATION

Appellant Body:

☐ Area Planning Commission ☒ City Planning Commission ☐ City Council ☐ Director of Planning

Regarding Case Number: VTT-62367-M3

Project Address: 900 S. Figueroa Street, 700 W. 9th Street, & 901 S. Flower Street

Final Date to Appeal: 11/16/2015

Type of Appeal:

- ☐ Appeal by Applicant
☒ Appeal by a person, other than the applicant, claiming to be aggrieved
☐ Appeal from a determination made by the Department of Building and Safety

2. APPELLANT INFORMATION

Appellant's name (print): Sonny Astani

Company: Astani Enterprises

Mailing Address: 9595 Wilshire Boulevard, Ste. 1010

City: Beverly Hills

State: CA

Zip: 90212

Telephone: (310) 273-2999

E-mail: sonny@astanienterprises.com

- Is the appeal being filed on your behalf or on behalf of another party, organization or company?

☒ Self

☐ Other: _____

- Is the appeal being filed to support the original applicant's position?

☐ Yes

☒ No

3. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): John Bowman

Company: Elkins Kalt Weintraub Reuben Gartside, LLP

Mailing Address: 2049 Century Park East, Ste. 2700

City: Los Angeles

State: CA

Zip: 90067

Telephone: (310) 746-4409

E-mail: jb Bowman@elkinskalt.com

4. JUSTIFICATION/REASON FOR APPEAL

Is the entire decision, or only parts of it being appealed?

☒ Entire

☐ Part

Are specific conditions of approval being appealed?

☐ Yes

☐ No

If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- The reason for the appeal
- How you are aggrieved by the decision
- Specifically the points at issue
- Why you believe the decision-maker erred or abused their discretion

5. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: _____

Date: 11-13-15

6. FILING REQUIREMENTS/ADDITIONAL INFORMATION

- Eight (8) sets of the following documents are required for each appeal filed (1 original and 7 duplicates):
 - Appeal Application (form CP-7769)
 - Justification/Reason for Appeal
 - Copies of Original Determination Letter
- A Filing Fee must be paid at the time of filing the appeal per LAMC Section 19.01 B.
 - Original applicants must provide a copy of the original application receipt(s) (required to calculate their 85% appeal filing fee).
- Original Applicants must pay mailing fees to BTC and submit a copy of receipt.
- Appellants filing an appeal from a determination made by the Department of Building and Safety per LAMC 12.26 K are considered original applicants and must provide noticing per LAMC 12.26 K.7.
- A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.
- Appeals of Density Bonus cases can only be filed by adjacent owners or tenants (must have documentation).
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (ZA, APC, CPC, etc.) makes a determination for a project that is not further appealable. (CA Public Resources Code § 21151 (c)). CEQA Section 21151 (c) appeals must be filed within the next 5 meeting days of the City Council.

This Section for City Planning Staff Use Only		
Base Fee: <u>26833</u>	Reviewed & Accepted by (DSC Planner): <u>C. van der Zweep</u>	Date: <u>11/16/2015</u>
Receipt No: <u>\$89.00</u>	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

ATTACHMENT TO APPEAL APPLICATION

I. BACKGROUND

A. Approval of Modification and Adoption of MND Addendum

On November 4, 2015, the Advisory Agency for the City of Los Angeles (“City”) approved a Modification of Recorded Tract Map No. 62367 in Case No. VTT-62367-M3 (“Modification”) and adopted an addendum to Mitigated Negative Declaration No. ENV-2005-1674-MND-REC1 (“MND Addendum”) to “permit a maximum of 689 dwelling units and parking for the new 341 residential units (on Lot 3 of the original Vesting Tentative Tract No. 62367) to be provided at a ratio of 1.25 spaces per unit” (the “Project”). A copy of the Advisory Agency’s decision to grant the Modification, as set forth in a determination letter dated November 4, 2015 (the “Determination Letter”), is attached as Exhibit “1”.

B. The Subject Property

In 2005, the Project was initially approved as a three phase project for 629 Joint Live/Work condominium units and 25,023 square feet of retail space with 997 parking spaces on a 2.2 acre site (Case Nos. ZA 2005-1673(ZV)(ZAA)(SPR) and VTT-62367). In 2006, the Project was modified to include 27,000 square feet of retail space and 629 Joint Live/Work condominium units that would be constructed in two phases (Case Nos. ZA2005-1673(ZV)(ZAA)(SPR)(PA1) and VTT-62367-M1).

Phase 1 of the Project was developed on Lots 1 and 2 of Tract 62367-01 and the southern portion of Lot 1 of Tract 62367 (the “Phase I Property”). Specifically, a 6-story mixed-use structure on Lot 1 of Tract 62367-01, consisting of 77 residential condominium units and commercial lots (“Lofts Building”) was constructed and the units were sold to individual buyers. The Lofts Building is commonly known as 915 South Flower Street, Los Angeles, California. A 28-story residential tower on Lot 2 of Tract 62367-01, consisting of 271 residential condominium units and approximately 27,000 square feet of commercial floor area (“Tower I Building”) was constructed and the units were leased to individual renters. The Tower I Building is commonly known as 900-928 South Figueroa Street, Los Angeles, California.

Phase 2 of the Project, the phase currently being considered under VTT-62367-M3 and DIR-2015-97-SPR, is located on the northern portion of Lot 1 of Tract 62367 (“Phase II Property”).

C. The Appellant

Sonny Astani (the “Appellant”) is the owner of a condominium unit located in the Lofts Building. The Appellant, through an entity known as GTS 900 F, a California limited liability company (“Original Subdivider”), was also the original subdivider and developer of the Project. The Appellant participated in the City’s administrative proceedings concerning the Modification and raised various objections thereto.

Pursuant to Los Angeles Municipal Code (“LAMC”) §§ 17.11 and 17.06, Appellant hereby appeals the entirety of the Determination Letter, on the grounds set forth herein.

III. POINTS AT ISSUE

The Modification violates LAMC § 17.14-E.3 inasmuch as the Modification permits an increase in the number of permitted dwelling units of more than ten (10) percent of that originally approved for Tract 62367. Specifically, the property that lies within the boundaries of the recorded Final Map for Tract 62367 (the “Subject Property”) was approved for a maximum of 281 residential condominium units. The Modification would permit 341 residential units on the Subject Property, which represents an increase of over 21 percent.

The Modification also violates LAMC § 17.14-E.2 inasmuch as the Modification modifies conditions that were imposed as a mitigation measure identified in Mitigated Negative Declaration No. ENV-2005-1674-MND (the “Original MND”), which was adopted in connection with the approval of Vesting Tentative Tract Map No. 62367 in 2005.

The Advisory Agency’s decision to adopt the MND Addendum also violates the California Environmental Quality Act (“CEQA”), Public Resources Code §§ 21000 *et seq.* Specifically, pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162, a subsequent or supplemental mitigated negative declaration (“Supplemental MND”) or subsequent environmental impact report (“SEIR”) is required because substantial changes have been proposed in the Project, and substantial changes in the circumstances under which the Project is being undertaken have occurred, since the Project was first approved over ten (10) years ago, that require major revisions to the previously adopted MND due to the involvement of new significant environmental impacts relating to traffic, air quality, greenhouse gases, aesthetics, and public services.

Furthermore, as discussed below, the findings adopted by the Advisory Agency in support of the Modification are not supported by substantial evidence.

Appellant is aggrieved by the Determination Letter because he owns property in the adjacent Lofts Building and his interests will be adversely affected by the Project as modified.

III. THE ADVISORY AGENCY ERRED AND ABUSED ITS DISCRETION

As set forth below, the Advisory Agency erred and abused its discretion inasmuch as the Determination Letter is not in accordance with the law and the findings contained therein are not supported by substantial evidence.

A. The Modification Violates LAMC § 17.14-E

Pursuant to LAMC § 17.14-E.3, the Advisory Agency does not have the authority to grant a modification of a recorded final map in a way that would increase the number of permitted dwelling units by more than 10 percent of that originally approved. The Final Map that is the subject of the Modification is Tract 62367, which was recorded on September 8, 2009, and consists of a single lot (Lot 1). Lot 1 consists of the Phase II Property and a small portion of the Phase I Property that is developed with parking and recreational amenities only (*i.e.*, no dwelling units).

The Lofts Building and the Tower I Building were developed on Lot 1 and Lot 2 (respectively) of Tract 62367-01, which was recorded August 20, 2009. Tract 62367-01 is separate from Tract 62367, and is not the subject of the Modification that is the subject of this appeal. The applicant has not

requested, and has no authority to request, a Modification of the recorded Final Map for Tract 62367-01.

On April 23, 2008, the Advisory Agency approved a modification of Vesting Tentative Tract Map No. 62367 (which included both the Phase I Property and the Phase II Property) in Case No. VTTM-62367-M2 (the "2008 Modification"). Among other things, the 2008 Modification revised Condition No. 12(a) to read as follows:

Limit the proposed development to a maximum of 626 Joint Live/Work units and 27,000 square feet of retail space and Commercial Condominium Units (Lot No. 1 to contain 77 residential condominium units and 2 commercial condominium units, Lot No. 2 to contain 271 residential condominium units and 2 commercial condominium units, and Lot No. 3 to contain 281 residential condominium units and 4 commercial condominium units. (Emphasis added.)

"Lot No. 3" of the Vesting Tentative Tract Map corresponds to the Subject Property. Thus, per the 2008 Modification, Tract 62367 is limited to 281 residential units. The present Modification would allow 341 residential units on Tract 62367, which represents an increase of over 21 percent. As such, the Modification clearly violates LAMC § 17.14-E.3.

The Modification also violates LAMC § 17.14-E.2, which provides that "no condition may be modified if it was imposed as a mitigating measure identified in a mitigated or conditional negative declaration or an Environmental Impact Report." Specifically, the Modification adds condition No. 12(i), which requires compliance with the environmental mitigation measures contained in the Addendum MND. (Determination Letter, p. 5.) However, the MND Addendum revises and, in some cases, deletes mitigation measures that were contained in the Original MND. Therefore, the Modification clearly modifies conditions that were imposed as mitigating measures at the time the Vesting Tentative Tract Map was approved in 2005 in direct violation of LAMC § 17.14-E.2.

B. The Advisory Agency's Findings Are Not Supported by Substantial Evidence

In order to grant the Modification, the Advisory Agency must make various required written findings. Specifically, LAMC § 17.14-D states that a recorded map can be modified only if the Advisory Agency finds as follows:

- That there are changes in circumstances which make any or all of the conditions of such map no longer appropriate or necessary;
- That the modifications do not impose any additional burden on the present fee owner of the property;
- That the modifications do not alter any right, title, or interest in the real property reflected on the recorded map;
- That the map and conditions as modified conform to provisions of Government Code Section 66474 and of the LAMC; and

- That the decision-maker has given consideration, among other factors, to the effect of the modification on surrounding properties.

As set forth below, the required findings cannot be made or supported with substantial evidence in this case.

1. There are No Changes in Circumstances Which Make Any of the Conditions of Tract 62367 No Longer Appropriate or Necessary

The Advisory Agency found that the conditions of Recorded Tract 62367 are no longer appropriate or necessary because of certain legislative changes and infrastructure improvements that have occurred since 2005. However, while the referenced legislative changes and infrastructure improvements may *allow* for greater density on the Phase II Property, the Advisory Agency's findings do not explain why the current conditions are no longer "appropriate or necessary," and there is no evidence in the record to support such a conclusion.

2. The Modification Imposes Additional Burdens on the Present Fee Owner of a Portion of the Subject Property

Tract 62367 includes property that is managed and operated by the Master Association for the benefit of all owners of the Project, including the Phase I Building and the Lofts Building. Each of the 77 units in the Lofts Building is currently owned by one or more individual fee simple owners. Each of these owners has an easement to use Master Association Property, including the garage, swimming pool, storage areas, and exclusive use easements to storage facilities in the Master Association Property.

The addition of 60 additional units to the Project would burden these existing easements by increased traffic, increased use, increase in maintenance and repair obligations to be undertaken by the Master Association, and decreased availability of the Master Association Property. The Modification would also reduce the parking ratio in the Project from the approved 1.52 spaces per unit to 1.25 spaces per unit. These changes would adversely affect the parking spaces already provided as exclusive use easements to existing owners.

Further, pursuant to the Master CC&Rs, all owners of condominium units in the Tower I Building and the Lofts Building are members of the Master Association. Each existing condominium unit has one vote in the Master Association. The increase of units will dilute the voting rights of all existing members of the Master Association, the fee owner of the Master Association Property, thus resulting in their interests in the Master Association Property being altered.

The Advisory Agency found that "the Master Association has consented in writing to the subject application, thereby confirming that the proposed modifications do not impose any additional burden upon them or the project as a whole." This conclusion is apparently based on the document entitled "Action by Unanimous Written Consent of Concerto Master Association dated April 14, 2015 ("Written Consent"), a copy of which is attached hereto as Exhibit "2" and incorporated herein by this reference. However, the Written Consent was not signed by Elmira Howard, the Lofts Representative. Without the signature of the Lofts Representative, the Written Consent has no force or effect. Furthermore, even if the Master Association had the authority to consent to the application

(which it does not), such “consent” does not support a conclusion that the Modification would not impose any additional burden on the owners of the affected property. As explained above, and regardless of whether the Master Association has “consented” to the Modification, the proposed additional units would impose a substantial burden on the present fee owners of the condominium units in the Lofts Building and the Tower 1 Building by increasing the burden on existing easements belonging directly to fee owners of condominium units in the Project, and altering their interest and detrimentally affecting the legal rights of such owners in the Master Association.

3. The Modifications Would Alter the Right, Title or Interest in the Real Property Reflected on the Recorded Map

The applicant has no legal right to modify Lots 1 or 2 of the recorded Final Map for Tract 62367-01, including the Master Association Property located in within the boundaries of Tract 62367-01, and no right to alter any rights, title or interest of any owner of a condominium unit in the Tower I Building or the Lofts Building. The Master Association Property includes structural elements of the Project, existing recreational amenities, parking spaces, storage spaces, and open space areas. As stated above, the Modification would affect the rights of fee owners of the condominium units in the Tower I Building and the Lofts Building to use these common areas and amenities.

4. The Map and Conditions as Modified Do Not Conform to the Provisions of Government Code Section 66474 and of the LAMC

Pursuant to Government Code §§ 66472.1 and 66474, all of the conditions that must be met for tentative tract map approval must also be met for a modification to a recorded Final Map. If any one of these findings cannot be made, the map cannot be approved.

Section 66474 requires, among other things, that a city or county shall deny approval of a tentative map if it finds that the proposed map is not consistent with applicable general and specific plans. In this case, the Advisory Agency found, without elaboration, that the Modification is “consistent with many of the goals and policies of the General Plan and the elements of the General Plan, including the Central City Plan, the City Center Redevelopment Plan, the Housing Element and the Transportation Element.” (Determination Letter, p. 12.) This finding is erroneous and not supported by substantial evidence, for at least two reasons.

First, the Central City Community Plan was amended in 2009 to include the Downtown Design Guide. However, the site plan that was approved pursuant to related Case No. DIR-2015-97-SPR (the “Approved Site Plan”) does *not* comply with numerous requirements of the Downtown Design Guide. Among other things, the Approved Site Plan does not (1) provide for a “vertically articulated street wall façade, using different treatment for the building’s base, middle and top,” (2) “vary details and materials horizontally to provide scale and three-dimensional qualities to the building, or (3) “detail buildings with rigor and clarity to reinforce the architect’s design intentions and help set a standard of quality to guide the build results.” Consequently, the Advisory Agency should have denied the Modification on the ground that it is inconsistent with the Central City Plan.

Second, the Project does not comply with the terms and conditions of a recorded agreement entitled “Acceptance of Agency Conditions,” dated June 29, 2006 (“Public Benefit Agreement”), a copy of which is attached hereto as Exhibit “3” and incorporated herein by this reference. Pursuant to the

Public Benefit Agreement, the Original Subdivider agreed to provide in the Project certain public benefits, including public art, a walkway through the Project to connect public streets and open space requirements, in return for the right to develop the Project, including the right to exceed a 6:1 floor area ratio pursuant to Variations granted by the former Los Angeles Community Redevelopment Agency (“CRA/LA”) under the provisions of the City Center Redevelopment Plan (the “Redevelopment Plan”). Among other things, the Public Benefit Agreement provides that the Project shall include a total of 629 joint live/work condominium units – not 689 as allowed under the Modification. The Public Benefit Agreement was required under the Redevelopment Plan, and both the Public Benefit Agreement and the land use controls of the Redevelopment Plan remain in full force and effect despite the dissolution of CRA/LA. Thus, unless and until the Public Benefit Agreement is lawfully amended, a finding that the Modification is consistent with the City Center Redevelopment Plan cannot be made.

To date, the Public Benefit Agreement has been breached and continues to be breached. There are at least three examples of public benefits of the Project required under the Public Benefit Agreement being converted to private uses. First, at the completion of Phase 1 there was a premier 5,000 square-foot retail space with 24-foot-high ceilings. This has now been converted to a private lounge for use of the residents. Second, at the completion of Phase 1 there was a public Paseo through the Project. The public Paseo has now been converted to a private dog run for use of the residents. Third, the open space park has been reduced in size by the construction of a gym on it. Additionally, the Public Benefit Agreement has ongoing conditions which are either not being complied with or not being acknowledged by the applicant. Among other things, the Urban Park is not finished, and the “Gateway Design” of the Project is not being implemented. As the Public Benefits Agreement was required by CRA/LA to allow it to find the Project to be in compliance with the Redevelopment Plan, these ongoing breaches render the Project (and therefore the Modification) out of compliance with the Redevelopment Plan.

5. The Advisory Agency Did Not Give Adequate Consideration, Among Other Factors, to the Effects of the Modification on Surrounding Properties

A modification to a recorded final map cannot be approved unless consideration has been given to the effects of the modification on surrounding areas. As noted above, there are at least 77 individual owners and mortgage holders of condominiums in the adjacent Lofts Building and the owners of condominium units in the adjacent Tower 1 Building. Such owners will be impacted by 60 additional units and their occupants by increasing the burden on existing easements and diluting/altering their membership interests in the Master Association Property.

C. The Potential Environmental Impacts of the Project Have Not Been Properly or Adequately Evaluated Under the California Environmental Quality Act

The Advisory Agency approved the Modification on the basis of the MND Addendum. The MND Addendum amends the Original MND that was adopted for the Project over ten (10) years ago.

CEQA Guidelines Section 15164(b) permits a lead agency to prepare an addendum to an adopted mitigated negative declaration where only minor technical changes or additions are necessary and none of the conditions described in Section 15162(a) of the CEQA Guidelines calling for preparation

of a Supplemental MND or SEIR have occurred. Section 15162(a) of the CEQA Guidelines states that preparation of a Supplemental MND is required when any one of the following occurs:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous mitigated negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous mitigated negative declaration due to the involvement of new significant environmental effects of a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous mitigated negative declaration was adopted, shows any of the following: (A) The project will have one or more significant effects not discussed in the previous mitigated negative declaration; (B) Significant effects previously examined will be substantially more severe than shown in the previous mitigated negative declaration; (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous mitigated negative declaration would substantially reduce one or more significant effects on the environment, but project proponents decline to adopt the mitigation measure or alternative.

In this case, the applicant has proposed substantial changes to the Project that will require major revisions to the Original MND. These changes include:

- The addition of sixty (60) dwelling units, which represents a 21 percent increase above the 281 dwelling units previously approved for the Tower II Site;
- The addition of three (3) new off-site signs, including an approximately 6,500 sq. ft. electronic display sign;
- The addition of an approximately 4,050 sq. ft. rooftop deck, including fire pits and lounge areas where alcoholic beverages will be served, that will function as a gathering space for residents and their guests;
- A reduction in the ratio of off-street parking spaces from 1.75 spaces per dwelling unit to 1.25 spaces per dwelling unit;
- A new and inferior architectural design that does not achieve the objectives of the original design for a "Gateway" project, and which does not meet the standards and guidelines in the adopted Downtown Design Guide.

Furthermore, substantial changes have occurred with respect to the circumstances under which the Project is being undertaken that will require major revisions to the Original MND due to the involvement of new significant environmental effects or a substantial increase in the severity of

previously identified significant effects of the Project. Among other things, the changed circumstances include:

- At least twenty-five (25) major residential and mixed-use projects have been approved and/or constructed in the South Park area since the adoption of the Original MND, including several projects in the immediate vicinity of the subject property, that will result in a substantial increase in the severity of the Project's cumulative impacts, including impacts on traffic, air quality, and noise. These related projects, which were not considered in either the Original MND or in the MND Addendum, are listed in the table attached hereto as Exhibit "4".
- The Project was originally proposed to be constructed in phases from 2005 to 2007. The approximately eight (8) year delay in completing the final phase has changed the circumstances under which the Project is being undertaken, inasmuch as the construction of the final phases will now have severe impacts on the residents of the now completed and fully-occupied first phase of the Project.
- In 2009, the City Council amended the Central City Community Plan (the "Community Plan") to include the Downtown Design Guide, which is intended to ensure a quality built environment. In 2011, compliance with the Downtown Design Guide was established as a regulatory requirement pursuant to Ordinance No. 181,557.
- In 2012, the City adopted the Figueroa and Olympic Sign District (the "Sign District") pursuant to Ordinance No. 182,200, which allows digital displays and other large off-site advertising structures on the subject property.

CAJA Environmental Services, LLC, which prepared the initial study in support of the Original MND, described some of the new and substantially more severe impacts that will occur as a result of the proposed changes to the Project and the changed circumstances noted above in a letter to the City Planning Department dated April 22, 2015 ("CAJA Letter"), a copy of which is attached to and incorporated herein by reference as Exhibit "5". Other new and substantially more severe impacts that will result from the changes noted above are described in a Memorandum from IBI Group to Sonny Astani dated May 13, 2015 ("IBI Memo"), a copy of which is attached to and incorporated herein by reference as Exhibit "6"; a letter from Overland Traffic Consultants to Sonny Astani dated May 12, 2015 ("OTC Letter"), a copy of which is attached to and incorporated herein by reference as Exhibit "7"; a letter from Ramboll Environ to Sonny Astani dated June 5, 2015 ("Ramboll Letter"), a copy of which is attached to and incorporated herein by reference as Exhibit "8"; and a letter from TAHA Environmental Planners to Sonny Astani dated May 21, 2015 ("TAHA Letter"), a copy of which is attached to and incorporated herein by reference as Exhibit "9".

The new and substantially more severe impacts of the Project are briefly summarized below.

1. Traffic and Circulation

As indicated above, the environmental baseline of traffic conditions within and surrounding downtown Los Angeles, and in particular, the Project vicinity, has changed dramatically since the initial trip counts from the Original MND was adopted over ten (10) years ago. Indeed, the related

projects identified in Exhibit “4” will add over 9,000 dwelling units, over 2,000 hotel units, and nearly 1,000,000 sq. ft. of new commercial floor area in the South Park area, which will result in thousands of additional trips and, consequently, substantially more severe cumulative impacts on traffic and circulation. These cumulative impacts, including impacts on the nearby I 10 freeway on- and off-ramps, have not been evaluated.

The MND Addendum is wholly inadequate because it fails to examine and consider an updated related projects list. As recognized by the environmental consultant of the Original Subdivider, “an inaccurate or incomplete traffic baseline renders the analysis of environmental effects inherently unreliable, in turn rendering impossible any evaluation of the benefits of the Project.” (CAJA Letter, Section II.) Further, “new bicycle lanes have been constructed around the Project site, which would alter the traffic capacity and related circulation patterns in and around the Project.” (CAJA Letter, Section II.)

According to IBI Group, a traffic consultant retained by the Appellant, the number of travel lanes on Figueroa Street adjacent to the Tower II Site has been reduced, and modifications to the off-ramp from Interstate 110 to 9th Street have been made since 2005. (IBI Memo, page 2.) These are substantial changes which have occurred with respect to the circumstances under which the Project is being undertaken that require revisions to the Original MND to mitigate impacts to traffic volumes, traffic patterns and cumulative projects in the Project’s vicinity. As noted by another traffic expert, Overland Traffic Consultants, Inc., the traffic addendum prepared in connection with the SPR “does not provide any level-of-service information on potential project traffic impacts occurring in 2015.” (OTC Letter, page 1.)

2. Air Quality

The MND Addendum made no changes to the Air Quality section and kept the same mitigation measures that were adopted as part of the Original MND. This analysis is inadequate for CEQA purposes. First, expert testimony establishes that emissions of PM₁₀ and PM_{2.5} during construction of the Project would be a significant air quality impact. (See Ramboll Letter, Section 1.) This conclusion directly contradicts the findings in the MND Addendum, which fails to consider the sensitive receptors within the immediate vicinity of the Phase II Property. Second, the environmental consultant points to newly revised Health Risk Assessment (HRA) guidelines that were not available during the adoption of the Original MND and emphasizes the potential health risk impacts and health effect impacts which must be evaluated as these may be significant effects which are not discussed in the Original MND. Third, new information from the City of Los Angeles Planning Commission Advisory Notice 2427 was released after the adoption of the Original MND to evaluate the siting of potential sensitive receptors near freeways. Fourth, a second environmental expert, Terry A. Hayes Associates Inc., concluded that large residential projects commonly exceed the SCAQMD regional significance threshold for operational ROG emissions. (See TAHA Letter, page 2.)

Finally, as indicated above, over 9,000 dwelling units have been approved and/or constructed in South Park area in the last 10 years, some of which are in the immediate vicinity of the subject property. Thus, the number of sensitive receptors near the Phase II Property has increased dramatically since the Original MND was adopted. The Project’s potential impacts on the air quality

and health of these sensitive receptors, including the residents of the Lofts Building and Tower I Building, have not been adequately evaluated or mitigated.

3. Greenhouse Gas Emissions

While the MND Addendum includes a new Greenhouse Gases section, expert opinion supports a conclusion that this purported evaluation of the Project's GHG emissions was inadequate. Specifically, it is not clear what assumptions were incorporated into the two scenarios and there is insufficient information to substantiate the analysis in the MND Addendum. (See Ramboll Letter, Section 4.) Furthermore, another environmental expert recognized that "taking an additional 13-percent trip reduction for being located in a High Quality Transit Priority Area may be double-counting trip reductions if this were already accounted for in the traffic analysis." (See TAHA Letter, page 2.) The changes to law occurring with respect to the circumstances under which the Project is being undertaken, as well as new information of substantial importance regarding the new related projects in the vicinity of the subject property, demonstrates that the Project will have an adverse cumulative effect with respect to greenhouse gas emissions.

4. Aesthetics

As noted above, the Project is located within the new Sign District. While the determination letter dated November 2, 2015 in related Case No. DIR-2015-97-SPR states that "[t]he location, type, and size of signage are not a part of this approval," the letter acknowledges (on page 18) that the "applicant has proposed a minimum of three (3) off-site signs in addition to other on-site signage." Moreover, the proposed signage, including but not limited to a large integral electronic display sign on 9th Street and Figueora Street, is identified on the approved Project Plans. Therefore, the proposed signage is clearly part of the "project" for purposes of CEQA. (See CEQA Guideline § 15378, which provides that the term "project" means "the whole of the action" which may be subject to several discretionary approvals, and "does not mean each separate governmental approval").

The addition of a minimum of three (3) off-site signs is a substantial change proposed in the Project that will result in new significant environmental effects on aesthetics, including the potential for new sources of light and glare that could adversely impact new and approved residential uses in the immediate vicinity of the Project. Indeed, the initial study prepared in support of the 2005 MND concluded that "a significant impact would occur if the Proposed Project were to introduce new sources of light or glare on the Project Site which would be incompatible with the areas surrounding the Project Site or which would pose a safety hazard to motorists utilizing adjacent streets." Accordingly, the 2005 MND includes mitigation measures 1-2 and 1-4, which are intended to ensure that new light sources cannot be seen from adjacent residential properties, and that signage is limited to on-site signs permitted by the code at that time. The MND Addendum, on the other hand, directly undermines the efficacy of these measures by amending mitigation measure 1-4 to specifically allow large off-site and digital display signs without adequately evaluating of the potential adverse effects of such signs.

5. Noise and Vibrations

The mitigation measures proposed in the Noise section of the MND Addendum are insufficient. Changes to the Project which provide residential units with access to rooftop gathering spaces with

fire pits involve a significant generation of noise in level in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. (See CAJA Letter, Section VIII.) Alteration of the proposed outdoor space to the previously approved Project constitutes a change to the Project that involves new noise impacts to the nearby sensitive receptors. The potential construction noise and vibrations of the Project on nearby Phase 1 occupants were also overlooked in the MND Addendum. Simply concluding that construction noise levels are exempt from the ambient noise level threshold identified in the Noise Element improperly disregards the potential other new impacts or substantial increase in severity of previously identified significant effects on the immediately adjacent sensitive receptors living next to the Project.

6. Public Services

According to the environmental consultant for the Original Subdivider, the Original MND provided evidence that overcrowding at schools could or would result from the addition of Project-generated and cumulatively generated students. (See CAJA Letter, Section V.) However, the MND Addendum simply stated that payment of school fees would mitigate the impact of the Project on area schools (see CAJA Letter, Section V.) It defies logic to suggest that overcrowding at schools would not be further exacerbated where the Original MND found evidence of overcrowding at schools and the proposed changes to the Project add sixty (60) new units and many more occupants to the Project vicinity. The potential construction-related impacts of school expansion and the additional effects on an already overburdened library system were not adequately evaluated under CEQA. The substantial changes to the Project with the addition of sixty (60) new units will also negatively impact the existing park system.

Based on the foregoing, the preparation of an addendum to the MND, rather than a subsequent or supplemental mitigated negative declaration or SEIR, is not permitted under CEQA as there are substantial changes or additions to the Project and in circumstances which involve significant new environmental effects, a substantial increase in the severity of a previously identified significant effect, and new information of substantial importance arises regarding the existence or severity of environmental impacts or the existence or feasibility of mitigation measures. See CEQA Guidelines §15162.

Exhibit "1"

Determination Letter

DEPARTMENT OF
CITY PLANNING

CITY PLANNING COMMISSION

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RENEE DAKE WILSON
VICE-PRESIDENT

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Decision Date: November 4, 2015

Appeal Period Ends: November 16, 2015

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RE: Modification of Recorded Final Tract Map
62367 (**Case No. VTT-62367-M3**)
Address(s): 900 South Figueroa Street,
700 9th Street, 901 South Flower Street
Related Case(s): VTT-62367, VTT-62367-
M1, VTT-62367-M2, ZA-2005-1673-ZV-
ZAA-SPR, ZA-2005-1673-ZV-ZAA-SPR-
PA1, DIR-2015-97-SPR
Planning Area: Central City
Zone : C2-4D & [Q]R5-4D
D. M. : 129A207
C. D. : 14
CEQA : Addendum to ENV-2005-1674-
MND (Case No. ENV-2005-1674-MND-
REC1)
Legal Description: Tract 62367

In accordance with provisions of Los Angeles Municipal Code (LAMC) Section 17.14, the Advisory Agency approved the **MODIFICATION** of Recorded Final Tract Map No. 62367 for a maximum of 629 Joint Live/Work condominium units and 27,000 square feet of retail space in eight commercial condominiums located at 900 South Figueroa Street, 700 9th Street and 901 South Flower Street to permit a maximum of 689 dwelling units and parking for the new 341 residential units (on Lot 3 of the original Vesting Tentative Tract No. 62367) to be provided at a ratio of 1.25 spaces per unit as shown on map stamp-dated January 12, 2015 in the Central City Community Plan. This unit density is based on the [Q]R5-4D & C2-4D Zones. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning Code as it applies to this particular property.) For an appointment with the Development Services Center call (213) 482-7077 or (818) 374-5050. The Advisory Agency's approval is subject to the following conditions:

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

BUREAU OF ENGINEERINGMODIFY CONDITION NO. 2 to read:

- a) That a 10-foot wide strip of land be dedicated along 9th Street adjoining the subdivision to complete a 45-foot wide half street dedication in accordance with Secondary Highway Standards, including 20-foot radius limited property line returns at mid-block in 9th Street and at the intersections with Flower Street and Figueroa Street with a lower limit of 4 feet below the sidewalk elevation and an upper limit of 20 feet above the sidewalk elevation at the radius returns all satisfactory to the City Engineer.
- b) The project shall incorporate and maintain a 5-foot wide average setback area from the property line along 9th Street, substantially as depicted on Exhibit "A", which area shall be maintained and used for pedestrian purposes only and may incorporate pedestrian-serving amenities and features.
- c) Building projections over the proposed setback shall be not less than 35 feet above the grade along 9th Street. (Condition imposed by the Advisory Agency).

DEPARTMENT OF BUILDING AND SAFETYMODIFY CONDITION NO. 5.e to read:

Provide a copy of ZA Case ZA-1994-540-RV, ZA-2005-1673-ZV-ZAA-SPR and ZA-1992-433-RV, DIR-2015-97-SPR and ZA-2005-1673-ZV-ZAA-SR-PA2. Show compliance with all the conditions/requirements of the ZA and DIR case(s) as applicable.

DELETE CONDITION NO. 5.g:

~~The submitted map exceeds the allowable maximum density (lot area/dwelling unit) requirement of each Zone. Revise the map to show compliance with the above requirement(s) or obtain approval from the Department of City Planning.~~

STREET TREE DIVISION AND THE DEPARTMENT OF CITY PLANNINGMODIFY CONDITION NO. 11 to read:

~~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 and the Street Tree Division of the Bureau of Street Services. All trees in the public right-of-way shall be provided per the current Street Tree Division standards.~~

~~The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site,~~

~~on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Street Tree Division of the Bureau of Street Services and the Advisory Agency. Note: Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Street Tree 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.~~

Plant street trees and remove any existing trees within the dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services. The developer shall plant a maximum of six (6) 24-inch box Jacaranda (*Jacaranda mimosifolia*) trees in the public right-of-way on 9th Street, and one (1) 24-inch box Golden rain (*Koelreuteria paniculata*) tree in the public right-of-way on Flower Street. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the subdivider or contractor shall notify the Urban Forestry Division (213-847-3007) upon completion of construction to expedite tree planting. **Note:** Removal of Protected Tree requires the Board of Public Works approval. Contact Urban Forestry Division at 213-847-3007 for tree removal permit information.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

MODIFY CONDITION NO. 12.a to read:

Limit the proposed overall development to a maximum of 629 Joint-Live/Work 689 dwelling units and 27,000 square feet of retail space and Commercial Condominium Units (Lot No. 1 to contain 77 residential condominium units and 2 commercial condominium units, Lot No. 2 to contain 271 residential condominium units and 2 commercial condominium units, and Lot No. 3 to contain 284 341 residential condominium units and 4 commercial condominium units.).

MODIFY CONDITION NO. 12.b to read:

~~Provide a minimum of 957 covered off-street residential parking spaces and 20 retail parking spaces. All parking is to be provided in the first phase of the project construction. All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.~~

Maintain a minimum of 1.52 covered off-street residential parking spaces per unit for the existing 348 units (Lots 1 and 2), provide a minimum of 1.25 off-street residential parking spaces per unit for the proposed 341 units (Lot 3) and commercial parking pursuant to the provisions of the Los Angeles Municipal Code. All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.

If guest parking spaces are gated, a voice response system shall be installed at the gate. Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 North Spring Street, Room 750).

ADD CONDITION NO. 12.g to read:

Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

ADD CONDITION NO. 12.h to read:

INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of 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.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of 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.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. 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 (b).

- e. 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 include 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.

ADD CONDITION NO. 12.i to read:

Environmental Mitigation Measures. Comply with the environmental mitigation measures of Mitigated Negative Declaration No. ENV-2005-1674-MND-REC1 attached (complete copy of mitigation measures are in the case file for ENV-2005-1674-MND). Pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that any mitigation conditions are implemented and maintained throughout the life of the project and the City may be required any necessary fees to cover the cost of such monitoring.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract action. However, the existing or proposed zoning may not permit this density.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

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

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

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

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

FINDINGS OF FACT (CEQA)

The Department of City Planning issued an Addendum to Mitigated Negative Declaration No. ENV-2005-1674-MND (Case No. ENV-2005-1674-MND-REC1) on May 6, 2015. The Department found that potential negative impact could occur from the project's implementation due to:

- Aesthetics (visual character, light, glare);
- Air Quality (construction, operational);
- Cultural Resources (archaeological, paleontological, human remains);
- Geology and Soils (construction, topsoil);
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use and Planning;
- Noise (construction);
- Public Services (fire protection, police protection, schools);
- Transportation/Traffic (emergency access);
- Utilities (water, solid waste).

The Deputy Advisory Agency certifies that the Addendum to Mitigated Negative Declaration No. ENV-2005-1674-MND (Case No. ENV-2005-1674-MND-REC1) reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of ENV-2005-1674-MND-REC1 (the Addendum).

The project as initially proposed and analyzed in 2005 under Mitigated Negative

Declaration ENV-2005-1674-MND included 629 joint live/work condominium residential units and 27,000 square feet of ground floor retail within three (3) buildings. The site has since been improved with a 6-story mixed-use structure with 77 units and 6,575 square feet of retail/commercial space, a 28-story residential tower with 271 units and 4,701 square feet of retail/commercial space and seven-level, 961-car subterranean parking garage, for a total of 348 units and 11,276 square feet of retail/commercial space through Phase 1.

The applicant is now proposing to complete the project through Phase 2 (the third phase was eliminated under VTT-62367-M1) by constructing a new 28-story mixed-use building with 341 residential units, approximately 11,687 square feet of ground floor retail space and three levels of subterranean parking. The proposed project would increase the number of units that were previously approved in 2005 by 60 units, for a total of 689 units, and reduce the amount of overall retail/commercial space by 4,037 square feet, for a total of 22,963 square feet.

On April 16, 2015, the Department of City Planning published the Addendum to Mitigated Negative Declaration No. ENV-2005-1674-MND reflecting the changes as described above for public review. Two (2) comment letters were received in response to the Addendum.

One letter asserts that traffic conditions within and surrounding downtown Los Angeles have changed dramatically since approval of the 2005 MND, implying that approval of the modifications to the initial project would give rise to new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects as analyzed in the previously adopted 2005 MND.

A traffic review was conducted in 2014 in connection with the preparation of the Addendum. In determining whether a new traffic study should be prepared, the traffic review considered changes in conditions surrounding the project. This review found that as a general matter, traffic volumes in downtown Los Angeles have been decreasing over the last 10 years which is reflected in numerous studies (i.e., Grand Avenue Project – Updated Traffic Assessment for Parcel Q; 5th & Olive Project (formerly Park Fifth Project) – Updated Traffic Assessment), and is consistent with the significant increase in the number of residents living downtown (and thus walking or bicycling to destinations instead of driving), and the increase in the use of transit as the regional rail system has developed with additional lines serving Downtown.

Other concerns raised in the letters involve effects on city-wide infrastructure and air and water quality. These concerns are adequately addressed through the environmental and subdivision process.

Based on the analysis presented in the Addendum it is concluded that the proposed changes will not result in substantially more severe effects than as analyzed in the previously adopted 2005 MND. The project is also subject to mandatory existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Landscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

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

In accordance with Section 21081.6 of the Public Resources Code (AB 3180), the Deputy Advisory Agency assures that the identified mitigation measures in ENV-2005-1674-MND-REC1 will be implemented by requiring reporting and monitoring as specified in Condition No. 16 of the tract's original approval. The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency's decision is based are located with the City of Los Angeles, Planning Department, 200 North Spring Street, Room 750, Los Angeles, CA 90012.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Modification of a Recorded Final Tract Map No. 62367-M3, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

- 1. There are changes in circumstances which make any or all of the conditions of such map no longer appropriate or necessary.**

On July 5, 2005, the Advisory Agency approved Vesting Tract Map No. 62367 for a maximum of 629 Joint Live/work condominium units and 25,023 square feet of retail space in three phases. Subsequently, the tract was modified on November 14, 2006 and on April 23, 2008 and recorded in two actions occurring in 2009.

On September 26, 2005, the Zoning Administrator approved Case No. ZA-2005-1673-ZV-ZAA-SPR which granted, among other things, a floor area ratio (FAR) of 7.44:1 in lieu of the maximum permitted of 6 to 1 FAR, the 304th unit through the 549th unit located in the C2 portion of the site to be based on zero square feet of lot area in lieu of the required 200 feet of lot area in the C2 zone, and 39,208 square feet of open space in lieu of the required 62,900 square feet and to permit the open space to be located in a more restrictive zone.

Since the original approval there have been legislative and transit infrastructure changes that make some of the conditions of the original map no longer necessary. In 2007, the City Council established the Greater Downtown Housing Incentive Area (Ordinance No. 179,076) to incentivize "the production of multiple-family mid and high rise housing projects in the Central City Community Plan area, a downtown area, along the many major thoroughfares in the Central City area, near public mass transit facilities and transportation corridors," and "to encourage the development of more housing consistent with the urban character of the downtown area." The ordinance also amended L.A.M.C. Section 12.21-C,3 to allow the number of dwelling units permitted on a lot not be limited by the lot area.

With the ever expanding public transportation infrastructure, including the construction of the Expo Line through Culver City and into Santa Monica (by 2016), the extension of the Gold Line to East Los Angeles and the San Gabriel

Valley, the currently-under-construction Regional Connector through Downtown and the currently-under-construction Crenshaw Line through South Los Angeles, all of which are readily accessible to the subject property through the public transit system, the automobile is less of a necessity than 10 years ago when the Tract was originally approved.

In 2011, the City Council established the Downtown Design Guide (Ordinance No. 181,557) in recognition of the importance of Downtown Los Angeles as the civic, cultural, institutional, governmental, social and economic center of the region and that its urban form is critical to its continued vitality and economic viability and the preservation and enhancement of its historic fabric. The Downtown Design Guide regulates projects that have the potential to affect the urban form, pedestrian orientation and street-level activity, and its implementation will ensure a quality built environment.

The applicant is now requesting to modify the Recorded Final Tract Map to permit an addition of 60 residential units for a maximum of 689 dwelling units, an increase of 9.5%. The increase in the number of units is consistent with the goals of the Greater Downtown Housing Incentive Area of providing more housing in the downtown area, as stated above. The increase requires a modification to Condition No. 12.a to allow 341 residential units on Lot No. 3, with a maximum total of 689 dwelling units on Lot Nos. 1-3. The increase also requires the elimination of Condition No. 5.g as density is no longer subject to the lot area requirements of the zone in the Greater Downtown Housing Incentive Area.

The applicant is also requesting to modify Condition 12.b to allow the parking to be based on a parking ratio of 1.25 spaces per 341 dwelling units on Lot 3, and to deviate from the Advisory Agency Parking Policy.

The development already provides approximately 961 on-site parking spaces for the originally approved 629 residential units and commercial uses. Commercial parking will be consistent with the requirements of ZA-2005-1673-ZV-ZAA-SPR. Upon completion of the proposed project, the Tract will provide a total of 991 parking spaces for 689 units and parking spaces as required for the 22,963 square feet of commercial floor area.

Given the project's location in an increasingly dense and transit-rich part of Los Angeles, the previous parking requirement of 957 covered off-street residential parking spaces and 20 retail parking spaces is no longer appropriate.

Lastly, the applicant is requesting a modification to Condition No. 2 in order to make the project consistent with the Downtown Design Guide which was adopted by City Council on April 24, 2009. While not required to comply with the current standards of the new Downtown Design Guide its implementation is desired both by the applicant as well as the City. In order to allow the compliance with the Downtown Design Guide Condition No. 2.a has been added.

The modifications do not affect the project's consistency with the Central City Community Plan. Given the regulatory changes and transit investments since

the time of the original approval of the tract, the modification of the aforementioned conditions is necessary.

2. The modifications do not impose any additional burden on the present fee owner of the property.

The subject property, which currently includes two constructed buildings, the Concerto Lofts (915 South Flower Street) and the Apex I Tower (900-928 South Figueroa Street), and the subject vacant lot (901 South Flower Street & 700 West 9th Street), is the result of VTT-62367. Subsequent to the recording of the original tract approval, the property has been governed by a Master Declaration of Covenants, Conditions, and Restrictions (CC&Rs) and a Reciprocal Easement Agreement (REA). Given the complex nature of the operations and maintenance of the Tract, the Master Declaration establishes a governance structure for Tract 62367 as well as a Master Association. The Master Association, which acts through the Master Board and the Declarant, the owner of real property, have the power and authority to make decisions and take action for the benefit of the overall quality and operation of the Tract. The Master Board is made up of representatives of the two condominium associations - the Concerto Lofts Association and the Concerto Towers Association, which includes the Apex I Tower and the subject vacant lot. The interests of individual owners of condominium units within the Tract are represented at the Master Board through their condominium association's participation in the Board.

Currently, the Declarant, the owner of the Apex I Tower owns in fee, regulates and maintains the recreation facilities. The Master Association owns in fee, regulates and maintains the garage and storage areas.

Under the Tract 62367 governance documents, the Master Association has the right to make changes to Tract 62367, including common area improvements or any entitlements applicable to the tract. The Master Association has consented in writing to the subject application, thereby confirming that the proposed modifications do not impose any additional burden upon them or the project as a whole.

The proposed Modification does not change the number or location of any parking spaces currently allocated for the exclusive use by individual condominium owners, nor does it impact the rights of any individual owners to the exclusive use thereof; and the condominium fee owners' current parking ratios will be maintained. Lastly, the 9.5% increase in the number of dwelling units will coincide with a 34% increase in the overall amount of open space which will be available to all the residents within Tract 62367.

In addition, the modified project herein proposes compliance with the Downtown Design Guide which was implemented in 2011. As it affects the residents and condominium owners of Tract 62367, compliance with the modified Street Standards will provide pedestrian enhancements along the 9th Street boundary of Tract 62367 and will benefit, not burden current residents or condominium owners.

Accordingly, for the purpose of Government Code Section 66472.1 and LAMC Section 17.14-D, all fee owners of the property in question have consented to the modifications requested by the applicant and such modifications do not impose any additional burden on such fee owners.

3. The modifications do not alter any right, title or interest in the real property reflected on the recorded map.

The proposed Modification does not include any physical changes to the final map, but rather proposes modification of the conditions imposed on the original approval of Tract 62367. The requested modifications would not alter any lot lines, do not create any new or modified easements or other property interests, and do not alter any right, title or interest of record. As discussed above, the fee owners of the property have consented to the modifications proposed by the applicant.

The Master Declaration and REA, which provides for private governance of Tract 62367, are a result of the approval of Tract 62367, but are not part of the final map or the conditions of approval. The proposed changes will not impact the rights of individual condominium owners in Tract 62367. Such owners do not own any of the common facilities, such as parking, storage or recreational facilities, as they are owned by the Master Association which is Apex I Tower owner, and are governed by the tract's internal governing documents (such as the Master Declaration and the REA), none of which are modified or altered by the subject application. Governance and improvement decisions made in accordance with the Master Declaration, REA or other governing documents are private governance matters that are not subject to the City's jurisdiction under the Subdivision Map Act.

Accordingly, for the purpose of Government Code Section 66472.1 and LAMC Section 17.14.D, the modifications requested by the applicant and do not alter any right, title or interest in the real property reflected on the recorded map.

4. The map and conditions as modified conform to the provisions of Government Code Section 66474 and of the LAMC.

Pursuant to LAMC Sections 17.00 et. seq. and Sections 66473.1, 66474.6, 66474.61 and 66474.63 of the State of California Government Code (Subdivision Map Act), the Advisory Agency, on July 5, 2005, made the prescribed findings in connection with the approval of the original Vesting Tentative Tract No. 62367.

The Advisory Agency's decision applies expressly to both the tentative and final maps for Tract No. 62367. These findings are still applicable to the Modification of Recorded Final Map 62367, and the final maps, as modified, would continue to conform to the requirements of Government Code Section 66474, as follows:

- (a) With the proposed Modification, the subdivision will be consistent with the applicable General and Specific Plans. With the proposed modifications the

project is consistent with many of the goals and policies of the General Plan and the elements of the General Plan, including the Central City Plan, the City Center Redevelopment Plan, the Housing Element and the Transportation Element.

- (b) With the proposed Modification, the design and improvement of the subdivision will be consistent with the applicable General and Specific Plan. The Addendum to Mitigated Negative Declaration (Case No. ENV-2005-1674-MND-REC1) indicates that no additional significant impacts or any increases to the severity of previously analyzed environmental impacts would result from the project. Since the original approval of VTT-62367, the LAMC was amended in approximately 2008 to eliminate density per lot area as a development constraint. The modification will increase the number of units by 9.5% but will not increase the project's previously permitted floor area. The building massing will be approximately the same as that which was originally approved. With the proposed modifications, the project will substantially comply with the Downtown Design Guidelines, Urban Design Standards and Guidelines.
- (c) The site is physically suitable for the proposed type of development. The proposed Modification would not increase the project's previously permitted floor area and will result in approximately the same building massing as that originally approved.
- (d) The site is physically suitable for the proposed density of development. The project as modified is an infill development in an otherwise mixed-use neighborhood. While the Modification will increase the density by 9.5%, it will not increase the project's previously permitted floor area. As the Municipal Code was amended in 2007, establishing the Greater Downtown Housing Incentive Area, the site will be physically suitable for the project's increase in density.
- (e) The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. As concluded in the Addendum to Mitigated Negative Declaration (Case No. ENV-2005-1674-MND-REC1), no new or additional significant adverse environmental impacts or any increases to the severity of previously identified adverse environmental impacts, including impacts to fish or wildlife or their habitat, would result from the proposed Modification. The project area is presently paved and used for parking purposes and does not provide a natural habitat for either fish or wildlife.
- (f) The design of the subdivision and the proposed improvements are not likely to cause serious public health problems. The proposed Modification is not likely to cause serious public health problems. In addition, as concluded in the Addendum to Mitigated Negative Declaration (Case No. ENV-2005-1674-MND-REC1), no new or additional significant adverse environmental impacts

or any increases to the severity of previously identified adverse environmental impacts would result from the proposed modifications.

(g) The design of the subdivision and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. No such easements were known to exist prior to the original approval of the subdivision. The project is in compliance with all applicable conditions of the tentative map approval, and the proposed Modification will not conflict with any easements dedicated to the public at large prior to recordation of the final maps.

(h) The design of the proposed subdivision will provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed modifications to the subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel to be subdivided and other design and improvement requirements. Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed. No changes in the lot layout are proposed. The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities. In addition, prior to obtaining a building permit, the subdivider shall consider building construction, techniques, such as overhanging eaves, location of windows, insulation, exhaust fans, planting of trees for shade purposes and the height of the building on the site in relation to adjacent development.

5. The decision-maker has given consideration, among other factors, to the effects of the modifications on surrounding properties.

The proposed modification will not adversely impact the surrounding properties.

The subject property is located in Downtown Los Angeles which has seen considerable growth over the past decade, since VTT-62367 was originally approved, in part due to economic and developmental pressures, but also in part due to new City policies and regulations. The proposed Modification aims to respond to these economic/developmental pressures as well as the new City policies and regulations. As a result, the proposed Modification would not have an adverse effect on the surrounding properties, but instead allows the project to be more compatible with the surrounding properties.

Specifically, modification of the sidewalk easement allows for greater consistency and continuity of the Downtown Street Standards. The increase in the number of dwelling units will create more consistency with the Greater Downtown Housing Incentive Area and will not result in an adverse effect on surrounding properties. Lastly, reducing the required parking for Phase II brings the project more in line with the goals of the City's Downtown Design Guide, which did not exist at the

time of the original approval and seeks to promote an active pedestrian environment in a variety of ways, including limiting parking to no more than the minimum required by Code in an effort to promote a multimodal transportation system.

Moreover, as concluded in the Addendum to Mitigated Negative Declaration (Case No. ENV-2005-1674-MND-REC1), no new or additional significant adverse environmental impacts or any increases to the severity of previously identified adverse environmental impacts would result from the proposed modifications.

LIMITATIONS OF A MODIFICATION OF RECORDED FINAL MAP

In connection with the approval of the Modification of Recorded Final Tract No. 62367 (Case No. 62367-M3), pursuant to Section 17.14-E of the Los Angeles Municipal Code, modifications and amending maps shall be governed by the following limitations:

- 1. No modifications involving increases in density shall be allowed which would change the density of a subdivision as approved on appeal by the City Planning Commission or the City Council, where such density was the subject of the appeal to the City Planning Commission or the City Council.**

This provision does not apply to the subject Modification. On July 5, 2005, the Advisory Agency approved Vesting Tract Map No. 62367. No appeals were subsequently filed on this action.

- 2. No condition may be modified if it was imposed as a mitigating measure identified in a mitigated or conditional negative declaration or in an Environmental Impact Report.**

None of the conditions being modified herein were imposed as a mitigating measure identified in the Environmental Case No. ENV-2005-1674-MND. The project will not create or result in any new substantial increase in the severity of previously identified potentially significant impacts. The Advisory Agency adopts the findings and adopts Environmental Case No. ENV-2005-1674-MND-REC1 as part of this subject modification.

- 3. Modifications involving increase in density over that originally approved by the Advisory Agency in approving the tentative map shall be limited to not more than 10 percent for subdivision containing 10 or more lots or dwelling units.**

On July 5, 2005, the Advisory Agency approved Vesting Tract Map No. 62367 for 629 Joint Live/Work condominium units. The tract has subsequently been recorded and 348 of the residential units have been built.

The applicant is now requesting to modify the recorded tract map to permit 60 additional residential units. The Modification will increase density by 9.5%, less than the maximum permitted 10%.

4. **Modifications involving increase in the height of structures shall be limited to not more than 10 percent above the approved height of such structures.**

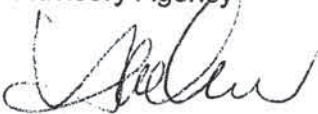
The subject property is within the C2-4D Zone and has no height restriction. As such, no height limitation was imposed per the approved Vesting Tract Map. Nevertheless, Case No. ZA-2005-1673-ZA-YV-ZAA-SPR which was a concurrent entitlement with the original tract approval showed the subject building to be 308 feet in height to the top of the roof and 328 feet in height to the top of the parapet. The proposed project (Phase 2) would have a maximum height of approximately 285 feet in height to the top of the parapet and 317 feet, six inches in height to the top of the mechanical equipment. Therefore, the modification will not increase the height of the project as originally approved.

5. **The Modification would not violate the intent of any of the original conditions of the tract map approval.**

On July 5, 2005, the Advisory Agency approved Vesting Tract No. 62367 for a maximum of 629 Joint Live/Work condominium units and 25,023 square feet of retail space. The tract has subsequently been recorded and 348 residential units have been built. The proposed Modification would only permit the addition of 60 units, a reduction in the required parking for the proposed (unbuilt) phase of the project and make other modifications to establish consistency with current regulatory standards. Furthermore, the Modification being requested does not change the consistency with the Central City Community Plan.

All other conditions and findings of Vesting Tentative Tract No. 62367 and subsequent modifications shall remain as originally written.

Michael J. LoGrande
Advisory Agency



JAE H. KIM
Deputy Advisory Agency

JK:JC:ON:on

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

Figueroa Plaza
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
213 482-7077

Marvin Braude San Fernando Valley
Constituent Service Center
6262 Van Nuys Blvd., Room 251
Van Nuys, CA 91401

818 374-5050

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

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

If you have any questions, please call Development Services Center staff at (213) 482-7077 or (818) 374-5050.

Exhibit "2"

Written Consent

ACTION BY UNANIMOUS WRITTEN CONSENT
OF
CONCERTO MASTER ASSOCIATION

The undersigned Directors of the Concerto Master Association in accordance with the California corporation laws does hereby take the following actions and adopt the following resolutions ~~without a meeting~~ with the intention that such actions will have the same force and effect as if a meeting was duly called and held:

WHEREAS, the Concerto Master Association has been granted all of the powers of a non-profit mutual benefit corporation under the laws of the State of California subject only to specific limitations set forth in the Master Declaration of Covenants, Conditions and Restrictions and Grant of Reciprocal Easements for Concerto (as amended) ("**Master Declaration**") and the Bylaws for the Concerto Master Association;

WHEREAS, the Concerto Master Association is a party to that certain Concerto Reciprocal Easement and Joint Use Agreement, as amended ("**REA**") which governs the use and sharing of costs for the Parking Garage and the Recreational Facilities each as defined in the REA;

WHEREAS, in connection with the development of Tower 2 at Concerto, the City of Los Angeles may request that the Master Association authorize the processing of certain entitlements affecting a portion of the real property subject to the Master Declaration referred to as Tower 2;

WHEREAS, in connection with the development of Tower 2, additional parking garage facilities will be constructed within a portion of the real property owned by the Concerto Master Association known as Module A as described in the Master Declaration and additional recreational facilities will be developed within Tower 2 which will be for the benefit of the Owners and Occupants within the Concerto Project;

WHEREAS, the undersigned constitute all the duly appointed current members of the Board of Directors of Concerto Master Association; and

WHEREAS, the development of Tower 2 will be for the benefit of the entire Concerto project.

RESOLVED, the Board of Directors hereby approves, authorizes and ratifies 900 South Figueroa Street Pad Investors to file applications in Case Nos. VTT-62367-M3, ZA-2005-1673-ZV-ZAA-SPR-PA2 and DIR-2015-97-SPR, and to process those certain entitlements and to final approval, and to complete all necessary permits, approvals and authorizations required for the approval of Tower 2, including, without limitation, the tentative map, the Final Map, development agreements, conditions of approval and project permits;

RESOLVED, the Board of Directors may enter into any further amendments to the REA to reflect the allocation of costs and proposed development and expansion of the Recreational Facilities and the Parking Garage and for such other purposes to reflect the development of Tower 2; and

RESOLVED, the Board of Directors has the full right, power and authority to grant and authorizes any two officers of the Board of Directors to grant on its behalf such licenses and easements as may be required for the construction of additional parking garage facilities within the Master Association Property consisting of Module A and such other easements and licenses as may be necessary to accommodate the development of Tower 2.

This Consent may be executed in counterparts and shall be effective for all purposes on

April 14, 2015



BING CHENG, President



MATT WILSON, Treasurer



JILL RENFROW, Secretary

ELIMIRA HOWARD, Lofts Representative

Exhibit "3"

Public Benefits Agreement

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

FREE RECORDING REQUESTED
(Gov't Code Section 6103)

The Community Redevelopment Agency of
the City of Los Angeles, California
354 South Spring Street, Suite 800
Los Angeles, California 90013
Attn: Asset Management

WITH A COPY TO:

GTS 900F, LLC,
c/o Astani Enterprises, Inc.,
9595 Wilshire Blvd., Penthouse 1010,
Beverly Hills, CA 90212.
Attn: Mr. Sonny Astani

ACCEPTANCE OF AGENCY CONDITIONS

THIS ACCEPTANCE OF AGENCY CONDITIONS is made this 29th day of June, 2006 (the "Effective Date"), by GTS 900F, LLC, a California limited liability company ("Developer"), for the benefit of THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF LOS ANGELES, CALIFORNIA, a public body, corporate and politic ("Agency").

RECITALS

A. WHEREAS, for the purpose, among others, of effectuating the Redevelopment Plan for the City Center Redevelopment Project, the Agency, on July 21, 2005, and on August 4, 2005, considered proposed development by the Developer relating to that certain real property (the "Site") described on Exhibit A attached hereto;

B. WHEREAS, the Site consists of three discrete legal lots (each a "Lot");

C. WHEREAS, Developer's proposed project development (the "Project") to be located on the Site, consists of three phases (each a "Phase") in which improvements containing mixed-use, joint live/work condominium units and retail/commercial space are to be constructed on each of the three Lots: Phase I consists of the 6-story, 80-unit loft-style Flower Street mid-rise building with 7,796 square feet of retail/commercial to be located on Lot I, Phase II consists of the 28-story, 275-unit Figueroa Street Tower, with 5,586 square feet of retail/commercial to be located on Lot II and Phase III consists of the 28-story, 274-unit 9th Street Tower with 6,345 square feet of retail/commercial and a 5,295 square-foot retail building to be located on Lot III. A total of 629 joint live/work condominium

units and 27,000 square feet of commercial/retail space are included in all three Phases of the Project (collectively, the "Improvements");

D. WHEREAS, Section 512.1 of the Redevelopment Plan sets forth the maximum floor area ratio ("FAR") of all Improvements to be located on the Site;

E. WHEREAS, Section 520 of the Redevelopment Plan gives the Agency discretionary authority to grant a density variation of less than 50,000 to each Lot;

F. WHEREAS, the size of the Improvements exceeded the maximum allowable FAR without each of Lots I and II being granted density variations in the amount of 49,999 square feet and Lot III receiving a density variation of 45,188 square feet (each a "Variation");

G. WHEREAS, under the Redevelopment Plan, the grant of each of the Variations required the discretionary approval of the Agency; and

H. WHEREAS, on July 21, 2005, the Agency granted Variations to Lots I and II and on August 4, 2005, the Agency granted a Variation to Lot III.

COVENANT

NOW, THEREFORE, the Developer covenants and agrees (for itself, its successors, its assigns, and every successor in interest to the Site or any part thereof) as follows:

1. Compliance with Program Requirements. The Developer hereby covenants and agrees for itself, its successors, its assigns, and every successor-in-interest to the Site, that the Site shall be devoted only to residential uses and retail/commercial uses in accordance with (a) the applicable provisions of the Redevelopment Plan, (b) any plans reviewed and approved by the Agency and (c) this Acceptance of Agency Conditions. Developer's actions with respect to the Project shall at all times be in substantial conformity with all requirements of the applicable provisions of the Redevelopment Plan, any plans reviewed and approved by the Agency and this Acceptance of Conditions.

2. Development of the Site. The Developer covenants and agrees for itself, its successors and assigns that the Site shall be developed, maintained and used as follows:

(a) The Improvements shall be maintained, the Site shall be kept free from any accumulation of debris, waste materials or graffiti, and the landscaping on the Site shall be maintained in a healthy condition.

(c) The Site and all Improvements (including landscaping, public art as appropriate, lighting and signage) shall be maintained, repaired and operated, in first-quality condition and in compliance with the terms of the Redevelopment Plan, the Acceptance of Agency Conditions and the City of Los Angeles Municipal Code.

(d) The Project shall be operated in such a manner so as not to cause a nuisance and in compliance with this Acceptance of Agency Conditions and the Redevelopment Plan.

(e) All work performed on the Improvements shall be performed in compliance with this Acceptance of Agency Conditions and all approved plans, and the Improvements shall be maintained and operated in compliance in keeping with the physical and operating standards of a first-class building.

(f) The covenants described in this Acceptance of Agency Conditions shall be in effect for the term of this Acceptance of Agency Conditions.

3. Agency Review and Approval. Agency Staff shall be given the opportunity to review and approve all plans for the Project, prior to issuance of building permits; provided, however, that Agency's approval shall not be unreasonable withheld, conditioned or delayed.

4. Prevailing Wage. The Developer shall pay our cause to be paid to all workers employed in connection with the development of the Site, not less than the prevailing rates of wages, as provided in the statutes applicable to Agency public work contracts, including without limitation Sections 33423-33426 of the California Health and Safety Code and Sections 1770-1780 of the California Labor Code, in accordance with the Agency's "Policy on Payment of Prevailing Wages By Private Participants or Owner-Participants" dated February, 1986. Alternatively, the Developer may enter into a Project Labor Agreement. Notwithstanding the above or any other provision of this Acceptance of Agency Conditions, if (a) Developer provides Agency with evidence showing that a Phase will be constructed (i) pursuant to a construction agreement (a "**Construction Agreement**") between Developer and a general contractor ("**General Contractor**") that is a party to collective bargaining agreements or (ii) by Developer acting as an owner-builder pursuant to agreements (each a "**Subcontract**") between Developer and various subcontractors (each a "**Subcontractor**") each of which is a party to collective bargaining agreements or which certifies that it will pay union scale wages to all workers provided under such Subcontract and (b) such work is undertaken by (i) General Contractor pursuant to a Construction Agreement or (ii) by a Subcontractor pursuant to a Subcontract, then Developer's making of (x) a Construction Agreement with General Contractor or (y) a Subcontract with a Subcontractor, shall conclusively be deemed to constitute compliance with Agency's Prevailing Wage Policy for the construction of such Phase pursuant to this Acceptance of Agency Conditions.

5. Nondiscrimination. Developer covenants and agrees for itself, its successors, its assigns and every successor in interest to the Site or any portion thereof, that there shall be no discrimination against or segregation of any person, or group of persons, on account of race, color, religion, creed, national origin, ancestry disability, medical condition, age, marital status, sex, sexual preference/orientation, Acquired Immune Deficiency Syndrome (AIDS) - acquired or perceived, or retaliation for having filed a discrimination complaint, in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Site nor shall the Developer itself, or any person claiming under or through it, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees, or vendees of the Site.

6. Mandatory Language in All Subsequent Deeds, Leases and Contracts. The Developer shall refrain from restricting the sale, lease, sublease, rental, transfer, use, occupancy, tenure, or enjoyment of the Site (or any part thereof) on the basis of race, color, religion, creed, national origin, ancestry, disability, medical condition, age, marital status, sex, sexual preference/orientation, Acquired Immune Deficiency Syndrome (AIDS) - acquired or perceived, or retaliation for having filed a discrimination complaint. All deeds, leases or contracts pertaining to the Site, which Developer first

enters into after the Effective Date, shall contain, or by their terms be subject to, substantially the following nondiscrimination or nonsegregation clauses:

(a) In deeds: "The grantee herein covenants by and for itself, its heirs, executors, administrators, successors and assigns, and all persons claiming under or through them, that there shall be no discrimination against or segregation of, any person or group of persons on account of race, color, religion, creed, national origin, ancestry, disability, medical condition, age, marital status, sex, sexual preference/orientation, Acquired Immune Deficiency Syndrome (AIDS) - acquired or perceived, or retaliation for having filed a discrimination complaint, in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the land herein conveyed, nor shall the grantee itself or any person claiming under or through it, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees, or vendees in the land herein conveyed. The foregoing covenants shall run with the land."

(b) In leases: "The lessee herein covenants by and for itself, its heirs, executors, administrators, successors and assigns, and all persons claiming under or through them, and this lease is made and accepted upon and subject to the following conditions: That there shall be no discrimination against or segregation of any person or group of persons, on account of race, color, religion, creed, national origin, ancestry, disability, medical condition, age, marital status, sex, sexual preference/orientation, Acquired Immune Deficiency Syndrome (AIDS) - acquired or perceived, or retaliation for having filed a discrimination complaint, in the leasing, subleasing, renting, transferring, use, occupancy, tenure or enjoyment of the land herein leased, nor shall lessee itself, or any person claiming under or through it, establish or permit such practice or practices of discrimination or segregation with reference to the selection, location, number, or occupancy of tenants, lessees, sublessees, tenants, or vendees in the land herein leased."

(c) In contracts: "There shall be no discrimination against or segregation of, any person or group of persons on account of race, color, religion, creed, national origin, ancestry, disability, medical condition, age, marital status, sex, sexual preference/orientation, Acquired Immune Deficiency Syndrome (AIDS) - acquired or perceived, or retaliation for having filed a discrimination complaint, in the sale, lease, sublease, rental, transfer, use, occupancy, tenure or enjoyment of the land, nor shall the transferee itself or any person claiming under or through it, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees, or vendees of the land."

7. Enforcement. In amplification and not in restriction of the provisions set forth hereinabove, it is intended and agreed that Agency shall be deemed a beneficiary of the covenants and agreements provided hereinabove both for and in its own right and also for the purposes of protecting the interests of the community. All covenants without regard to technical classification or designation shall be binding for the benefit of Agency, and such covenants shall run in favor of Agency for the entire period during which such covenants shall be in force and effect, without regard to whether Agency is or remains an owner of any land or interest therein to which such covenants relate. Agency shall have the right, in the event of any breach of any such covenant or agreement, to exercise all the rights and remedies, and to maintain any actions at law or suits in equity or other proper proceedings to enforce the curing of such breach of covenant or agreement.

8. Mortgagee Protection. No violation or breach of the covenants, conditions, restrictions, provisions or limitations contained in this Acceptance of Agency Conditions shall defeat or render invalid or in any way impair the lien or charge of any mortgage, deed of trust or any other security interest; provided, however, that any successor-in-interest to Developer shall be bound by such

covenants, conditions, restrictions, limitations, and provisions, whether title was acquired by foreclosure, deed in lieu of foreclosure, trustee's sale or otherwise.

9. Modifications. Only the Agency, its successors and assigns together with Developer its successors and assigns in and to all or any part of the Site shall have the right to consent and agree to changes in, or the elimination in whole or in part of, any of the covenants, easements, or other restrictions contained in this Acceptance of Agency Conditions, or to subject the Site to additional covenants, easements or other restrictions.

10. Covenants to Run With the Land; Term. The covenants established in this Acceptance of Agency Conditions, shall, without regard to technical classification and designation, be binding on the Developer and any successor in interest to the Site or any portion thereof for the benefit and in favor of the Agency, its successors and assigns. Except as set forth below, the covenants contained in this Acceptance of Agency Conditions shall remain in effect for fifteen (15) years from the Effective Date. The covenants against discrimination shall remain in effect in perpetuity.

11. Multiple Originals; Counterparts. This Acceptance of Agency Conditions may be executed in multiple originals, each of which is deemed to be an original, and may be signed in counterparts.

12. Provision of Project Amenities. Developer shall provide the Project amenities set forth on Exhibit B attached hereto.

13. Incorporation of Exhibits. All Exhibits referred to in this Acceptance of Agency Conditions are incorporated herein by such reference and made a part hereof.

14. Indemnity. Developer shall defend, indemnify and hold harmless the Agency and the City of Los Angeles, California ("City"), their agents, officers, and employees from any claim, action, or proceeding against the Agency or City or their agents, officers, or employee to attack, set aside, void or annul the approval of Variations granted by Agency to Developer on July 21, 2005 and on and on August 4, 2005, in the event such an action is brought within the applicable time period of the State Government Code. The Agency or City shall promptly notify the Developer of any claim, action, or proceeding and the Agency and/or City shall cooperate fully in the defense. If the Agency or City fails to promptly notify the Developer of any claim, action or proceeding, or if the Agency or City fails to cooperate fully in the defense, the Developer shall not thereafter be responsible to defend, indemnify, or hold harmless the Agency or City. The Developer shall reimburse the Agency and/or City for any court and attorney's fees which the Agency and/or City may be required to pay as a result of any claim or action brought against the Agency or City because of the approval of Variations. Although the Developer is the real party in interest in an action, the Agency or City may, at its sole discretion, participate at its own expense in the defense of the action, but such participation shall not relieve the Developer of any obligation under this condition.

IN WITNESS WHEREOF, Developer has executed this Acceptance of Agency Conditions.

[SIGNATURE APPEARS ON FOLLOWING PAGE]

Developer

GTS 900F, LLC,
a California limited liability company,

By: Sonny Astani
Its: Manager

ACCEPTED BY THE AGENCY

Agency

THE COMMUNITY REDEVELOPMENT AGENCY OF
THE CITY OF LOS ANGELES, CALIFORNIA

By: [Signature]
Chief Executive Officer

Date: 7/6/09

APPROVED AS TO FORM
Rockard J. Delgadillo,
City Attorney

By: [Signature]
Agency General Counsel

Date: 7/5/2006

ACKNOWLEDGMENT

State of California

County of LOS ANGELES

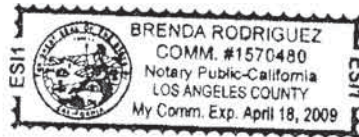
On JUNE 29, 2006 before me, BRENDA RODRIGUEZ, NOTARY PUBLIC
(here insert name and title of the officer)

personally appeared SONNY ASTANI

personally known to me ~~(or proved to me on the basis of satisfactory evidence)~~ to be the person~~(s)~~
whose name~~(s)~~ ~~is/are~~ subscribed to the within instrument and acknowledged to me that ~~he~~ ~~she~~ ~~they~~
executed the same in his~~/her~~ ~~their~~ authorized capacity~~(ies)~~, and that by his~~/her~~ ~~their~~ signature~~(s)~~ on
the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the
instrument.

WITNESS my hand and official seal.

Signature



(Seal)

EXHIBIT A

LEGAL DESCRIPTION OF THE SITE

LOT A, OF TRACT 4383, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 51 PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF SAID LOT; THENCE SOUTH 52 DEGREES 09 MINUTES 00 SECONDS EAST ALONG THE NORTHEASTERLY LINE OF SAID LOT A DISTANCE OF 166.80 FEET TO THE EASTERLY CORNER OF SAID LOT; THENCE WESTERLY ALONG A CURVE CONCAVE TO THE SOUTH TANGENT AT ITS BEGINNING TO SAID NORTHWESTERLY LINE AND HAVING A RADIUS OF 30.51 FEET; AN ARC DISTANCE OF 19.33 FEET TO A POINT OF A TANGENCY IN A STRAIGHT LINE THAT PASSES THROUGH THE MOST WESTERLY CORNER OF SAID LOT; THENCE NORTH 88 DEGREES 26 MINUTES 50 SECONDS WEST ALONG SAID STRAIGHT LINE, A DISTANCE OF 171.95 FEET TO A POINT IN A LINE PARALLEL WITH A DISTANT 10 FEET SOUTHEASTERLY MEASURED AT RIGHT ANGLES FROM THE NORTHWESTERLY LINE OF SAID LOT; THENCE SOUTH 37 DEGREES 46 MINUTES 20 SECONDS WEST ALONG SAID PARALLEL LINE A DISTANCE OF 7.34 FEET TO THE SOUTHWESTERLY LINE OF SAID LOT; THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY LINE A DISTANCE OF 10 FEET TO SAID MOST WESTERLY CORNER OF LOT "A"; THENCE NORTH 37 DEGREES 46 MINUTES 20 SECONDS EAST ALONG THE NORTHWESTERLY LINE OF SAID LOT A DISTANCE OF 115.05 FEET TO THE POINT OF BEGINNING.

LOTS 23 AND 24 OF THE SUBDIVISION OF BLOCK 65 ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 5 PAGE 330 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PART OF LOTS 25 AND 26 OF EUGENE MEYER'S SUBDIVISION OF BLOCK 65 OF ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 5 PAGE 330 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT IN THE SOUTHEASTERLY LINE OF SAID LOT 25, DISTANT 16-2/3 FEET SOUTHERLY FROM NORTHEAST CORNER THEREOF; THENCE NORTHWESTERLY PARALLEL WITH THE DIVISION LINE BETWEEN SAID LOTS, 165 FEET TO THE NORTHWESTERLY LINE OF SAID LOT 25; THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY LINE OF LOTS 25 AND 26, 33-1/3 FEET; THENCE SOUTHEASTERLY PARALLEL WITH THE DIVISION LINE, 165 FEET TO THE SOUTHEASTERLY LINE OF SAID

LOT 26; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOTS 25 AND 26, 33-1/3 FEET TO THE BEGINNING.

PART OF LOT 25 OF EUGENE MEYER'S SUBDIVISION OF BLOCK 65 OF ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 5 PAGE 330 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT THE SOUTHEASTERLY CORNER OF LOT 25; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT, 33-1/3 FEET TO THE SOUTHEASTERLY CORNER OF THE LAND CONVEYED TO CAROLINE HUFF; THENCE NORTHWESTERLY PARALLEL WITH THE NORTHEASTERLY LINE OF SAID LOT AND ALONG THE SOUTHWESTERLY LINE OF SAID LAND OF CAROLINE HUFF, 165 FEET TO THE NORTHWESTERLY LINE OF SAID LOT; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF SAID LOT, 33-1/3 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT, 165 FEET TO THE PLACE OF BEGINNING.

THE NORTH 33 1/3 FEET OF LOT 26 OF EUGENE MEYERS SUBDIVISION OF BLOCK 65 OF ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 5 PAGE 330 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

LOT "A" DEMING AND TRASK PROPERTY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 12 PAGE 154 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM THAT PORTION OF LOT A, DEMING AND TRASK PROPERTY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 12 PAGE 154 OF MAPS, IN THE OFFICE OF THE REGISTRAR-RECORDER OF SAID COUNTY, WITHIN THE FOLLOWING DESCRIBED BOUNDARIES:

BEGINNING AT THE INTERSECTION OF THE NORTHEASTERLY LINE OF SAID LOT WITH THE NORTHWESTERLY LINE OF THE SOUTHEASTERLY 5 FEET OF SAID LOT; THENCE SOUTH 37 DEGREES 46 MINUTES 24 SECONDS WEST ALONG SAID NORTHWESTERLY LINE 10.00 FEET; THENCE NORTH 7 DEGREES 13 MINUTES 22 SECONDS WEST 14.14 FEET TO A POINT IN SAID NORTHEASTERLY LINE DISTANT NORTH 52 DEGREES 14 MINUTES 03 SECONDS WEST THEREON 10.00 FEET FROM THE POINT OF BEGINNING; THENCE SOUTH 52 DEGREES 14 MINUTES 03 SECONDS EAST ALONG SAID NORTHEASTERLY LINE 10.00 FEET TO SAID POINT OF BEGINNING, AS CONVEYED TO THE LOS ANGELES COUNTY TRANSPORTATION COMMISSION, A PUBLIC AGENCY, IN A DEED RECORDED JUNE 29, 1988 AS INSTRUMENT NO. 88-1029193.

LOT 7 OF MEYER'S RESUBDIVISION OF BLOCK 65, OF ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 5 PAGE 330 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

LOTS 8 AND 9 OF EUGENE MEYERS SUBDIVISION OF BLOCK 65 OF ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 5 PAGE 330 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

LOT 10 OF EUGENE MEYER SUBDIVISION OF BLOCK 65, OF ORD'S SURVEY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 5 PAGE 330 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

LOT 22 IN THE SUBDIVISION OF BLOCK 65 OF ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 5 PAGE 330 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXHIBIT B

PROJECT AMENITIES PACKAGE

I. Building Features

- 275 joint live/work condominiums consisting of one-, two- and three-bedroom units with 5,586 square feet of ground floor retail/commercial space in the 28-story Figueroa Street Tower.
- 274 joint live/work condominiums consisting of one-, two- and three-bedroom units with 6,345 square feet of ground floor retail/commercial space in the 28-story 9th Street Tower as well as 5,295 square feet of retail/commercial space in a separate building.
- 80 loft-style one- and two-bedroom units with 7,796 square feet of ground floor retail/commercial space in the 6-story Flower mid-rise building.
- 977 parking stalls are provided on four levels below grade, as well as three levels above grade, none of which are visible to the public.
- The roof of the parking structure serves as an outdoor amenity level for use by Project residents, including pool, terrace, water features, green space, and recreation areas.
- A public park, 2,564 square feet in size located on Flower Street near the intersection with 9th Street.
- A landscaped mid-block pasco/open space, 7,025 square feet in size, allowing for pedestrian passage between Figueroa Street and Flower Street and easily accessible walking routes to 9th Street and Olympic Boulevard.
- Incorporates sustainability strategies targeted at reducing energy consumption, minimizing water and sewer loads, minimizing storm runoff, diverting waste from landfills, and producing a healthy indoor environment for the residents.
- Included are efficient lighting, high-performance glass, energy-efficient management, and environmentally-friendly building materials.

II. Security and Parking

- Specially designed parking areas that separate residential and commercial parking.
- All parking will be hidden from view.

III. Pedestrian Amenities

- Significant Project architectural design that welcomes pedestrians into and around the Site.
- The Streetscape Design Guidelines, adopted as part of the Los Angeles Sports and Entertainment District, will be followed as the sidewalks surrounding the Site are improved as part of the Project. These streetscape improvements will be designed to meet with the improvements undertaken by the Hanover development to the south of the Site.
- Improvement of a mid-block paseo/open space that will be landscaped and maintained by the Project for use by the general public during daylight hours.

IV. Participation in the Agency's Arts Policy to provide arts to enhance a significant gateway building.

Exhibit "4"

List of Related Projects That Were Not Considered in the MND Addendum

**PROJECTS PROPOSED AND/OR APPROVED SINCE 2005 THAT WERE NOT CONSIDERED
IN THE 2005 INITIAL STUDY/MND OR THE 2015 ADDENDUM FOR THE APEX 2 PROJECT**

#	Project/ Developer	Address	Brief Description	Case Nos.	Status
1	Luxe Hotel/ Shenzhen Hazens	1016-1060 S. Figueroa St.; 716-730 W. Olympic Bl.	Two 30-story buildings and a 42-story building containing a 250-unit hotel, 650 residential condominium units, and 80,000 sf of retail.	CPC-2015-1160-DA; ENV-2015-1159-EAF	Filed 3/26/15.
2	801 Olive/ Carnel Partners	801-825 S. Olive St.	27-story building containing 363 dwelling units and 10,000 sf of retail.	CPC-2013-3224-ZV- TDR-MS-C-SPR; ENV-2013-3225- MND	Filed 10/11/13; approved 1/31/14.
3	820 Olive/ Omni Group	802-826 S. Olive St., 817-825 S. Hill St.	50-story building containing 589 residential units.	CPC-2013-4134- TDR-MCUP-ZV- SPR; ENV-2013- 4135-MND	Filed 12/23/13; approved 10/9/14.
4	920 Hill/ Barry Shy	920 S. Hill St.	32-story building containing 239 residential condominium units and 5,405 sf of ground floor commercial space.	CPC-2014-2590- TDR-ZV-SPPA-SPR; ENV 2014-2591-EAF	Filed 7/17/14.
5	1001 Olive/ Lennar Multifamily	1001-1005 S. Olive St., 400-412 W. Olympic	7-story building containing 201 apartment units and 4,100 sf of ground floor commercial space.	DIR-2013-2563-SPR; ENV-2013-2562- MND	Filed 8/20/13; approved 12/11/13; under construction.
6	1133 Hope/ Amacon	1133 S. Hope St.	28-story building containing 208 residential units and 5,029 sf of commercial floor area.	ZA-2013-4157-ZV- TDR-SPR; ENV- 2006-8931-MND- REC1	Filed 12/26/13; approved 7/11/14.

7	1200 Flower/ Omni Group	1200-1226 S. Flower St.	31- and 40-story buildings containing 730 dwelling units.	CPC-2013-4125-TDR-MCUP-ZV-SPR; ENV-2013-4126-MND	Filed 12/23/13; approved 10/9/14.
8	1400 Figueroa/ DHG Family Trust	1362-1400 S. Figueroa St.	7-story building with 106 dwelling units and 4,750 sf of retail space.	DIR-2014-1580-TDR-SPR; ENV-2014-1581-EAF	Filed 5/6/14; approved 11/14/14.
9	Broadway and Olympic/ Barry Shy	935-955 S. Broadway	15-story building containing 163 dwelling units and commercial space.	CPC-2014-2947-TDR-ZC-ZV-CDO-SPR; ENV-2014-2948-EAF	Filed 8/13/14.
10	Broadway Palace/ G.H. Palmer	912-1046 S. Broadway; 100-104 W. Olympic Bl.; 915-1015 S. Main St.	6- and 10-story buildings containing 684 apartment units and 58,471 sf of commercial floor area.	DIR-2013-1216-SPR-CDO; ENV-2013-200-MND	Filed 4/24/13; approved 12/12/14.
11	Eighth and Grand/ Carmel Partners	710-798 S. Grand Ave.; 701-799 S. Olive Ave.	7-story complex containing 700 dwelling units, a 42,000 sf grocery store and 8,000 sf of additional retail.	DIR 2011-1229-SPR; ENV-2005-7367-MND-REC2	Filed 5/16/11; approved 12/28/11.
12	Eighth and Spring/ Holland Partner Group	737-759 S. Spring St.; 215 W. 8th St.	24-story building containing 320 apartment units and ground floor retail.	DIR-2014-4189-TDR-SPR; ENV-2014-4190-MND	Filed 11/7/14.
13	Foreman and Clark Building/ Kyung Cho	701-715 S. Hill St.; 400-406 W. 7th St.	Conversion of 13-story commercial building into housing complex with 165 dwelling units and ground floor retail/restaurant uses.	ZA-2014-1800-MCUP-CUX-ZV-ZAA; ENV-2014-1801-EAF	Filed 5/21/14.
14	South Park/Forest City	1100-1108 S. Hill St.; 1111 S. Broadway; 1200 S. Broadway.	Two 7-story buildings containing 391 dwelling units and 15,000 sf of ground floor retail space.	ZA-2006-6513-CUB-CUX-CU-ZV-ZAA; ENV-2005-4654-EIR	Filed 7/26/06; approved 3/21/07; modified 1/30/15.
15	G12/Sonny Astani	1211-1247 S. Olive St.	7-story building containing 293 residential units and 20,000 sf of retail and commercial space.	DIR-2013-0357-SPR; ENV-2013-0358-MND	Filed 2/8/13; approved 7/15/13.

16	Hanover Grand/ Hanover Company	1000-1032 S. Grand Ave.; 414-50 W. Olympic Bl.	7-story, 274-unit apartment complex with 12,000 sf of ground level retail space.	DIR-2013-2455-SPR; ENV-2013-2456- MND	Filed 8/9/13; approved 12/20/13.
17	Hanover Olympic/ Hanover Company	924-962 S. Olive St.	7-story, 263-unit apartment complex with 14,500 sf of ground level retail space.	DIR-2013-3137-3137- SPR; ENV-2013- 3138-EAF	Filed 10/8/13; approved 4/4/14.
18	Level Furnished Living/ Omni Group	840-888 S. Olive St.; 321 W. 9th St.; 839-845 S. Hill St.	33-story building containing 303 residential units.	ZA-2013-1013- MCUP-ZV-SPR; ENV-2008-2573- MND-REC1	Filed 4/8/13; approved 7/30/13.
19	South Park/ Mack Urban	1211-1241 S. Hill St.; 1228-1240 S. Olive St.	Two 7-story buildings containing 362 apartment units and 4,000 sf of retail space.	ZA-2014-535-ZV- SPR; ZA-2014-539- MCUP; ENV-2014- 534-MND	Filed 2/13/14; approved 7/24/14.
20	Onyx/ Jade Enterprises	1308 S. Flower St.; 516- 534 W. Pico Bl.; 1306 S. Hope St.; 416-434 W. Pico Bl.	Two buildings containing 410 residential units and 42,000 sf of commercial floor area.	CPC-2012-1665- TDR-ZV-SPR; ENV- 2012-1666-MND- REC2	Filed 6/20/12; approved 3/27/14.
21	Wilshire Grand Replacement/ Hanjin International	930 W. Wilshire Bl.	73-story building containing 900 hotel rooms and 400,000 sf of office, retail and restaurant space.	CPC-2009-3416- TDR-CUB-CU-ZV- SN-DA-ZAD-SPR; ENV-2009-1577-EIR	Filed 10/20/09; approved 5/21/11.
22	SB Omega/ Barry Shy	601-641 S. Main St.	38-story tower with 452 residential condos and ground floor retail	CPC-2014-2906- TDR-ZV-SPPA-SPR; VTT-69839; ENV- 2014-2907-EAF	Filed 8/11/14
23	Oceanwide Plaza/ Oceanwide *	1188 S. Figueroa St.	1,488,100 sq. ft. mixed use development, with three 40- and 49- story towers containing 504 dwelling units, 183 hotel rooms, 166,000 sq. ft. of retail uses.	DIR-2014-3673- SPPA; ENV-2000- 3577-EIR- ADDENDUM	Filed 10/1/14; approved 1/16/15.

24	Circa/ Jamison Partners, Hankey Group*	1200 S. Figueroa St.	Two 34-story buildings containing 648 residential condominium units and 48,000 sf of retail space.	DIR-2014-1795- SPPA-SPR; ENV- 2000-3577-EIR Addendum n/a	Filed 5/21/14; approved 11/12/14.
25	J.W. Marriott Expansion / Anschutz Entertainment Group *	948 S. Georgia St.; 1000 W. Olympic Bl.	38-story building containing 755 hotel rooms and over 75,000 sf of meeting, banquet and conference space.		Announced.

* These projects are located within the Los Angeles Sports and Entertainment District ("LASED") Specific Plan area. Although development within the LASED was identified as a related project in the 2005 Initial Study/MND, these more recent projects were not considered in the 2005 Initial Study/MND or the 2015 Addendum. Furthermore, the LASED Specific Plan was amended at least three times since 2005 (see Ord. No. 178,134, eff. January 27, 2007; Ord. No. 179,413, eff. November 11, 2007; and Ord. No. 181,334, eff. November 16, 2010). Again, these amendments were not considered in the 2005 Initial Study/MND or the 2015 Addendum.

Exhibit "5"

CAJA Letter



11990 West San Vicente Boulevard, Suite 250
Los Angeles, CA 90049
Phone 310-469-6700 Fax 310-806-9801

April 22, 2015

Oliver.Netburn@lacity.org
Oliver Netburn
City of Los Angeles
Department of City Planning
200 North Spring Street, Room 721
Los Angeles, CA 90012

Re: Opposition to Modification of Vesting Tentative Tract Map No. 62367 and Related Addendum to Mitigated Negative Declaration (ENV-2005-1674-MND-REC1)

Dear Mr. Netburn:

On behalf of GTS 900 F, we provide the following public comment regarding the Addendum to the Mitigated Negative Declaration (the Addendum) for the Apex II development (the Project), prepared by the City of Los Angeles (the City) under the California Environmental Quality Act (CEQA). We have several concerns about the Project and the accompanying environmental analysis, as the Addendum fails to fully evaluate the issues identified in this letter, and fails to properly analyze several additional issues relating to: environmental setting, traffic, air quality, noise, and public services (school, parks, and library services).

I. The Addendum Uses an Outdated Environmental Document That was Published 10 Years Earlier

As a result of the length of time between publication of the Original MND document in 2005 (the 2005 MND) and subsequent Addendum to MND in 2015, the CEQA analysis lacks updated environmental baseline information necessary for reasoned and informed consideration of the Project's environmental impacts. Given the potential impacts the Addendum predicts that the Project will cause, the request for an increase in residential density renders impossible any informed judgment by the decision-makers regarding the benefits of the Project against its potential environmental effects. This omission in the Addendum also deprives the decision-makers of substantial evidence upon which to make findings or approve a Final Tract Map. We ask that the City demand the Applicant put forth an actual predictable environmental baseline, and must base both the environmental analysis and the consideration of the Project on that new information. Specifically, the Addendum compares the potential environmental impacts of the revised project against those identified in the 2005 MND published 10 years ago. Since then, the City has undergone several changes to the existing environmental climate in and around the area of the project site. Comparing impacts and assuming that future potential impacts would be similar to those identified in the 2005 MND is inadequate and does not satisfy the requirements of CEQA. With this, the City must revise and recirculate the Addendum (similar to an MND) to provide the public and decision-makers the opportunity for informed comment and deliberation based on an actual environmental setting that depicts the existing nature of the project site and surrounding communities.

II. The Updated Traffic Memorandum (September 23, 2014) Uses Outdated Trip Counts, Inaccurate Trip Generation Comparisons, and Never Updated Its Related Projects List

Outdated Trip Counts

The Addendum provides updated transportation level of service analyses based on trip counts taken over 10 years earlier. The revised traffic study presented in the Addendum uses actual trip counts from the 2005 MND as its baseline of significance when determining if the Project would create an unacceptable level of service at a particular intersection. When adding the projected trip counts associated with the revised Project before this Advisory Agency, the conclusion is reached that no potential significant impacts would occur at the studied intersections. However, the environmental baseline of traffic conditions within and surrounding downtown Los Angeles has changed dramatically since the trip counts were recorded over 10 years ago. In particular, new bicycle lanes have been constructed around the Project site, which would alter the traffic capacity and related circulation patterns in and around the site. We request that the applicant perform an updated existing traffic trip count at the studied intersections to gather a better perspective of the transportation node in this particular area of the City. It may then conclude that additional intersections should be studied as well. It is obvious that altering level of service analyses would occur if updated trip counts were to be recorded presently when compared to traffic conditions 10 years past. Therefore, an inaccurate or incomplete traffic baseline renders the analysis of environmental effects inherently unreliable, in turn rendering impossible any evaluation of the benefits of the Project. Although general detail is not necessarily required, an environmental document must describe a project not only with sufficient detail, but also with sufficient accuracy, to permit informed decision-making.

Inaccurate Trip Generation Comparisons

Not only is outdated information used to determine level of significance when compared to the original conclusions identified in the MND, but actual built out uses of Phase I and II differ from what was originally analyzed in the 2005 MND transportation CEQA section. The 2005 MND studied 629 residential units and roughly 27,000 square feet of retail space. What was actually built and on-site today is office uses and lounge space, which in turn would require a differing trip generation rate be used when calculating trip generation in and around the Project site. Thus, to compare projected trip counts to those identified in the 2005 MND would be void. Thus, we request that updated trip counts and updated trip generation factors based on existing uses be used to determine the transportation level of significance.

Related Projects List

What's more, the revised traffic analysis did not provide an updated related projects list so as to accurately reflect the existing and potential future of cumulative traffic in the downtown area of Los Angeles. As such, the updated Addendum did not provide an updated and informed cumulative analysis based on Project revisions. An updated related projects list would afford the environmental consultant to provide an accurate potential cumulative impacts

discussion within the Addendum, which was not provided. We feel this is vitally important given the changing development real estate climate in and around the Project site.

Overall, the City must revise the Addendum and revised traffic memorandum to better illustrate the accurate existing traffic environment at the Project site as it stands today.

III. The Addendum Inaccurately Analyzes A 10% Increase in Density

The Addendum provided environmental analysis on an increase of roughly 60 residential units when compared to the 2005 MND document. This is a roughly 10% increase in residential density from what was originally approved in 2005. The applicant seeks to modify the Vesting Tentative Tract Map No. 62367, as referenced in the recently circulated Notice of Public Hearing for the hearing scheduled on April 22, 2015. This Vesting Map has recorded and is now the Final Map. As such, the modification sought, namely the addition of 60 condominiums in the Tower 2 Building, located on Lot 3, is subject to the requirements for modification of a final map, as prescribed by California Government Code Section 66472.1 and Los Angeles Municipal Code Section 17.14. Not only would 60 additional units deviate from the original design and approval, the Addendum needs to be updated to reflect an accurate 10% increase in density, since the Vesting Map has been recorded and is now the Final Map. With this, the proposed Addendum inaccurately analyzes a project that is proposing above and beyond what is allowed. The Original Subdivider is not aware that any findings, studies or reports have been made by any agency of the City that the modifications proposed by the applicant meet the requirements of Government Code Section 66474. The applicant relies on environmental findings regarding the Project which are 10 years old at this point, specifically, the original MND. Downtown Los Angeles has undergone significant changes in the past decade and the addition of 60 new units should require that certain findings be made.

IV. The Addendum Fails To Provide Specific Information On Alcoholic Beverage Sales

The Addendum fails to provide any specific information on whether alcohol sales would occur on-site. As proposed, the applicant suggests construction of an outdoor resident space with fire pits on its rooftop, a residential lounge, and residential amenity space. To the extent the Applicant has any specific plans for specialized uses that might occur on-site, the Addendum must describe those plans. The actual uses of the site could alter the impact analysis in the Addendum and could obscure key impact analyses. As this is not disclosed in the Addendum, the general population has no conclusion of what the applicant would ultimately construct and precisely what would occupy that square footage. Therefore, any permit for the sale of alcohol or live entertainment must be thoroughly evaluated with input from the Police Department. Therefore, a supplemental or subsequent MND is required for the service of alcohol and live entertainment use within the Project boundaries.

V. The Addendum Fails to Evaluate the Project's Indirect Impact on School Overcrowding and Library Services.

The Addendum states that payment of school fees would mitigate the impact of the Project on area schools, but failed to analyze the secondary effects of school-related traffic and construction activities on the surrounding community given the excessive date the 2005 MND was drafted and the potential increase in residential density on-site. The 2005 MND provided evidence that overcrowding could or would result from the addition of Project-generated and cumulatively generated students. Thus, the Addendum failed to discuss measures necessary to accommodate Project-related and cumulative students under the new Addendum. Although the impacts of any construction activities on the school would be mitigated by SB50 fees, the impacts of such construction on the communities surrounding the affected schools or school sites do not fall within the types of impacts that fees can mitigate. Thus, the Addendum must evaluate the potential construction-related impacts of school expansion, such as air quality and noise issues associated with construction.

Similarly, the Addendum fails to disclose how the revised project would impact the library system. Therefore, the Project should include an analysis of its library system in order to identify educational and informational facilities for its residents. Thus, a revised and updated MND would be needed to disclose this information to the general public.

VI. The Addendum Undervalues the Impact of the Project on Parks.

The Addendum identifies certain park in-lieu fees required for the Project, including the Dwelling Unit Construction Tax and the Quimby Fees for Condominium Units. Park in-lieu funds should be specifically allocated to parks within the immediate vicinity of the Project as a condition of approval. This may include renovation to existing parks, or funding of future parks. The Addendum identifies the required open space per unit required by the Project; however, this open space does not count towards the required parkland, unless it exceeds the open space requirements. The Addendum must evaluate how the increase in residential population and units at the Project site impacts the existing park system.

VII. The Addendum Failed To Adequately Disclose Construction-Related Noise And Vibration Impacts.

Since the development of nearby sensitive receptors since the 2005 MND was approved, it is obvious that the existing (present) environmental setting has dramatically changed. Given that the proximity of nearby sensitive receptors (specifically Phase I and II residents) renders full construction noise mitigation technically infeasible, as disclosed in the Addendum on Page 31, the probability exists that residents present on site during construction would experience construction noise levels well in excess of the City significance thresholds. Although neighboring residents were presented with disclosure notices regarding noise and vibration, the Addendum has failed to disclose a potentially significant, unavoidable impact of the Project, and must be amended to provide this analysis.

VIII. The Addendum Fails to Adequately Evaluate Operational Noise Caused by Outdoor Rooftop Decks

The Addendum also fails to properly identify noise impacts during the operation of the Project. The Addendum states that the residential units will have access to rooftop gathering spaces with fire pits. The Addendum fails to identify the location of these outdoor areas, and fails to provide typical mitigation measures required of other rooftops in the areas, such as time limits, prohibition of live entertainment on rooftops, and proper design and landscaping to locate noisier areas away from residential uses (or neighboring sensitive receptors). Lots 1 and 2 of the 2005 MND have been developed with the Lofts Building and Tower Building, which should now be considered a sensitive receptor for noise and vibration. We feel that a subsequent or supplemental environmental review is necessary prior to approval of specific outdoor areas.

Conclusion

In closing, the Applicant severely relies on environmental significance conclusions which are now over 10 years old. Specifically, substantial changes are proposed, which would require major revisions to the 2005 MND. What's more, substantial changes have occurred with respect to the circumstances under which the Project is being undertaken, including the surrounding physical environment at the site and neighboring adjacent sites. For example, Lots 1 and 2 of the 2005 MND have been developed with the Lofts Building and Tower Building, which should now be considered a sensitive receptor and should be included in the overall discussion of potential environmental impacts of such a revision. We request that the presently scheduled public hearing be cancelled and that if it must go forward, that you deny the Project and subsequent revisions to the previously approved MND.

Very truly yours,

Chris Joseph
CAJA Environmental Services, LLC

Exhibit "6"

IBI Memo



IBI GROUP
18401 Von Karman Avenue – Suite 110
Irvine CA 92612 USA
tel 949 833 5588 fax 949 833 5511
ibigroup.com

Memorandum

To/Attention	Sonny Astani	Date	May 13, 2015
From	Bill Delo	Project No	99
cc			
Subject	9th & Figueroa Mixed-Use Project – Traffic Comments		

This memorandum summarizes the results of IBI Group's review of materials provided related to the proposed Apex II development in Los Angeles, CA. IBI Group has reviewed the Mitigated Negative Declaration (MND) originally prepared for the Apex project in 2005, an Addendum to the Mitigated Negative Declaration (the Addendum) prepared for the Apex II development, and with a comment letter prepared by CAJA Environmental Services. The original Mitigation Negative Declaration (MND) for the Apex Mixed Use project was prepared in 2005. The Addendum prepared in 2014 assesses the impacts of a revised third residential tower on the project site.

The objective of this memorandum is to highlight issues and topics related to the traffic impact analysis that should be addressed in the Addendum given changes to the proposed project and the duration in time that has passed since the completion of the 2005 MND. The comments presented in this memorandum are provided for reference and to support your review of the MND Addendum prepared for the Apex II project.

Traffic Comments

IBI Group provides the following comments related to the traffic analysis for the Apex II project, based on our review of the 2005 MND, the California Environmental Quality Act (CEQA) comment letter prepared by CAJA Environmental Services, LLC, and our familiarity with transportation conditions and ongoing projects in Downtown Los Angeles.

- The MND Addendum uses trip counts and traffic count data from the 2005 MND for the updated traffic analysis. This approach does not follow the typical standard practice for traffic studies in the City of Los Angeles, where traffic count data should be no more than 2 years old when utilized in a traffic impact study.
- The Los Angeles Department of Transportation (LADOT) revised their Traffic Study Guidelines in 2013. It is unclear if the updated traffic analysis in the Addendum follows the updated LADOT guidelines.
- As part of the traffic study guideline updates, LADOT permits a wider range of potential traffic mitigation measures to address significant traffic impacts. These mitigation measures could include transportation demand management, transit, and active transportation improvements. There is no discussion in the MND Addendum regarding the potential for proposing alternative mitigations that would not result in roadway widening.
- There have been substantial changes to the roadway network within Downtown Los Angeles since 2005. Changes that could have an impact on the traffic study analysis (particularly intersection LOS), results, and findings include:

Sonny Astani – May 13, 2015

- Modifications to the off-ramp from Interstate 110 to 9th Street
 - New bicycle lanes on 7th Street, Figueroa Street, Grand Avenue, and Olive Street, resulting in changes to the number of travel lanes and intersection lane geometries
 - The proposed buffered bicycle lane and separated cycle track on Figueroa Street proposed as part of the My Fig project, which will reduce the number of travel lanes on Figueroa adjacent to the project site.
 - The currently under construction Metro Regional Connector light rail project
- The traffic technical memorandum included with the MND Addendum notes that the analysis was updated to incorporate new and planned bicycle lanes as part of the revised analysis, but it is not clear that new traffic counts were obtained to better understand how traffic patterns may have changed with the implementation of the bicycle lane projects.
- Another key item that appears to be missing from the traffic analysis in the Addendum to the MND is an updated list of related and cumulative projects. Based on the CAJA comment letter, it appears that an updated cumulative project list, accounting for projects proposed, under construction, and opened since 2005 was not incorporated into the traffic analysis. Significant nearby projects that could change traffic patterns, traffic volumes, and intersection LOS in the project study area include (but are not limited to) the following:
 - The Metropolis development at 9th Street and Francisco Street
 - The Wilshire Grand mixed-use high-rise at the corner of Figueroa Street and 7th Street
 - Embassy Tower at 848 S. Grand Avenue
 - A mixed-use tower at 1050 S. Grand Avenue
 - A mixed-use tower with 210 units at 215 W. 9th Street
 - The 8th/Hope/Grand mixed-use project with 225 units
 - A mixed-use project at 840 S. Olive with 303 units
 - A mixed-use project at 1000 S. Grand Avenue with 274 units
 - Three additional residential projects along South Olive, adding over 1,000 new residential units
- These projects, and others near the project site, create new vehicle trips and result in changes to traffic patterns that would not be accounted for in the 2005 traffic counts and traffic analysis. Updated traffic counts, and an updated analysis accounting for these projects being part of the baseline conditions, should be part of any updated traffic study.
- Trip generation estimates available from the Institute of Transportation Engineers (ITE) have changed since 2005 (original studied used the 7th Edition of the ITE Trip Generation Handbook). The 9th Edition is most current. The traffic technical memorandum included with the MND Addendum notes that use of the trip generation rates from the 7th Edition Handbook is a more conservative approach, as these rates are higher than those in the 9th Edition.

Sonny Astani – May 13, 2015

- Additionally, LADOT's guidelines regarding trip generation and trip credits for new development have also changed since 2005. It is not clear that the updated traffic analysis takes these changes in trip generation estimation methodology into account.

Observations

Based on the review of the materials provided to IBI Group, we would recommend that a revised traffic study be prepared for the Apex II development to ensure that the updated traffic study complies with current LADOT traffic study guidelines and accounts for changes to traffic volumes, traffic patterns, and cumulative projects within the study area since 2005.

C

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Exhibit "7"

OTC Letter

May 12, 2015

Mr. Sonny Astani
Astani Enterprises
9595 Wilshire Blvd.,
Beverly Hills, CA 90212

RE: Review of Traffic Addendum for Vesting Tentative Tract Map No. 62367-M3
(700 W 9th Street)

Dear Mr. Astani,

As requested, Overland Traffic Consultants has reviewed the traffic addendum prepared for the Apex II Tentative Tract Map No. 62367 – M3. The addendum prepared by The Mobility Group, dated September 23, 2014 was approved the City Department of Transportation (LADOT) on October 3, 2014 (approval attached).

The supplemental analysis focused on the changes to the project's traffic generation and a comparative level-of-service analysis of the original nine study intersections selected for evaluation in 2005. LADOT concurred with the findings of the supplemental traffic analysis that the changes to the project scope would not result in any additional significant traffic impacts.

The supplemental level of service analysis relied on traffic counts collected in 2004 and 2003 and a cumulative project list developed in 2005. No analysis or evidence was provided to support using 2005 traffic volumes and cumulative project list. Therefore, the supplemental traffic analysis provides information only on the potential project traffic impacts on 2005 traffic conditions but does not provide any level-of-service information on potential project traffic impacts occurring in 2015.

As you know, many projects have been developed and proposed in the past 10 years in downtown Los Angeles. Downtown Los Angeles has been staging an urban comeback. The transformation of downtown Los Angeles is not so much a renaissance of a business core, but a shift into a new, and different, function with a residential high-rise district. With that comes changes to the traffic flow in and out of the downtown core and within. The


A Traffic Engineering and Transportation Planning Consulting Services Company

supplemental analysis ignored any discussion or analysis to validate the 2005 traffic database.

Traffic counts and the development of a new cumulative project list that reflects current 2015 conditions needs to be included in any supplemental analysis to evaluate the proposed changes to the Apex II tract map. It can be fairly argued that the analysis lacks substantial evidence to support the traffic determination that the revised project does not have additional significant traffic impacts. Without updating the traffic counts and cumulative database it is impossible to determine the current 2015 level of service at the nine study intersections and make the determination that no new significant traffic impacts would occur.

Please call me if you have questions.

Sincerely,




Jerry Overland

Attachments

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE700 W. 9th St
DOT Case No. CEN 14-42408

Date: October 3, 2014

To: Karen Hoo, City Planner
Department of City Planning 

From: Tomas Carranza, Senior Transportation Engineer
Department of Transportation

Subject: **SUPPLEMENTAL TRAFFIC ANALYSIS FOR APEX PHASE II (9TH & FIGUEROA) PROJECT**

The Department of Transportation (DOT) has reviewed the supplemental traffic analysis, dated September 23, 2014, and prepared by The Mobility Group, for the Apex Phase II project located at the southeast corner of 9th Street and Figueroa Street. The original scope for this project was the subject of a traffic study prepared in March 2005 and of a DOT report dated May 27, 2005. The Vesting Tentative Tract Map (No. 62367) for this project was approved on July 5, 2005 entitling the applicant to construct 629 condominium units and 27,000 square feet of retail space. Since that time, the project has constructed 348 dwelling units and 11,276 square feet of commercial space. The project proposal has been revised and the applicant now proposes to construct a total of 689 residential units and 22,963 square-feet of retail use. This reflects an increase in residential units and a decrease in retail space from the approved project.

The supplemental analysis estimated the trip generation for the revised project proposal and included a revised level-of-service analysis of the original nine intersections selected for detailed evaluation. The analysis (attached for reference) indicates that the change in the project's scope would not result in any new significant traffic impacts and that DOT's original findings are still valid. The revised project scope is estimated to increase the amount of trips generated by the project as follows: 74 more daily trips, 14 more a.m. peak hour trips and 6 more p.m. peak hour trips. For the purpose of this comparison, trip generation from the Institute of Transportation (ITE) Engineers Trip Generation Manual (7th Edition) were used for both project scenarios. The latest edition of this manual was published in 2012 and included updated trip generation rates based on increased data sets and surveys. When comparing the two project scenarios using rates from the 9th Edition, the revised project is actually estimated to result in less trips for the three compared time periods.

The revised project is estimated to generate 2,698 net new daily trips, 197 net new trips in the a.m. peak hour and 244 net new trips in the p.m. peak hour. The revised analysis evaluated the original nine study intersections and determined that, as in the previous study, the same two study intersections would be significantly impacted by project related traffic. Therefore, DOT concurs with the findings of the supplemental traffic analysis that the changes to the project scope would not result in any new significant traffic impacts.

If you have any questions, please contact Wes Pringle of my staff at (213) 972-8482.

s:\letters\CEN14-42408_700 9th St_rev proj.wpd

Attachment (Technical Memorandum from The Mobility Group dated September 23, 2014)

c: Tanner Blackman, Council District 14
Taimour Tanavoli, Citywide Planning Coordination Section, DOT
Mike Bates, The Mobility Group

The Mobility Group

Transportation Strategies & Solutions

Memorandum

To: Tomas Carranza, LADOT

From: Matthew Simons, The Mobility Group

Subject: Traffic Review for Apex Phase II (9th & Figueroa) Project

Date: September 23, 2014

The Mobility Group (TMG) initially submitted a Traffic Study for this project, which is located immediately south of 9th Street between Figueroa Street and Flower Street, on March 25, 2005. At that time, the Project Description comprised 629 condominiums and 27,000 sq. ft. of retail space. The analysis contained in that report showed that the proposed project was not expected to generate any significant traffic impacts after mitigation. LADOT agreed with the findings of that report and drafted an Approval Letter (Attachment A) dated May 27, 2005 (DOT Case No. CEN 04-1591). The Vesting Tentative Tract Map (No. 62367) was approved on July 5, 2005, and the Zone Variance and Site Plan Review (ZA 2005-1673(ZV)(ZAA)(SPR) was approved on September 26, 2005.

Since that time, a large part of the Project has been constructed. This has included 348 dwelling units and 11,276 sq. ft. of commercial retail space. The Applicant is now proceeding with construction of the third part of the Project, and wishes to make some minor changes to the Project Description.

Original 2005 Project and Traffic Study Report

The original 2005 report was based on a Project Description of 629 residential condominiums and 27,000 sq. ft. of retail space. The report identified that the Project would generate 2,624 daily trips, 183 AM peak hour trips and 238 PM peak hour trips (Attachment A, Original 2005 Approval Letter, Page 1).

Revised 2014 Project and Analysis

The Applicant has revised the Project Description to include a total of 689 apartment units and 22,963 sq. ft. of retail space. TMG prepared trip generation estimates for the revised Project

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The Mobility Group

Transportation Strategies & Solutions

Description using trip rates from the 7th Edition (Attachment B, Table B.1) of the Institute of Transportation Engineers (ITE) *Trip Generation* for consistency with the earlier Traffic Study. As for the earlier study, for a conservative analysis and to provide the Project more flexibility, the revised Project trip generation was based on condominium land use (with a slightly higher trip rate than apartment land use).

When the trip generation estimates from the Original 2005 Traffic Study were compared to those calculated for the Revised 2014 Project Description, it was determined that the daily trips are expected to increase from 2,624 trips to 2,698 trips. The AM peak hour trips are expected to increase from 183 trips to 197 trips and PM peak hour trips are expected to increase from 238 trips to 244 trips. Revised level of service analyses were conducted at the study intersections identified in the 2005 Traffic Study using the trip generation estimates calculated for the Revised 2014 Project. The LOS calculations were updated to account for all existing and planned bike lanes that are to be implemented in the study area. The increase in vehicle trips generated by the Revised 2014 Project is not expected to create any new significant impacts at any of the study intersections (Attachment B, Tables B.2 and B.3).

TMG also calculated the trip generation estimates using the trips rates from the 9th Edition (Attachment B, Table B.4) of ITE's *Trip Generation* and compared the results to those calculated using the 7th Edition trip rates. The number of trips in both the AM and PM peak hours is lower when calculated using the 9th Edition trip rates than those calculated using the 7th Edition trip rates. This further supports our conclusion that using the results calculated using the 7th Edition trip rates is the most conservative method of analysis and shows there would not be any new significant impacts.

Conclusion

The proposed change in the Project Description is expected to result in a slight increase in the overall number of vehicle trips the Project is expected to generate. Two significant impacts and acceptable mitigation measures were identified in the Original 2005 Traffic Study. The increase in vehicle trips as a result of the change from the 2005 Project Description to the 2014 Project Description is not expected to create any new significant impacts.

We therefore conclude that the change in Project Description will not create any new significant impacts and that a new traffic study is not necessary.

We respectfully request your concurrence with the above conclusion. If necessary, the Applicant requests a supplemental LADOT letter, describing the changes in the Project Description - and confirming the results of the trip generation analysis and that there would still be no significant impacts at any of the study intersections. They would like to move forward as quickly as possible, so if necessary they are requesting the supplemental letter at your earliest convenience.

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We appreciate your assistance on this project. You may call me at (949)-474-1591 x15 or e-mail me at msimons@mobilitygrp.com, if you have any questions.

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Exhibit "8"

Ramboll Letter

Mr. Sonny Astani
GTS 900F LLC c/o Astani Enterprises
9595 Wilshire Boulevard
Penthouse 1010
Beverly Hills, California 90212

**REVIEW OF THE AIR QUALITY AND GREENHOUSE GAS
SECTIONS OF THE APEX ADDENDUM FOR THE PROJECT
LOCATED AT 9TH AND FIGUEROA, LOS ANGELES, CALIFORNIA**

Dear Mr. Astani:

Date: June 5, 2015

Per your request, Ramboll Environ US Corporation (Ramboll Environ) has reviewed the Air Quality (AQ) and Greenhouse Gas (GHG) Sections of the Apex Addendum for the Project located at 9th and Figueroa in Los Angeles, California. Ramboll Environ's comment letter includes our findings identified in our review of the Addendum. Our findings reflect the conclusions reached given the time available for our review and information provided. To the extent that additional information or time is provided, our findings may change.

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**Overall Comments
Section III (Air Quality)**

1. Page 11-13. The Addendum does not adequately address the potential air quality impacts associated with the Proposed Project.
 - a. The Addendum does not report how the Proposed Project's emissions will compare to the South Coast Air Quality Management District's (SCAQMD's) Localized Significance Thresholds (LSTs). The SCAQMD's LSTs "represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard, and are developed based on the ambient concentrations of that pollutant for each source receptor area and distance to the nearest

sensitive receptor.”¹ According to the SCAQMD significance thresholds, the ambient air quality concentrations should be evaluated.² This is also required as stated in the Addendum air quality criteria asking would the project “[v]iolate any air quality standard or contribute substantially to an existing or projected air quality violation?”

The Proposed Project’s reported maximum construction emissions of PM₁₀ and PM_{2.5} (i.e., 5.87 lb PM₁₀/day and 4.32 lb PM_{2.5}/day for on-site emissions during grading as shown in the CalEEMod output files included in Appendix A of the Addendum)³ are greater than the LSTs applicable for this Proposed Project (i.e., LSTs of 5 lb PM₁₀/day and 3 lb PM_{2.5}/day for a 1-acre project site for “Central LA”) based on a receptor distance of 25 meters or less.⁴ The LSTs for a 1-acre project site were used based on the CalEEMod output files included in the Addendum, which shows the lot acreage size as 0.9 acres. The LSTs for a receptor distance of 25 meters or less were used because of the residents located in Phase I as well as the sensitive receptors across the street from the Proposed Project. As estimated in the Addendum, emissions of PM₁₀ and PM_{2.5} during construction of the Proposed Project would be a significant air quality impact.

- b. The Addendum does not adequately address the air quality criteria as stated in the Addendum asking would the project “Expose sensitive receptors to substantial pollutant concentrations?” There does not appear to be any analysis in regards to this criteria. Given that Phase I of the original Proposed Project has been completed (i.e., construction of Tower I and the Loft Building has been completed), the residents in these buildings are considered sensitive receptors. Since these sensitive receptors are located immediately adjacent to the Proposed Project’s construction area, this criteria should be assessed.
- i. The Addendum also does not appear to include any discussion regarding the potential health risk impacts from the Proposed Project on nearby sensitive receptors. In this regard, the Office of Human Health Hazard Assessment (OEHHA) has recently approved revised Health Risk Assessment (HRA) guidelines. The revised HRA Guidance Manual may lead to changes in residential excess lifetime cancer risk estimate compared to the risk results calculated from methodologies recommended in the 2003 version of the guidance. The impacts from construction projects, which have shorter exposure durations but more conservative assumptions regarding the application of age-sensitive factors, may be as much as ~30 times higher on residents and ~1.5 times higher on workers based on the

¹ Available at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>. Accessed: May, 2015.

² Available at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf?sfvrsn=2>. Accessed: May, 2015.

³ Table 3 on page 12 of the Addendum reports 7.14 lb PM₁₀/day and 4.81 lb PM_{2.5}/day. These values represent the total on- and off-site PM emissions based on the CalEEMod output files. Only on-site emissions are compared to the LSTs.

⁴ Available at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/appendix-c-mass-rate-lst-look-up-tables.pdf> Accessed: May 2015.

new OEHHA methodologies. What is the health risk impact from the Proposed Project on nearby sensitive receptors?

- ii. The Addendum does not appear to include any discussion regarding the potential "health effects" impacts from the Proposed Project on nearby sensitive receptors. There is a large body of epidemiology and toxicology studies examining the relationship between exposure to PM and increased illness (morbidity) or increased death rates (mortality) in people. A number of these studies demonstrate that short-term exposure to elevated PM increases acute mortality in people with pre-existing cardiovascular disease or respiratory conditions, especially elderly people with such diseases⁵. Other epidemiology studies suggest that exposure to elevated PM may affect pregnant women and their fetuses and infants, including effects such as increased incidence of low birth weight, premature infants, or increased risk of infant or child mortality. Studies exposing animals, bred to mimic certain human cardiac and pulmonary conditions, to air containing concentrated PM support the linkage between exposures to PM and disease. The Addendum should discuss the issue of potential "health effects" from the Proposed Project on nearby sensitive receptors.
2. Page 12, Table 3. The Addendum appears to report inconsistent construction emissions for the Proposed Project compared to the CalEEMod output files in Appendix A. The emissions reported in Table 3 on page 12 of the Addendum do not appear to correlate to the CalEEMod output files included in Appendix A. What is the basis for the results reported in Table 3 on page 12? What are the assumptions used for those results?
 - a. The Addendum also concludes without basis that the construction emissions for the Proposed Project would be less than those reported in the 2005 MND. Because the 2005 MND relied upon a completely different emission estimation model (i.e., URBEMIS 2002), there is no basis to compare the results from the Addendum which were calculated using CalEEMod v 2013.2.2. These are two different models which inherently yield different emissions.
3. The Addendum has not addressed the City of Los Angeles Planning Commission Advisory Notice 2427 (which was released after 2005) to evaluate the siting of potential sensitive receptors near freeways. The Planning Commission released an Advisory Notice on November 8, 2012, that provided measures to be taken under advisement for certain projects, including residential projects, sited near a freeways to study the increased health impacts for people living near freeways or to take steps to reduce potential air pollutant exposure. The Advisory Notice is applicable to projects located within a 1,000 feet of a freeway. One measure in the Advisory Notice is the preparation of a Health Risk Assessment. According to information obtained from Zimas, the Proposed

⁵ US Environmental Protection Agency. Integrated Science Assessment for Particulate Matter (Final Report). 2009. US Environmental Protection Agency, Washington, DC, EPA/600/R-08/139F. Available at: <http://cfpub.epa.gov/ncea/cfm/recordisplay.cfm?deid=216546>.

Project is subject to the Advisory Notice (ZI 2427).⁶ The Proposed Project should assess how it satisfies the City of Los Angeles Planning Commission Advisory Notice the siting of potential sensitive receptors near freeways.

Section VII (Greenhouse Gases)

4. Page 17-21. The Addendum does not adequately evaluate the GHG emissions inventory to evaluate the potential significance of the Proposed Project. The Addendum includes an evaluation of a "Project without GHG Reduction Measures" and "Project with GHG Reduction Measures" which yields a reduction of 13%. However, the Addendum does not establish what the significance threshold is and thus it is not substantiated why a 13% reduction from this "Project without GHG Reduction Measures" scenario is less than significant. What is the basis for the significance conclusion and how does it correspond to the emission inventories estimated?
 - a. It is not clear what assumptions were incorporated into the two scenarios: "Project without GHG Reduction Measures" and "Project with GHG Reduction Measures". The Addendum states on page 17-20 that the Proposed Project's emissions were estimated for a "base project without the enhanced energy conservation measures mandated by the CALGREEN Code (i.e., pre-2005 Title energy efficiency standards) and with the mandatory efficiency standards." However, there is not enough information in the text or CalEEMod output files to substantiate the analysis. What are the assumptions that form the basis for the "Project with GHG Reduction Measures" GHG emissions inventory? What is the substantial evidence that it is appropriate to assume those reductions? And what are the corresponding project design features and mitigation measures to ensure that these are monitored and enforced?
5. Page 21. The Addendum does not adequately assess if the Proposed Project would "Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?" The Addendum states that "the project design would exhibit the applicable strategies and goals outlined in the 2006 CAT Report Strategies and ARB's Scoping Plan Recommended Measures for a project of this type and size." There is insufficient discussion and evidence to substantiate how the Proposed Project is consistent with these plans.

Section XVIII (Mandatory Findings of Significance)

6. The addendum does not adequately address if the Proposed Project may have a cumulatively considerable contribution to air quality impacts. Given that the Proposed Project will exceed applicable LSTs for construction (as discussed above), it appears that the Proposed Project's contribution of construction-related emissions will be cumulatively considerable.

⁶ <http://zimas.lacity.org/>.

We appreciate the opportunity to perform this review. Please feel free to call Eric Lu at (949) 798-3650 if you have any comments or questions.

Very truly yours,



Eric C. Lu, MS, PE
Principal

D +1 949 798 3650

eric.lu@ramboll.com

Exhibit "9"

TAHA Letter



May 21, 2015

Sonny Astani
Astani Enterprises
9595 Wilshire Boulevard, Penthouse 1010
Beverly Hills, CA 90212

Re: Air Quality Review of the 9th and Figueroa Mixed-Use Project

Dear Mr. Astani:

Terry A. Hayes Associates Inc. (TAHA) has reviewed the Modification of Vesting Tentative Tract Map No. 62367, Initial Study/Mitigated Negative Declaration (2005 MND), and the Related Addendum to Mitigated Negative Declaration (ENV-2005-1674-MND-REC). The 2005 MND is outdated and, in our view, the Addendum does not adequately inform the public and decision makers as to the potential impacts under current air quality guidance. Accordingly, the California Environmental Quality Act (CEQA) process should be revisited, and a new air quality analysis should be prepared for the revised project.

LOCALIZED CONSTRUCTION EMISSIONS

The South Coast Air Quality Management District (SCAQMD) has established localized significance thresholds (LST) for assessing potential air quality impacts to sensitive receptors near construction areas. The LST methodology was adopted by the SCAQMD Governing Board in October 2003 and was an optional analysis in CEQA documents at the time. The 2005 MND did not include an LST analysis although many CEQA documents did include the analysis beginning in 2003. The SCAQMD adopted LSTs for particulate matter in 2006, and the analysis became a mandatory CEQA assessment in approximately the same year. The LST analysis is critical to protecting public health and relevant to the proposed project given the adjacent residences that were constructed during earlier phases of the proposed project. A greenhouse gas (GHG) analysis was included in the Addendum based on regulatory changes since publication of the 2005 MND. Similarly, an LST analysis should have been included in the Addendum.

The SCAQMD has published a Mass Rate LST Look-Up Table for determining the appropriate LSTs based on project location, site size, and distance to sensitive receptors. The LSTs relevant to the proposed project are for a one-acre project site and a 25-meter receptor distance. The particulate matter ten microns or less in diameter (PM₁₀) LST in downtown Los Angeles is 5 pounds per day (ppd) for PM₁₀ and 3 ppd for PM_{2.5}. Construction emissions are shown on page 143 of the Addendum Document (Air Quality Appendix). The mitigated on-site emissions during the 2015 grading phase are shown as 5.9 ppd for PM₁₀ and 4.3 ppd for PM_{2.5}. These emissions would exceed the LST. The public should be made aware of this potential air quality impact in a new air quality analysis.



Terry A. Hayes Associates Inc.
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Culver City, CA 90230-1470
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scott@taha.com

OPERATIONAL EMISSIONS

The Addendum provides a qualitative analysis of operational emissions based on the 74 additional trips. As stated on page 12 of the Addendum, "construction and operational air quality emissions in the 2005 MND were analyzed using the URBEMIS air quality model, which was industry standard at that time. The air quality emissions for the proposed project are based on the CalEEMod software model, which is now recommended by the California Air Resource Board (CARB) as a successor program to URBEMIS." CalEEMod includes updated vehicle emission rates and, importantly, updated reactive organic gas (ROG) emission rates for household consumer products (e.g., cleaning supplies). It is not uncommon for large residential projects to exceed the SCAQMD regional significance threshold for operational ROG emissions, which are an important contributor to ozone formation. Similar to the construction analysis presented on page 12 of the Addendum, a quantitative emissions update should be provided for operational emissions.

AIR QUALITY MITIGATION

The Addendum includes a new operational Mitigation Measure III-10 on page 13 related to air filtration. The Addendum does not include a discussion of this mitigation measure, or what impact is being mitigated. A new unmitigated impact would be a substantial change in the analysis that would require a Subsequent or Supplemental MND, or possibly an Environmental Impact Report. In addition, the mitigation measure does not specify the type of filter, quantify the benefit, or ensure that the filters will be regularly maintained.

GREENHOUSE GAS EMISSIONS

The GHG analysis includes a 13-percent reduction in emissions associated with the proposed project being located in a High Quality Transit Priority Area. Projects located in transit areas generate fewer daily trips than projects located outside transit areas. However, many traffic studies for residential developments account for transit-related trip reductions in the trip generation studies. Taking an additional 13-percent trip reduction for being located in a High Quality Transit Priority Area may be double-counting trip reductions if this were already accounted for in the traffic analysis. The Addendum does not clearly identify the trip generation and relevant reductions.

SUMMARY

In our view, the magnitude of technical omissions, lack of detail, and miscalculations related to air quality described above render this discussion in the Addendum inadequate as an informational document and as the basis for any decisions or conclusions to be drawn by the community or decision makers. For these reasons, the air quality assessment should be updated in accordance with CEQA and the requirements of the SCAQMD.

Sincerely,



Sam Silverman
Senior Associate/Senior Environmental Scientist

Exhibit 8

Appeal No. 2

**Astani Appeal of
DIR-2015-97-SPR**

ORIGINAL



Application:

APPEAL APPLICATION

This application is to be used for any appeals authorized by the Los Angeles Municipal Code (LAMC) for discretionary actions administered by the Department of City Planning.

1. APPELLANT BODY/CASE INFORMATION

Appellant Body:

☐ Area Planning Commission ☒ City Planning Commission ☐ City Council ☐ Director of Planning

Regarding Case Number: DIR-2015-97-SPR

Project Address: 901 S. Flower Street & 700 W. 9th Street

Final Date to Appeal: 11/17/2015

Type of Appeal:

- ☐ Appeal by Applicant
☒ Appeal by a person, other than the applicant, claiming to be aggrieved
☐ Appeal from a determination made by the Department of Building and Safety

2. APPELLANT INFORMATION

Appellant's name (print): Sonny Astani

Company: Astani Enterprises

Mailing Address: 9595 Wilshire Boulevard, Ste. 1010

City: Beverly Hills

State: CA

Zip: 90212

Telephone: (310) 273-2999

E-mail: sonny@astanienterprises.com

- Is the appeal being filed on your behalf or on behalf of another party, organization or company?

☒ Self

☐ Other: _____

- Is the appeal being filed to support the original applicant's position?

☐ Yes

☒ No

3. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): John Bowman

Company: Elkins Kalt Weintraub Reuben Gartside, LLP

Mailing Address: 2049 Century Park East, Ste. 2700

City: Los Angeles

State: CA

Zip: 90067

Telephone: (310) 746-4409

E-mail: jb Bowman@elkinskalt.com

4. JUSTIFICATION/REASON FOR APPEAL

Is the entire decision, or only parts of it being appealed?

☒ Entire

☐ Part

Are specific conditions of approval being appealed?

☐ Yes

☐ No

If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- The reason for the appeal
- How you are aggrieved by the decision
- Specifically the points at issue
- Why you believe the decision-maker erred or abused their discretion

5. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: _____

Date: 11-13-15

6. FILING REQUIREMENTS/ADDITIONAL INFORMATION

- Eight (8) sets of the following documents are required for each appeal filed (1 original and 7 duplicates):
 - Appeal Application (form CP-7769)
 - Justification/Reason for Appeal
 - Copies of Original Determination Letter
- A Filing Fee must be paid at the time of filing the appeal per LAMC Section 19.01 B.
 - Original applicants must provide a copy of the original application receipt(s) (required to calculate their 85% appeal filing fee).
- Original Applicants must pay mailing fees to BTC and submit a copy of receipt.
- Appellants filing an appeal from a determination made by the Department of Building and Safety per LAMC 12.26 K are considered original applicants and must provide noticing per LAMC 12.26 K.7.
- A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.
- Appeals of Density Bonus cases can only be filed by adjacent owners or tenants (must have documentation).
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (ZA, APC, CPC, etc.) makes a determination for a project that is not further appealable. (CA Public Resources Code § 21151 (c)). CEQA Section 21151 (c) appeals must be filed within the next 5 meeting days of the City Council.

This Section for City Planning Staff Use Only		
Base Fee: <u>\$89.00</u>	Reviewed & Accepted by (DSC Planner): <u>C. van der Zweep</u>	Date: <u>11/16/2015</u>
Receipt No: <u>26831</u>	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

ATTACHMENT TO APPEAL APPLICATION

I. BACKGROUND

A. The Site Plan Review Approval and Adoption of MND Addendum

On November 2, 2015, the Director of Planning (“Director”) for the City of Los Angeles (“City”) approved site plan review (“SPR”) Case No. DIR-2015-97-SPR and adopted an addendum to Mitigated Negative Declaration No. ENV-2005-1674-MND-REC1 (“MND Addendum”) for the construction, use and maintenance of an additional 60 dwelling units (for a total of 341 units) within a previously approved 28-story mixed-use building with approximately 11,687 square feet of ground floor retail space and three levels of subterranean parking in the C2-4D Zone on Lot 1, Tract 62367 (the “Project”). A copy of the Director’s approval of the Project, as set forth in a determination letter dated November 2, 2015 (the “Determination Letter”), is attached as Exhibit “1”.

B. The Subject Property

In 2005, the Project was initially approved as a three phase project for 629 Joint Live/Work condominium units and 25,023 square feet of retail space with 997 parking spaces on a 2.2 acre site (Case Nos. ZA 2005-1673(ZV)(ZAA)(SPR) and VTT-62367). In 2006, the Project was modified to include 27,000 square feet of retail space and 629 Joint Live/Work condominium units that would be constructed in two phases (Case Nos. ZA2005-1673(ZV)(ZAA)(SPR)(PA1) and VTT-62367-M1).

Phase 1 of the Project was developed on Lots 1 and 2 of Tract 62367-01 and the southern portion of Lot 1 of Tract 62367 (the “Phase I Property”). Specifically, a 6-story mixed-use structure on Lot 1 of Tract 62367-01, consisting of 77 residential condominium units and commercial lots (“Lofts Building”) was constructed and units were sold to individual buyers. The Lofts Building is commonly known as 915 South Flower Street, Los Angeles, California. A 28-story residential tower on Lot 2 of Tract 62367-01, consisting of 271 residential condominium units and approximately 27,000 square feet of commercial floor area (“Tower I Building”) was constructed and units were leased to individual renters. The Tower I Building is commonly known as 900-928 South Figueroa Street, Los Angeles, California.

Phase 2 of the Project, the phase currently being considered under VTT-62367-M3 and DIR-2015-97-SPR, is located on the northern portion of Lot 1 of Tract 62367 (the “Phase II Property”).

C. The Appellant

Sonny Astani (the “Appellant”) is the owner of a condominium unit located in the Lofts Building. The Appellant, through an entity known as GTS 900 F, a California limited liability company (“Original Developer”), was also the original developer of the Project. The Appellant participated in the City’s administrative proceedings concerning the SPR and raised various objections thereto.

Pursuant to Los Angeles Municipal Code (“LAMC”) § 16.05.H, Appellant hereby appeals the entirety of the Determination Letter, on the grounds set forth herein.

III. POINTS AT ISSUE

The Director's decision to adopt the MND Addendum violates the California Environmental Quality Act ("CEQA"), Public Resources Code §§ 21000 *et seq.* Specifically, pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162, a subsequent or supplemental mitigated negative declaration ("Supplemental MND") or subsequent environmental impact report ("SEIR") is required because substantial changes have been proposed in the Project, and substantial changes in the circumstances under which the Project is being undertaken have occurred since the Project was first approved over ten (10) years ago, that require major revisions to the previously adopted MND due to the involvement of new significant environmental impacts relating to traffic, air quality, greenhouse gases, aesthetics, and public services.

Furthermore, the Project is incompatible with, and will materially harm the existing and future development on neighboring properties, and is inconsistent with both the objectives and policies established under the City's General Plan and the requirements of the LAMC.

The Appellant is aggrieved by the Determination Letter because he owns property in the adjacent Lofts Building and his interests will be adversely affected by the Project as modified.

III. THE DIRECTOR ERRED AND ABUSED ITS DISCRETION

The Director is charged with promoting orderly development, evaluating and mitigating significant environmental impacts, and promoting public safety and the general welfare by ensuring that development projects are properly related to their sites, surrounding properties, traffic circulation, sewers, other infrastructure and environmental setting; and to control or mitigate the development of projects which are likely to have a significant adverse effect on the environment as identified in the City's environmental review process, or on surrounding properties by reason of inadequate site planning or improvements. (LAMC 16.05-A.) The Director failed to comply with these duties in this case.

As set forth below, the Director erred and abused its discretion inasmuch as the Determination Letter is not in accordance with the law and the findings contained therein are not supported by substantial evidence.

A. The Potential Environmental Impacts of the Project Have Not Been Properly or Adequately Evaluated Under the California Environmental Quality Act

The Director approved the SPR on the basis of the MND Addendum. The MND Addendum amends Mitigated Negative Declaration No. ENV-2005-1674-MND ("Original MND") which was adopted for the Project over ten (10) years ago.

CEQA Guidelines Section 15164(b) permits a lead agency to prepare an addendum to an adopted mitigated negative declaration where only minor technical changes or additions are necessary and none of the conditions described in Section 15162(a) of the CEQA Guidelines calling for preparation of a Supplemental MND or SEIR have occurred. Section 15162(a) of the CEQA Guidelines states that preparation of a Supplemental MND is required when any one of the following occurs:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous mitigated negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous mitigated negative declaration due to the involvement of new significant environmental effects of a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous mitigated negative declaration was adopted, shows any of the following: (A) The project will have one or more significant effects not discussed in the previous mitigated negative declaration; (B) Significant effects previously examined will be substantially more severe than shown in the previous mitigated negative declaration; (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous mitigated negative declaration would substantially reduce one or more significant effects on the environment, but project proponents decline to adopt the mitigation measure or alternative.

In this case, the applicant has proposed substantial changes to the Project that will require major revisions to the Original MND. These changes include:

- The addition of sixty (60) dwelling units, which represents a 21 percent increase above the 281 dwelling units previously approved for the Phase II Property;
- The addition of three (3) new off-site signs, including an approximately 6,500 sq. ft. electronic display sign;
- The addition of an approximately 4,050 sq. ft. rooftop deck, including fire pits and lounge areas where alcoholic beverages will be served, that will function as a gathering space for residents and their guests;
- A reduction in the ratio of off-street parking spaces from 1.75 spaces per dwelling unit to 1.25 spaces per dwelling unit;
- A new and inferior architectural design that does not achieve the objectives of the original design for a "Gateway" project, and which does not meet the standards and guidelines in the adopted Downtown Design Guide.

Furthermore, substantial changes have occurred with respect to the circumstances under which the Project is being undertaken that will require major revisions to the Original MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects of the Project. Among other things, the changed circumstances include:

- At least twenty-five (25) major residential and mixed-use projects have been approved and/or constructed in the South Park area since the adoption of the Original MND, including several projects in the immediate vicinity of the subject property, that will result in a substantial increase in the severity of the Project's cumulative impacts, including impacts on traffic, air quality, and noise. These related projects, which were not considered in either the Original MND or in the MND Addendum, are listed in the table attached hereto as Exhibit "2".
- The Project was originally proposed to be constructed in phases from 2005 to 2007. The approximately eight (8) year delay in completing the final phase has changed the circumstances under which the Project is being undertaken, inasmuch as the construction of the final phases will now have severe impacts on the residents of the now completed and fully-occupied first phase of the Project.
- In 2009, the City Council amended the Central City Community Plan (the "Community Plan") to include the Downtown Design Guide, which is intended to ensure a quality built environment. In 2011, compliance with the Downtown Design Guide was established as a regulatory requirement pursuant to Ordinance No. 181,557.
- In 2012, the City adopted the Figueroa and Olympic Sign District (the "Sign District") pursuant to Ordinance No. 182,200, which allows digital displays and other large off-site advertising structures on the subject property.

CAJA Environmental Services, LLC, which prepared the initial study in support of the Original MND, described some of the new and substantially more severe impacts that will occur as a result of the proposed changes to the Project and the changed circumstances noted above in a letter to the City Planning Department dated April 22, 2015 ("CAJA Letter"), a copy of which is attached to and incorporated herein by reference as Exhibit "3". Other new and substantially more severe impacts that will result from the changes noted above are described in a Memorandum from IBI Group to Sonny Astani dated May 13, 2015 ("IBI Memo"), a copy of which is attached to and incorporated herein by reference as Exhibit "4"; a letter from Overland Traffic Consultants to Sonny Astani dated May 12, 2015 ("OTC Letter"), a copy of which is attached to and incorporated herein by reference as Exhibit "5"; a letter from Ramboll Environ to Sonny Astani dated June 5, 2015 ("Ramboll Letter"), a copy of which is attached to and incorporated herein by reference as Exhibit "6"; and a letter from TAHA Environmental Planners to Sonny Astani dated May 21, 2015 ("TAHA Letter"), a copy of which is attached to and incorporated herein by reference as Exhibit "7".

The new and substantially more severe impacts of the Project are briefly summarized below.

1. Traffic and Circulation

As indicated above, the environmental baseline of traffic conditions within and surrounding downtown Los Angeles, and in particular, the Project vicinity, has changed dramatically since the initial trip counts from the Original MND was adopted over ten (10) years ago. Indeed, the related projects identified in Exhibit "2" will add over 9,000 dwelling units, over 2,000 hotel units, and nearly 1,000,000 sq. ft. of new commercial floor area in the South Park area, which will result in thousands of additional trips and, consequently, substantially more severe cumulative impacts on

traffic and circulation. These cumulative traffic impacts, including impacts on the nearby 110 freeway on- and off-ramps, have not been evaluated.

The MND Addendum is wholly inadequate because it does not examine or consider an updated related projects list. As recognized by the environmental consultant of the Original Developer, “an inaccurate or incomplete traffic baseline renders the analysis of environmental effects inherently unreliable, in turn rendering impossible any evaluation of the benefits of the Project.” (CAJA Letter, Section II.) Further, “new bicycle lanes have been constructed around the Project site, which would alter the traffic capacity and related circulation patterns in and around the Project.” (CAJA Letter, Section II.)

According to IBI Group, a traffic consultant retained by the Appellant, the number of travel lanes on Figueroa Street adjacent to the Tower II Site has been reduced, and modifications to the off-ramp from Interstate 110 to 9th Street have been made since 2005. (IBI Memo, page 2.) These are substantial changes which have occurred with respect to the circumstances under which the Project is being undertaken that require revisions to the Original MND to mitigate impacts to traffic volumes, traffic patterns and cumulative projects in the Project’s vicinity. As noted by another traffic expert, Overland Traffic Consultants, Inc., the traffic addendum prepared in connection with the SPR “does not provide any level-of-service information on potential project traffic impacts occurring in 2015.” (OTC Letter, page 1.)

2. Air Quality

The MND Addendum made no changes to the Air Quality section and kept the same mitigation measures that were adopted as part of the Original MND. This analysis is inadequate for CEQA purposes. First, expert testimony establishes that emissions of PM₁₀ and PM_{2.5} during construction of the Project would be a significant air quality impact. (See Ramboll Letter, Section 1.) This conclusion directly contradicts the findings in the MND Addendum, which fails to consider the sensitive receptors within the immediate vicinity of the Phase II Property. Second, the environmental consultant points to newly revised Health Risk Assessment (HRA) guidelines that were not available during the adoption of the Original MND and emphasizes the potential health risk impacts and health effect impacts which must be evaluated as these may be significant effects which are not discussed in the Original MND. Third, new information from the City of Los Angeles Planning Commission Advisory Notice 2427 was released after the adoption of the Original MND to evaluate the siting of potential sensitive receptors near freeways. Fourth, a second environmental expert, Terry A. Hayes Associates Inc., concluded that large residential projects commonly exceed the SCAQMD regional significance threshold for operational ROG emissions. (See TAHA Letter, page 2.)

Finally, as indicated above, over 9,000 dwelling units have been approved and/or constructed in South Park area in the last 10 years, some of which are in the immediate vicinity of the subject property. Thus, the number of sensitive receptors near the Tower II Site has increased dramatically since the Original MND was adopted. The Project’s potential impacts on the air quality and health of these sensitive receptors, including the residents of the Lofts Building and Tower I Building, have not been adequately evaluated or mitigated.

3. Greenhouse Gas Emissions

While the MND Addendum includes a new Greenhouse Gases section, expert opinion supports a conclusion that this purported evaluation of the Project's GHG emissions was inadequate. Specifically, it is not clear what assumptions were incorporated into the two scenarios and there is insufficient information to substantiate the analysis in the MND Addendum. (See Ramboll Letter, Section 4.) Furthermore, another environmental expert recognized that "taking an additional 13-percent trip reduction for being located in a High Quality Transit Priority Area may be double-counting trip reductions if this were already accounted for in the traffic analysis." (See TAHA Letter, page 2.) The changes to law occurring with respect to the circumstances under which the Project is being undertaken, as well as new information of substantial importance regarding the new related projects in the vicinity of the subject property, demonstrates that the Project will have an adverse cumulative effect with respect to greenhouse gas emissions.

4. Aesthetics

As noted above, the Project is located within the new Sign District. While the Determination Letter states that "[t]he location, type, and size of signage are not a part of this approval," the Determination Letter acknowledges that the "applicant has proposed a minimum of three (3) off-site signs in addition to other on-site signage." (Determination Letter, p. 18.) Moreover, the proposed signage, including but not limited to a large integral electronic display sign on 9th Street and Figueora Street, is identified on the approved Project Plans. Therefore, the proposed signage is clearly part of the "project" for purposes of CEQA. (See CEQA Guideline § 15378, which provides that the term "project" means "the whole of the action" which may be subject to several discretionary approvals, and "does not mean each separate governmental approval").

The addition of a minimum of three (3) off-site signs is a substantial change proposed in the Project that will result in new significant environmental effects on aesthetics, including the potential for new sources of light and glare that could adversely impact new and approved residential uses in the immediate vicinity of the Project. Indeed, the initial study prepared in support of the 2005 MND concluded that "a significant impact would occur if the Proposed Project were to introduce new sources of light or glare on the Project Site which would be incompatible with the areas surrounding the Project Site or which would pose a safety hazard to motorists utilizing adjacent streets." Accordingly, the 2005 MND includes mitigation measures 1-2 and 1-4, which are intended to ensure that new light sources cannot be seen from adjacent residential properties, and that signage is limited to on-site signs permitted by the code at that time. The MND Addendum, on the other hand, directly undermines the efficacy of these measures by amending mitigation measure 1-4 to specifically allow large off-site and digital display signs without adequately evaluating of the potential adverse effects of such signs.

5. Noise and Vibrations

The mitigation measures proposed in the Noise section of the MND Addendum are insufficient. Changes to the Project which provide residential units with access to rooftop gathering spaces with fire pits involve a significant generation of noise in level in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. (See CAJA Letter, Section VIII.) Alteration of the proposed outdoor space to the previously approved Project

constitutes a change to the Project that involves new noise impacts to the nearby sensitive receptors. The potential construction noise and vibrations of the Project on nearby Phase 1 occupants were also overlooked in the MND Addendum. Simply concluding that construction noise levels are exempt from the ambient noise level threshold identified in the Noise Element improperly disregards the potential other new impacts or substantial increase in severity of previously identified significant effects on the immediately adjacent sensitive receptors living next to the Project.

6. Public Services

According to the environmental consultant for the Original Developer, the Original MND provided evidence that overcrowding at schools could or would result from the addition of Project-generated and cumulatively generated students. (See CAJA Letter, Section V.) However, the MND Addendum simply stated that payment of school fees would mitigate the impact of the Project on area schools (see CAJA Letter, Section V.) It defies logic to suggest that overcrowding at schools would not be further exacerbated where the Original MND found evidence of overcrowding at schools, and the proposed changes to the Project add sixty (60) new units and many more occupants to the Project vicinity. The potential construction-related impacts of school expansion and the additional effects on an already overburdened library system were not adequately evaluated under CEQA. The substantial changes to the Project with the addition of sixty (60) new units will also negatively impact the existing park system.

Based on the foregoing, the preparation of an addendum to the MND, rather than a subsequent or supplemental mitigated negative declaration or SEIR, is not permitted under CEQA as there are substantial changes or additions to the Project and in circumstances which involve significant new environmental effects, a substantial increase in the severity of a previously identified significant effect, and new information of substantial importance arises regarding the existence or severity of environmental impacts or the existence or feasibility of mitigation measures. See CEQA Guidelines §15162.

B. The Determination Letter Improperly Purports to Modify the Approvals Granted in Case Nos. ZA 2005-1673(ZV)(ZAA)(SPR) and Case No. ZA 2005-1673(ZV)(ZAA)(SPR)(PA1)

As noted in the Determination Letter, the applicant had originally requested Plan Approval in Case Nos. ZA 2005-1673(ZV)(ZAA)(SPR) and ZA 2005-1673(ZV)(ZAA)(SPR)(PA1) (collectively, the "Previous Variances"), in addition to the Site Plan Review approval that is the subject of this appeal, in order to modify certain conditions of the Previous Variances, including open space requirements. However, by letter dated October 30, 2015, the Zoning Administrator dismissed the applicant's request for Plan Approval without prejudice on the alleged ground that the requested changes were not necessary. Therefore, all of the terms and conditions of the Previous Variances remain in effect.

The Previous Variances permitted "39,208 square feet of open space in lieu of the required 62,900 square feet" for 629 dwelling units. The Determination Letter, on the other hand, purports to modify this requirement by allowing reduced open space for 281 dwelling units on the Phase II Property while requiring that open space be provided for the additional 60 dwelling units in accordance with the requirements of LAMC § 12.21-G. (Determination Letter, p. 2.) In other words, the Determination Letter purports to permit 52,743 sq. ft. of open space (39,208 sq. ft. per the Previous

Variances plus the 13,535 sq. ft. that will be provided on the Phase II Property) in lieu of the approximately 73,000 sq. ft. of open space that would be required for 689 dwelling units. As such, the Determination Letter modifies the terms and conditions of the Previous Variances with respect to open space. However, the Director has no authority to approve such a modification under LAMC § 16.05. Absent a Plan Approval application or similar relief under LAMC § 12.27, the terms and conditions of the Previous Variances remain in effect, and the purported modification of the open space requirements is of no force or effect.

Similarly, the Determination Letter requires that the use and development of the subject property be in substantial compliance with the site plan and elevations labeled Exhibit “A” and attached to the subject case file. (See Determination Letter, p. 2.) However, pursuant to condition no. 2 of Case ZA 2005-1673(ZV)(ZAA)(SPR)(PA1), the subject property must be developed in substantial conformance with a *different* site plan (*i.e.*, one that does not include the 60 additional dwelling units, among other differences). Again, the Director has no authority under LAMC § 16.05 to modify a condition of the Previous Variances. To the extent that the City intended to substitute the new site plan for the site plan referenced in condition no. 2 of Case ZA 2005-1673(ZV)(ZAA)(SPR)(PA1), a Plan Approval or similar relief under LAMC § 12.27 would be required.

Finally, the Determination Letter requires compliance with the “environmental mitigation measures” of the MND Addendum. (Determination Letter, p. 8.) However, the MND Addendum revises and, in some cases, deletes mitigation measures that were contained in the Original MND. Condition No. 6 of Case Nos. ZA 2005-1673(ZV)(ZAA)(SPR) requires compliance with all of the mitigation measures contained in the Original MND. Thus, absent Plan Approval or similar relief under LAMC § 12.27, all of the mitigation measures contained in the Original MND remain in effect. The proposed revisions to these mitigation measures contained in the Addendum MND cannot be adopted pursuant to the SPR approval that is the subject of this appeal.

In summary, to the extent that the Determination Letter seeks to modify the terms and conditions of the Previous Variances, it is not in accordance with the law. To the extent that the terms and conditions of the Previous Variance are still in effect (which the Appellant submits is the case), they are in direct conflict with the terms and conditions of the Determination Letter. Either way, the Director clearly erred and abused its discretion.

C. The Findings Contained in the Determination Letter Are Not Supported by Substantial Evidence

In order to grant the requested SPR, the Director must make various required written findings. (LAMC § 16.05-F.) As discussed below, the required findings cannot be made or supported by substantial evidence in this case.

1. The Project is Not in Substantial Conformance with the Central City Community Plan

As noted in the Determination Letter, the Central City Community Plan was amended in 2009 to include the Downtown Design Guide. Accordingly, Condition No. 6 of the Determination Letter requires compliance with various provisions of the Downtown Design Guide. However, Condition

No. 1 of the Determination Letter also requires that the Project be developed in “substantial conformance” with the site plan labeled Exhibit “A” attached to the subject case file (the “Approved Site Plan”), which does *not* comply with numerous requirements of the Downtown Design Guide. Among other things, the Approved Site Plan does not (1) provide for a “vertically articulated street wall façade, using different treatment for the building’s base, middle and top,” (2) “vary details and materials horizontally to provide scale and three-dimensional qualities to the building, or (3) “detail buildings with rigor and clarity to reinforce the architect’s design intentions and help set a standard of quality to guide the build results.”

The Determination Letter does not explain how the Approved Site Plan meets any of the provisions of the Downtown Design Guide – which gives rise to the inference that it does not. In fact, it appears that the Project will need to be completely redesigned in order to meet all of the requirements of the Downtown Design Guide, including the requirements listed in Condition No. 6. However, by deferring review of the redesigned Project to the permit clearance stage, the public has been denied a fair opportunity to comment on the extent to which the Project does or does not comply with the Downtown Design Guide (and hence, the Project’s consistency with the Community Plan). By granting SPR approval of the Project on the basis of the Approved Site Plan that does not comply with the Downtown Design Guide, subject to conditions of approval that will require a complete redesign of the Project outside of the public review process, the Director erred and abused its discretion.

2. The Project Is Not Compatible With Existing and Future Development on Adjacent and Neighboring Properties

The proposed changes to the Project will adversely affect current Phase I owners and residents at the Lofts Building and Tower I Building. The Project was initially carefully designed so that all three buildings would function aesthetically and operationally in unison as a condominium development. However, the proposed increased residential density on the Phase II Property, large electronic signage displays, rooftop deck, among other changes, appear to be in direct contradiction to the original mission of the Project as the “Gateway Project” entering downtown Los Angeles from the 9th Street off-ramp. The proposed off-site and electronic signage displays are not compatible with existing and future residential development in the immediate vicinity of the project site.

As modified, the Project is no longer compatible with existing development on adjacent and neighboring properties. Among other things, residents of the adjacent Tower I Building and the Lofts Building will be directly and adversely affected by adding 60 dwelling units to the Project while decreasing the number of parking spaces available for Project residents (calculated on a pro-rata basis from the initial approval in 2005).

3. The Project Will Not Provide Recreational and Service Amenities that Improve Habitability for Residents and Minimize Impacts on Neighboring Properties

For the reasons discussed above, the changes to the Project’s recreational and service amenities have a direct and adverse impact on neighboring properties. Among other things, the proposed rooftop deck not only has the potential of inviting and creating adverse noise impacts, but also exposes Phase I owners to possible increases in insurance and maintenance costs associated with the use of such

space. In connection with the development of Phase 1 of the Project, a swimming pool, terrace, and fitness center built in a central courtyard, as well as a landscaped pedestrian crossing and passageway traversing the lot from Flower Street to Figueroa Street was constructed. Such amenities were not contemplated for the collective use by occupants of sixty (60) additional units.

Exhibit "1"

Determination Letter

DEPARTMENT OF
CITY PLANNING

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ
PRESIDENT

RENEE DAKE WILSON
VICE-PRESIDENT

ROBERT L. AHN
CAROLINE CHOE
RICHARD KATZ
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Date: November 2, 2015

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Los Angeles Department of Building
and Safety

Case No. **DIR-2015-97-SPR**

CEQA: Addendum to ENV-2005-1674-
MND (Case No. ENV-2005-1674-
MND-REC1)

Location: 901 South Flower Street &
700 West 9th Street

Council District: 14

Neighborhood Council: Downtown Los Angeles

Community Plan Area: Central City Planning Area

Land Use Designation: High Density Residential &
Regional Center Commercial

Zone: C2-4D

Legal Description: Lot 1, Tract 62367-C (the northern
portion of Lot 3 of Tract Map No.
62367)

Last Day to File an Appeal: November 17, 2015

Pursuant to Los Angeles Municipal Code Section 16.05, as the designee of the Director of Planning, I hereby:

Conditionally Approve a Site Plan Review for the construction, use and maintenance of an additional 60 units (for a total of 341 units) within a previously approved 28-story mixed-use building with approximately 11,687 square feet of ground floor retail space and three levels of subterranean parking in the C2-4D Zone on Lot 1, Tract 62367-C (the northern portion of Lot 3 of Tract Map No. 62367);

Adopt Addendum to Mitigated Negative Declaration No. ENV-2005-1674-MND (Case No. ENV-2005-1674-MND-REC1) as the environmental clearance.

Adopt the Mitigation Monitoring Program for the Addendum to Mitigated Negative Declaration No. ENV-2005-1674-MND (Case No. ENV-2005-1674-MND-REC1).

Adopt the attached findings.

Advise the applicant that pursuant to the California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that environmental mitigation measures are implemented and maintained through the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

This approval is subject to the following terms and conditions:

1. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan, and elevations labeled Exhibit "A" attached to the subject case file. The location, type, and size of signage are not a part of this approval. Minor deviations may be allowed in order to comply with provisions of the Municipal Code and the conditions of approval.

(Note: For the purposes of this approval, Phase 1 shall include that portion of the development which is existing on Lots 1, 2 and the southern portion of Lot 3, as shown on Exhibit "A", sheet SP-08; Phase 2 shall include that portion of the development which is proposed on the northern portion of Lot 3, as shown on Exhibit "A", sheet SP-08, herein referred to as the subject property or Phase 2.)

2. **Floor Area.** The maximum floor area for the subject property shall not exceed 340,000 square feet. The maximum floor area for all of Tract 62367 shall not exceed a Floor Area Ratio of 7.44:1.
3. **Parking.** On-site parking for the subject property shall be provided in compliance with the commercial and residential parking requirements of the Los Angeles Municipal Code (L.A.M.C.) in conjunction with the applicable Central City and Downtown Parking Districts, except as such deviations are granted pursuant to ZA-2005-1673-ZV-ZAA-SPR and ZA-2005-1673-ZV-ZAA-SPR-PA1.
4. **Open Space.**
 - a. The project shall provide open space on the subject property as permitted and required pursuant to ZA-2005-1673-ZV-ZAA-SPR and ZA-2005-1673-ZV-ZAA-SPR-PA1 for the previously approved 281 units.
 - b. The project shall provide open space on the subject property for the additional 60 units as required pursuant to Section 12.21-G of the L.A.M.C and Section 12.22-C,3 of the L.A.M.C. (Greater Downtown Housing Incentive Area).
5. **Bicycle Parking.** The project shall provide on-site bicycle parking spaces on the subject property for the proposed 341 units and commercial floor area as required pursuant Section 12.21-A,16 of the L.A.M.C.
6. **Downtown Design Guide.** The project as depicted on "Exhibit A" shall comply with the following Downtown Design Guidelines:

(Note: All references to "Table" and "Figure" are in reference to the Downtown Design Guidelines document.)

- a. Sustainable Design
 - i. Sidewalks including street trees, parkways, tree wells, and paving shall be designed to collect stormwater runoff.

b. Sidewalks and Setbacks.

- i. Provide a 5-foot wide average easement along 9th Street, as shown on Exhibit "A".
- ii. Provide a minimum six-foot continuous path of travel.
- iii. Any outdoor dining area along any portion of the paved sidewalk shall maintain a minimum six-foot wide continuous path of travel.
- iv. Provide continuous landscaped parkways along 9th Street and Flower Street, as shown on Exhibit "A", except adjacent to bus stops, and in other locations determined by City Planning staff to be inappropriate for parkways.
- v. Retail uses along 9th Street and Flower Street (Retail Streets) shall be located along the building street wall (as defined in Table 6-1) at or within a few feet of the back of the required sidewalk easement.

c. Ground Floor Treatment.

- i. The ground floor space along 9th Street and Flower Street shall be designed to include a linear frontage equal to at least 75 percent of street frontage to accommodate retail uses.
- ii. The ground floor space within 150' of an intersection shall be designed specifically for retail uses.
- iii. Mid-block ground floor space shall be designed for retail, professional office, and live-work uses.
- iv. The ground floor retail space may be located along the required street wall or along a courtyard or plaza, provided the retail frontage is not more than 60 feet from the back of sidewalk and is visible from the sidewalk.
- v. The required ground floor retail space shall be provided to a depth of at least 25 feet from the front façade and shall include an average 14'-0" floor-to-ceiling height.
- vi. Wall openings including storefront windows and doors shall compromise at least 75 percent of the street level façade.
- vii. The project shall provide clear glass for all wall openings along all street-level façades. Dark tinted, reflective or opaque glazing is not permitted for any required wall opening along street level facades.
- viii. The building's primary entrance, defined as the entrance which provides the most direct access to the main lobby and is kept unlocked during business hours, shall be located on a public street or on a courtyard, plaza or paseo that is connected to and visible from a public street.

- ix. At least one building entrance, which provides access to a building's main lobby and which is kept unlocked during business hours, shall be located on a public street.
 - x. At least one building entrance, which may be either a building or tenant/resident entrance, shall be provided along each street frontage.
 - xi. Street wall massing, articulation and detail, street level building entrances and storefront windows and doors, as well as the use of quality materials and decorative details, shall be used to promote pedestrian-scaled architecture along the street.
 - xii. Awnings and canopies shall be fabricated of woven fabric, glass, metal or other permanent material compatible with the building architecture.
 - xiii. Internally illuminated, vinyl awnings are not permitted.
 - xiv. Electrical transformers, mechanical equipment, and other equipment shall not be located along the ground floor along 9th Street or Flower Street.
 - xv. Electrical transformers, mechanical equipment, other equipment, storage spaces, blank walls, and other elements that are not pedestrian-oriented shall not be located within 100 feet from the corner on Figueroa and 9th Street (east) or Flower and 9th Street (west) and within 50 feet south of the corner on 9th and Flower Street.
- d. Parking and Access.
- i. Parking required for a project shall be integrated into the project it serves. Public parking may be either a freestanding structure or integrated into a project, provided it is clearly signed as public parking.
 - ii. Except for the ground level frontage required for access, no parking or loading shall be visible on the ground floor of any building façade that faces a street.
 - iii. Parking, loading or circulation located above the ground floor shall be 1) lined by habitable floor area along all street frontages or, 2) if the project sponsor demonstrates that it is not feasible to line the parking with habitable space above the ground floor, integrated into the design of the building façade.
 - iv. No more than the minimum required parking may be provided unless provided for adjacent buildings that lack adequate parking.
 - v. Curb cuts and parking/loading entries into buildings shall be limited to the minimum number required and the minimum width permitted.
 - vi. Parking and loading access shall be shared where feasible.

- vii. Where a vehicular exit from a parking structure is located within 5 feet of the back of sidewalk, a visual/audible alarm shall be installed to warn pedestrians and cyclists of exiting vehicles.
 - viii. Residential units shall be designed to maintain interior sound levels, when windows are closed, at below 45 dB. Because the exterior sound level may exceed 60 dB, measures in addition to conventional construction are suggested to meet the interior standard, including use of 1/4" laminated or double glazing in windows.
- e. Massing and Street Wall
- i. Street walls (the building walls along the sidewalk) shall be located in relationship to the back of sidewalk as specified in Table 3-2.
 - ii. 80% of the building's street walls shall have the minimum number of stories specified Table 6-2. Walls above the ground floor that step back less than 15 feet from the ground floor street wall are considered to be part of the street wall.
 - iii. The portion of a tower above 150 feet shall be spaced at least 80 feet from all existing or possible future towers, both on the same block and across the street, except where 1) the towers are offset (staggered), 2) the largest windows in primary rooms are not facing one another, or 3) the towers are curved or angled, as illustrated in Figure 6-2. Where there is an existing adjacent tower, the distance should be measured from the wall of the existing adjacent tower to the proposed tower.
 - iv. The shortest horizontal distance between the specified window of one residential unit and the specified window or wall of another residential unit in the same project shall have, at a minimum, the "line-of-sight" distances from the middle of the windows specified in Table 6-2.
 - v. In dwelling units, operable windows shall be installed in all units to provide natural ventilation.
 - vi. Towers may extend directly up from the property line at the street and are not required to be setback.
- f. On-Site Open Space.
- i. Provide 13,535 square feet of open space as shown on Exhibit "A", on the subject property.
 - ii. Site landscaping and residential open space shall be provided as required by Section 12.21-G of the Zoning Code, except as approved under ZA-2005-1673(ZV)(ZAA)(SPR). At least 50 percent of the trees on-site are canopy trees that shade open spaces, sidewalks, and buildings.
 - iii. Locate on-site open space and permit public access during normal business hours in accordance with Table 7-1.

- iv. Provide landscaping and seating in each open space type in accordance with Table 7-2.
 - v. On roof terraces, trees and other plantings in permanent and temporary planters shall be located to provide shade, reduce reflective glare, and add interest to the space.
 - vi. On roof terraces, provide permanent and temporary seating that is placed with consideration to sun and shade, and other factors contributing to human comfort.
 - vii. Mature canopy trees shall be provided within open spaces, especially along streets and required setbacks.
 - viii. Contain open space along a minimum percentage of its perimeter by building and/or architectural features in accordance with Table 7-3.
- g. Architectural Detail.
- i. Vary details and materials horizontally to provide scale and three-dimensional qualities to the building.
 - ii. Provide well-marked entrances to cue access and use.
 - iii. Enhance all public entrances to a building or use through compatible architectural or graphic treatment.
 - iv. Provide different architectural treatment on the ground floor façade than on the upper floors, and feature high quality materials that add scale, texture and variety at the pedestrian level.
 - v. Provide a vertically articulated street wall façade, using different treatment for the building's base, middle and top, and use balconies, fenestration, or other elements to create an interesting pattern of projections and recesses.
 - vi. Provide an identifiable break between the building's ground floors and upper floors designed for office or other use.
 - vii. Provide sustainable materials, using durable materials on ground floor façade. Smooth painted plaster may be used.
 - viii. Use especially durable materials on ground floor façades.
 - ix. Detail buildings with rigor and clarity to reinforce the architect's design intentions and to help set a standard of quality to guide the built results.
 - x. Layer the building skin and provide a variety of textures that bear a direct relationship to the building's massing and structural elements.

- xi. Design curtain walls with detail and texture, while employing the highest quality materials.
 - xii. Design the color palette for a building to reinforce building identity and complement changes in the horizontal or vertical plane.
 - xiii. Ground-floor window and door glazing shall be transparent and non-reflective.
 - xiv. Above the ground floor, both curtain wall and window/door glazing shall have the minimum reflectivity needed to achieve energy efficiency standards. Non-reflective coating or tints are preferred.
 - xv. A limited amount of translucent glazing may be used to provide privacy.
 - xvi. Exterior lighting shall be shielded to reduce glare and eliminate light being cast into the night sky.
 - xvii. Integrate security lighting into the architectural and landscape lighting system.
 - xviii. Exterior roll-down doors and security grills are not permitted except interior roll-down doors and security grilles may be permitted, provided they are at least 75% transparent (open), retractable and designed to be fully screened from view during business hours.
 - xix. Mechanical equipment shall be either screened from public view or the equipment itself shall be integrated with the architectural design of the building.
 - xx. Ventilation intakes/exhausts shall be located to minimize adverse effects on pedestrian comfort along the sidewalk. Typically locating vents more than 20' vertically and horizontally from a sidewalk and directing the air flow away from the public realm will accomplish this objective.
 - xxi. Lighting (exterior building and landscape) shall be directed away from adjacent properties and roadways, and shielded as necessary. In particular, no light shall be directed at the window of a residential unit either within or adjacent to a project.
 - xxii. Reflective materials or other sources of glare (like polished metal surfaces) shall be designed or screened to not impact views nor result in measurable heat gain upon surrounding windows either within or adjacent to a project.
 - xxiii. Other sources of glare, such as polished metal surfaces, shall be designed or screened to not impact views from surrounding windows.
7. Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting properties.
8. **Maintenance.** The subject property (including any trash storage areas, associated parking facilities, sidewalks, driveways, yard areas, parkways, and exterior walls

along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.

9. **Public Easement.** Encroachments into the public easement shall be to the satisfaction of Bureau of Engineering.
10. **Environmental Mitigation Measures.** Comply with the environmental mitigation measures of the Addendum to Mitigated Negative Declaration No. ENV-2005-1674-MND (Case No. ENV-2005-1674-MND-REC1). Pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that any mitigation conditions are implemented and maintained throughout the life of the project and the City may be required any necessary fees to cover the cost of such monitoring.

ADMINISTRATIVE

11. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
12. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.
13. **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 assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
14. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices legislation or their successors, designees, or amendment to any legislation.
15. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
16. **Building Plans.** Page 1 of this grant and all conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
17. **Utilization of Concurrent Entitlement.** Site Plan Review requires completion of all applicable conditions of approval to the satisfaction of the Department of City Planning. The applicant/owner shall have a period of three years from the effective date of the subject grant for the Site Plan Review to effectuate the terms of this entitlement by securing a building permit. Thereafter, the entitlements shall be

deemed terminated and the property owner shall be required to secure a new authorization for the use. If a building permit is obtained during this period, but subsequently expires, this determination shall expire with the building permit.

18. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
19. **Expedited Process Section Fees.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
20. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of 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.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of 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.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. 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 (b).
- e. 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 include 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.

BACKGROUND

In 2005, a project was approved which included 629 Joint Live/Work condominium units and 25,023 square feet of retail space with 997 parking spaces on a 2.2 acre site (Tract 62367) (Case Nos. ZA 2005-1673(ZV)(ZAA)(SPR) and VTT-62367). In 2006, the project was modified to include 27,000 square feet of retail space and 629 Joint Live/Work condominium units and in two phases (Case Nos. ZA 2005-1673(ZV)(ZAA)(SPR)(PA1) and VTT-62367-M1).

Phase 1 of the project occurred on Lots 1, 2 and the southern portion of Lot 3, as shown on Exhibit "A". Phase 2 of the project, the phase currently being considered under VTT-62367-M3 and DIR-2015-97-SPR, is located on the northern portion of Lot 3, as shown on Exhibit "A".

Through Phase 1 of the project, a 6-story mixed-use structure at 915 South Flower Street with 77 units, a 28-story residential tower at 900-928 South Figueroa Street with 271 units and 961 parking spaces were constructed. A total of 11,276 square feet of the 27,000 square feet of commercial floor area have been developed.

Since the original approval there have been several legislative changes which have occurred and are applicable to the project site.

In 2006, the City Council established the Greater Downtown Housing Incentive Area (Ordinance No. 179,076) which allows the maximum number of dwelling units to not be limited by the lot area, effectively allowing unlimited density.

In 2009, the City Council amended the Central City Community Plan to include the Downtown Design Guide, which aims to: *maintain and enhance the concentration of jobs; provide a range of housing types and price levels that offer a full range of choices; enable people to move around easily on foot, by bicycle, transit, and auto; provide shops and services for everyday needs; design streets not just for vehicles, but as usable outdoor space for walking, bicycling and visual enjoyment; provide places for people to socialize, including parks, sidewalks, courtyards and plazas, that are combined with shops and services; provide adequate public recreational open space, including joint use open space, within walking distance of residents; and, integrate public art and contribute to the civic and cultural life of the City.*

In 2011, the City Council established the Downtown Design Guide (Ordinance No. 181,557) in recognition of the importance of Downtown Los Angeles as the civic, cultural, institutional, governmental, social and economic center of the region and that its urban form is critical to its continued vitality and economic viability and the preservation and enhancement of its historic fabric. The Downtown Design Guide regulates projects that have the potential to affect the urban form, pedestrian orientation and street-level activity, and its implementation will ensure a quality built environment.

In 2013, the City Council amended the Bicycle Parking Ordinance to require bicycle parking for all commercial and residential development, with the exception of single-family dwellings.

The proposed project involves the second phase of the two-phase project and includes the construction of a 28-story mixed-use building (with a maximum height of 285 feet in height to the top of the parapet and 317 feet, six inches in height to the top of the mechanical equipment). The proposed project is located at 901 South Flower Street & 700 West 9th Street and will include 341 units (a 60 unit increase from the original approval), 13,535 square feet of additional open space, 11,687 square feet of commercial space, 40 new automobile parking spaces and 387 new bicycle parking spaces. The subject property is currently a surface parking lot.

The applicant is now requesting changes to certain conditions of ZA 2005-1673(ZV)(ZAA)(SPR) and ZA 2005-1673(ZV)(ZAA)(SPR)(PA1) applicable only to the subject property (Lot 1, Tract 62367-C) which would allow greater consistency with the Greater Downtown Housing Incentive Area regulations and current development practices in the Downtown area.

The subject property is zoned C2-4D and has a High Density Residential and Regional Center Commercial General Plan Land Use designation, which have the corresponding zones of CR, C1.5, C2, C4, C5, R3, RAS3, R4, RAS4 and R5.

Figueroa Street, abutting the property to the west, is a Modified Avenue I (Modified Major Highway), dedicated to a variable width ranging between 80 and 92 feet and improved with asphalt roadway and concrete curb, gutter and sidewalk.

9th Street, abutting the property to the north, is a Modified Avenue II (Modified Secondary Highway), dedicated to a variable width ranging between 86 and 190 feet and improved with asphalt roadway and concrete curb, gutter and sidewalk.

Flower Street, abutting the property to the east, is a Modified Avenue II (Modified Secondary Highway), dedicated to a width 90 feet and improved with asphalt roadway and concrete curb, gutter and sidewalk.

SITE PLAN REVIEW FINDINGS

I have reviewed the subject development project and hereby find the following findings based on the information contained in the application, the report of the Site Plan Review staff, reports received from other departments, supplemental written documents submitted and review of environmental impacts associated with the project pursuant to Section 16.05-C of the Municipal Code:

- 1. The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and does not conflict with any applicable regulations, standards, and any applicable specific plan.**

The proposed project complies with all applicable provisions of the Los Angeles Municipal Code, the Central City Community Plan and the Downtown Design Guidelines. The subject property (Phase 2) is located in the City Center Redevelopment Project area, Los Angeles State Enterprise Zone, the Central City Revitalization Zone and the Los Angeles Renewal Community.

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.

The Land Use Element of the City's General Plan is divided into 35 Community Plans. The subject property which the subject request involves is located in the High Density Residential and Regional Center Commercial land use designation which includes corresponding zones of CR, C1.5, C2, C4, C5, R3, R4, R5, RAS3 and RAS4. The existing C2-4D zoning is consistent with this designation.

The Central City Community Plan identifies the area surrounding the subject property as South Park and recognizes it to be a mixed-use community with a significant concentration of housing. The proposed mixed-used building meets the intent and numerous objectives and policies of the Community Plan as follows:

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

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

The proposed project is a part of a larger development which has formed over the last 10 years and the combined Phases 1 and 2 will provide a total of 689 new units

(at a density of 1 unit per 140 square feet of lot area) and approximately 23,000 square feet of neighborhood serving restaurant and retail uses.

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

The proposed project will provide 341 rental units and is a part of a larger development which includes a total of 689 new units, including 77 condominiums, providing both rental units and home ownership.

Objective 1-2: To foster residential development which can accommodate a full range of incomes.

Policy 1-2.1: Encourage a cluster neighborhood design comprised of housing and services.

The proposed project will include a total of 689 new units and approximately 23,000 square feet of neighborhood serving restaurant and retail uses. The project is also within proximity to a large variety of restaurants, retail stores and other neighborhood services.

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

Policy 2-1.2: To maintain a safe, clean, attractive, and lively environment.

The proposed project completes the larger development discussed above with 11,687 square feet of ground floor restaurant and retail uses at the corners of the 9th Street and Figueroa and Flower Streets. The project, including the Phase 1 ground floor retail spaces along Figueroa and Flower Streets will bring activity to the adjacent rights-of-way, resulting in a safer, cleaner, more attractive and lively environment.

Objective 2-2: To retain the existing retail base in Central City.

Policy 2-2.2: To encourage pedestrian-oriented and visitor serving uses during the evening hours especially along the Figueroa Street corridor between the Santa Monica Freeway (I-10) and Fifth Street.

The proposed project, Phase 2 of the larger development, will provide 11,687 square feet of ground floor restaurant and retail uses along the 9th Street façade between Figueroa and Flower Streets. Figueroa Street currently has the main lobby to Apex I and retail space along its frontage. While the project does not add pedestrian-oriented or visitor serving uses along Figueroa, it will complete the larger development (which includes portions within the Figueroa Street corridor) by providing a total of 22,963 square feet of ground floor, neighborhood serving, pedestrian-oriented uses. Completion of the larger development will further encourage pedestrian-oriented and visitor serving uses during the evening hours especially along the Figueroa Street corridor.

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

The proposed project will complete the larger development with 11,687 square feet of ground floor restaurant and retail uses along the 9th Street façade resulting in a total of approximately 23,000 square feet of ground floor neighborhood serving, small, local retail services through both Phases 1 and 2.

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.

The proposed project is located within ½ mile of the Los Angeles Convention Center and will complete the larger development which includes portions within the Figueroa Street Corridor with 11,687 square feet of ground floor retail along the 9th Street façade resulting in a total of approximately 23,000 square feet of ground floor restaurant and retail uses for the entire development through both Phases 1 and 2.

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

The proposed project will provide 11,687 square feet of ground floor restaurant and retail uses and 341 new residential units. The project will also include on-site amenities such as a pool area with chaise lounges and cabanas and a rooftop with café-style and family-style seating, a banquette, bar area, outdoor kitchen with barbeque and wall-mounted TV for residents of both Phases 1 and 2.

Overall the proposed project is a part of a larger development which will provide a mixture of uses including a total of 689 new units and approximately 23,000 square feet of neighborhood serving restaurant and retail uses. Such intensification and mixture of uses would encourage 24-hour activity.

Objective 4-2: To maximize the use of the City's existing and envisioned open space network and recreation facilities by providing connections to the open space system.

Policy 4-2.1: To foster physical and visual links between a variety of open spaces and public spaces Downtown.

The proposed project will provide a minimum 5-foot wide sidewalk easement along 9th Street. The project also complies with other sidewalk, streetscape and ground floor treatment standards of the Downtown Design Guidelines which will improve the public right-of-way adjacent to the subject property, providing physical and visual linkages to nearby open and public spaces in Downtown, such as L.A. Live, the Los Angeles Convention Center and Grand Hope Park.

Objective 4-4: To encourage traditional and non-traditional sources of open space by recognizing and capitalizing on linkages with transit, parking, historic resources, cultural facilities, and social services programs.

Policy 4-4.1: Improve Downtown's pedestrian environment in recognition of its important role in the efficiency of Downtown's transportation and circulation systems and in the quality of life for its residents, workers, and visitors.

The proposed project will provide a minimum 5-foot wide sidewalk easement along 9th Street. The project also complies with other sidewalk, streetscape and ground floor treatment standards of the Downtown Design Guidelines which will improve the public right-of-way adjacent to the subject property, improving Downtown's pedestrian environment and quality of life for its residents, workers, and visitors.

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

Policy 4-4.1: Preserve and enhance Central City's primary pedestrian-oriented streets and sidewalks and create a framework for the provision of additional pedestrian friendly streets and sidewalks which complement the unique qualities and character of the communities in Central City.

The proposed project will provide a minimum 5-foot wide sidewalk easement along 9th Street. The project also complies with other sidewalk, streetscape and ground floor treatment standards of the Downtown Design Guidelines which will enhance Central City's primary pedestrian-oriented streets and sidewalks and create a framework for the provision of additional pedestrian friendly streets and sidewalks which complement the unique qualities and character of the communities in Central City.

2. **That 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 neighboring properties.**

The proposed project (Phase 2) is the construction of a 28-story mixed-use building (approximately 317 feet in height) with 341 residential units, approximately 11,687 square feet of ground floor restaurant and retail uses and three levels of subterranean parking. The proposed project is located on the northern portion of Lot 3, as shown in Exhibit "A". Phase 1 included a 28-story, 271-unit residential tower (Apex I), a six-story, 77-unit mixed-use building (Concerto Lofts) and 961 parking spaces.

The project is located within the South Park area of Downtown Los Angeles. The subject property is within the Central City Community Plan, which designates the property for High Density Residential and Regional Center Commercial land uses. The Citywide General Plan Framework identifies the area as the Downtown Center. As such, the subject property and neighboring properties are intended as the primary center of urban activity for the Los Angeles region with development including Floor Area Ratios (FAR) of up to 13:1 and high-rise buildings.

Height/Bulk

The proposed project (Phase 2) will include 341 units and have a maximum of approximately 340,000 square feet of floor area. The project would have 28 stories and a maximum height of approximately 285 feet to the top of the parapet and 317 feet, six inches in height to the top of the mechanical equipment.

In addition to the adjacent Apex I Tower, other similar-type, recently approved projects within the immediate vicinity include:

Address	Units	Floor Area (sq. ft.)	Stories	Height (ft)
<i>Proposed Project (Phase 2)</i>	341	338,098	28	285
900 Figueroa Street (Apex I)	271	315,886	28	312
705 9th Street	214	274,139	34	397
1111 Grand Avenue	176	292,684	13	156
717 Olympic Boulevard	156	184,398	26	303
888 Olive Street	283	369,138	32	360

Additionally, the project has been designed, consistent with Section 6, Massing and Street Wall, of the Downtown Design Guidelines, to reinforce the street wall with well-designed elements that are sensitive to the neighborhood context and provide a comfortable scale for pedestrians.

Therefore, the height and bulk for the proposed mixed-use building will be compatible with the existing and planned future developments in the neighborhood.

Setbacks

The proposed project will provide a 5-foot wide average easement along 9th Street and eight-foot, one-inch (8'-1") setback along Flower Street. These setbacks will ensure that the proposed sidewalks are walkable, accommodate a variety of uses and are appropriate to the mixed-use development, consistent with Section 3, Sidewalk and Setbacks, of the Downtown Design Guidelines.

Therefore, the building setbacks for the proposed mixed-use building will be compatible with the existing and planned future developments in the neighborhood.

Parking

The proposed project is a part of a larger development which will include a total of 689 units and approximately 23,000 square feet of neighborhood serving retail space. Through the completion of Phase 1, the site has 961 parking spaces. The proposed project will add a net of 30 parking spaces, for a total of 991 parking spaces. The 991 parking spaces meet the requirements of Los Angeles Municipal Code (L.A.M.C.) and applicable provisions of the Central City and Downtown Parking Districts.

Additionally, the project will provide the Code required bicycle parking spaces for the proposed 341 units and 11,687 square feet of commercial floor area in Phase 2.

All automobile will be located within the entire unified development, as permitted under ZA 2005-1673(ZV)(ZAA)(SPR). All bicycle parking will be located on the same lot the development for Phase 2 is to occur. Therefore, the automobile and bicycle parking for the proposed mixed-use building will be compatible with the existing and planned future developments in the neighborhood.

Vehicular Access

The proposed project (Phase 2) is a part of a larger development which currently includes one ingress and one egress driveway along Figueroa Street and one ingress and one egress driveway along Flower Street. The proposed project will add a new loading dock on site which will be accessible from Flower Street. All ingress and egress to the existing subterranean parking garage will be through the existing driveways.

The proposed new loading dock is consistent with Section 5, Parking and Access, of the Downtown Design Guidelines, which seeks to minimize the curb-cuts and ground-level frontage required for access to parking and loading.

Therefore, the vehicular access for the proposed mixed-use building will be compatible with the existing and planned future developments in the neighborhood.

Lighting

The proposed project will provide exterior and security lighting consistent with Section 8, Architectural Detail, of the Downtown Design Guidelines. All exterior lighting will be shielded to reduce glare and eliminate light being cast into the night sky and security lighting will be integrated into the architectural and landscape lighting system.

Therefore, the lighting for the proposed mixed-use building will be compatible with the existing and planned future developments in the neighborhood.

On-Site Landscaping

The proposed project will provide on and off-site landscaping consistent with Downtown Design Guidelines and the requirements of the Bureau of Engineering, Urban Forest Division.

The project will provide continuous landscaped parkways along 9th and Flower Street, including planting one (1) Golden rain and six (6) 24-inch box Jacaranda street trees. Additionally, the project will include 13,535 square feet of new open space with on-site landscaping that provides shade and other aesthetic and functional objectives, such that it facilitates outdoor activities consistent with Section 7, On-Site Open Space, of the Downtown Design Guidelines. The applicant proposes a total of 27 trees, 11 within the public right-of-way, one (1) at the ground level (on-site), four (4) at the mezzanine level, three (3) at the fourth floor level and eight (8) on the rooftop.

Therefore, the landscaping for the proposed mixed-use building will be compatible with the existing and planned future developments in the neighborhood.

Trash Collection

All trash collection will be done on-site, consistent with the requirements of the L.A.M.C., and will not be visible from the public right-of-way, consistent with Section 4, Ground Floor Treatment, of the Downtown Design Guidelines, which seeks to minimize the exposure of "back of house"-type operations.

Therefore, trash collection for the proposed mixed-use building will be compatible with the existing and planned future developments in the neighborhood.

Other Improvements

The proposed project is located within the Figueroa and Olympic Supplement Use Signage District which seeks to *"support and enhance land uses and urban design objectives in the Central City Community Plan; reinforce the pedestrian-oriented character of the streets within and immediately surrounding the District by allowing and encouraging pedestrian-oriented signs throughout the District; ensure the quality of the Central City's appearance by avoiding clutter; ensure that new signs are responsive to and integrated with the aesthetic character of the structures on which they are located, and are positioned in a manner that is compatible both architecturally and relative to the other signage on-site; encourage creative, well-designed signs that contribute in a positive way to the Central City's visual environment, and help maintain an image of quality and excellence for the Central City; protect residential districts adjoining non-residential districts from potential adverse impacts of signs, including visual impacts of excessive numbers of signs, excessive sign size, sign illumination, and sign motion/animation; and minimize potential traffic hazards and protect public safety."*

The applicant has proposed a minimum of three (3) off-site signs in addition to other on-site signage. The applicant is required to submit the proposed master sign plan to the Metro Neighborhood Projects Section within the Department of City Planning and to obtain Project Permit Compliance approval or "Director sign-offs" for the Figueroa and Olympic Supplemental Use Signage District.

Therefore, other pertinent improvements (signage) for the proposed mixed-use building will be compatible with the existing and planned future developments in the neighborhood.

3. **That any residential project provides recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.**

The proposed project (Phase 2) will include 341 residential units and approximately 11,687 square feet of neighborhood-serving restaurant and retail uses. The project will include 40 studio units, 153 one-bedroom units, 140 two-bedroom units, and 8 three-bedroom units.

The existing development, constructed as a part of Phase 1, includes a swimming pool, terrace, and fitness center built in a central courtyard, as well as a landscaped pedestrian crossing and passageway traversing the lot from Flower Street to Figueroa Street.

The proposed project will provide an additional 13,535 square feet of open space. Approximately 8,200 square feet of open space will be available to all the residents of Tract 62367 (including the Concerto Lofts and Apex I) and includes a second floor outdoor mezzanine, fourth floor amenity room, two lounges and the rooftop. The second floor outdoor mezzanine level will include new landscaped tenant/residential private patio areas. The fourth floor level, adjacent to the residential amenity, will complete the existing pool deck by providing a new chaise lounge area, new cabanas and new wood decking and paving to match the existing pool deck available. The rooftop will include new café-style and family-style seating, a banquette, bar area, outdoor kitchen with barbeque and wall-mounted TV. Approximately 5,300 square feet of open will provided within 106 private balconies.

Upon completion, the entire development will include a minimum of 52,743 square feet of open space.

Additionally, the project will provide the Code required bicycle parking spaces for the proposed 341 units and 11,687 square feet of commercial floor area in Phase 2.

Therefore, the project provides recreational and service amenities that will improve habitability for the residents and minimize any impact on neighboring properties.

ADDITIONAL MANDATORY FINDINGS

4. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, which are areas identified on the flood map as areas determined to be outside the 0.2% annual chance floodplain.
5. On May 6, 2015, the City Planning Department issued an Addendum to Mitigated Negative Declaration No. ENV-2005-1674-MND (Case No. ENV-2005-1674-MND-REC1). On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that there is no substantial evidence that the proposed project will have a significant effect on the environment. This Mitigated Negative Declaration reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts are mitigated to a less than significant level. I hereby adopt that action. The custodian of the documents or other material which constitute the record of proceedings upon which the decision is based are located with the City of Los Angeles, Planning Department located at 200 North Spring Street, Room 750, Los Angeles, California.

Authorization - Time Limit and Transferability

The authorization granted herein shall be for a three year period from the effective date. If building permits are not issued and construction work is not begun within such time and carried on diligently so that building permits do not lapse, this approval shall become null and void. There are no time extensions available beyond this three year period. Furthermore, this grant is not a permit or license and that permits and licenses required by all applicable laws must be obtained from the proper agency.

In the event the property is sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise such person or corporation regarding the conditions of this authorization. If any portion of the authorization is utilized, the conditions and requirement of the grant will become operative and must be strictly observed

Appeal Period - Effective Date

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code.

The Determination in this matter will become effective after November 17, 2015 unless an appeal there from is filed with the Department of City Planning. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of this Determination, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at www.planning.lacity.org.** Planning Department public offices are located at:

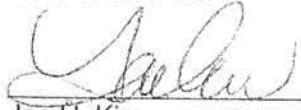
Figueroa Plaza 201 North Figueroa Street, Fourth Floor Los Angeles, CA 90012-2601 Phone: (213) 482-7077	Marvin Braude San Fernando Valley Constituent Services Center 6262 Van Nuys Boulevard, Suite 251 Van Nuys, CA 91401 Phone: (818) 374-5050
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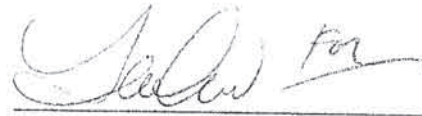
The applicant is further advised that all subsequent contact with this office regarding this Determination must be with the decision-maker who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished by appointment only, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

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

MICHAEL LOGRANDE
Director of Planning

APPROVED BY:


Jae H. Kim
Associate Zoning Administrator


Jane Choi, AICP
City Planner


Oliver Netburn, City Planning Associate
(213) 978-1382

Attachments:
Exhibit A: Site Plans, Floor Plans and Elevations



**PRESTON
ARCHITECTS, PC**
A MULTIDISCIPLINARY DESIGN FIRM

SOUTH TERRACES
115 FERNBEE CENTER PLACE, SUITE 950
LOS ANGELES, CA 90015
TELEPHONE: 713 385 1240
FAX: 713 385 1241
WWW.PRESTONARCHITECTS.COM

PROJECT
APEX II

700 W. 9TH STREET
LOS ANGELES, CA 90015

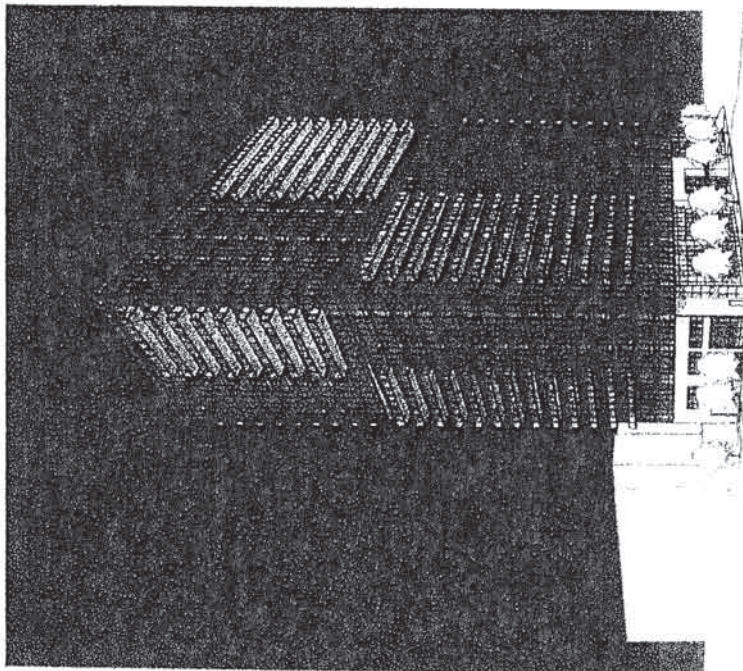
FOR
HOLLAND PARTNER
GROUP



3000 E. SPRING ST. STE. 400
LOS ANGELES, CA 90011
310 754 0000

DATE 12/17/2014
JOS NUMBER 149552
DRAWN BY C
CHECKED BY AN
SHEET TITLE COVER SHEET

SHEET NUMBER
CS-01
COMMENT: NOT ISSUED FOR CONSTRUCTION
© 2014 Preston Architects, PC



APEX II

700 W. 9TH STREET
LOS ANGELES, CA 90015

ENTITLEMENT SET

DECEMBER 17, 2014

WITH SOME SHEETS DATED OCTOBER 22, 2013

EXHIBIT "A"
Page No. 1 of 1
Case No. D15-2013-12-SM

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SHEET NAME

GENERAL

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 CS-02 INDEX
 SP-01 SITE - CONTEXT DIAGRAM
 SP-02 SITE - ADJACENT BUILDINGS
 SP-03 PLOT PLAN
 SP-04 ENLARGED PLOT PLAN
 SP-05 PROJECT DATA
 SP-08 PHASING PLAN

ARCHITECTURE

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 A1-B2 BASEMENT LEVEL 2
 A1-B1 BASEMENT LEVEL 1
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 A1-03B 3RD FLOOR PLAN-RETAIL
 A1-04 UNIT AREA PLAN - 4TH FLOOR
 A1-05 UNIT AREA PLAN - 5TH FLOOR
 A1-06 UNIT AREA PLAN - 6TH-17TH FLOOR
 A1-18 UNIT AREA PLAN - 18TH-19TH FLOOR
 A1-20 UNIT AREA PLAN - 20TH FLOOR
 A1-21 UNIT AREA PLAN - 21ST FLOOR
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 A1-24 UNIT AREA PLAN - 24TH-26TH FLOOR
 A1-27 UNIT AREA PLAN - 27TH-30TH FLOOR
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(CONTINUED)

SHEET NAME

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 A4-06 RETAIL ELEVATION
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 A4-91 NORTH WEST AXON
 A4-92 SOUTH WEST AXON
 A4-93 SOUTH EAST AXON
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 A5-04 BUILDING SECTION E/W

RETAIL

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 R1-02 PLAN LEVEL 3
 R1-03 PLAN LEVEL 4
 R1-04 AERIAL FROM 9TH ST.
 R1-05 AERIAL FROM 9TH ST. 2
 R1-06 VIEW FROM 9TH ST. & FIGUEROA 2

LANDSCAPE

L1-02 MEZZANINE
 L1-01 LANDSCAPE-GROUND FLOOR
 L1-03 4TH FLOOR
 L1-04 ROOF PLAN
 L2.01 PLANT PALETTE

BIKE PLAN

BP-01 BIKE PARKING DIAGRAM-LEVEL B1
 BP-02 BIKE PARKING DIAGRAM - GROUND FLOOR



PROJECT
 APEX II
 720 W 8TH STREET
 LOS ANGELES, CA 90014

FOR
 HOLLAND PARTNER
 GROUP



5000 E SPRING ST., STE 100
 LONG BEACH, CA 90803
 562.593.8800

DATE 10/22/2015
 A39 NUMBER 1489507
 DRAWN BY C
 CHECKED BY AN
 SHEET TITLE INDEX

SHEET NUMBER
 CS-02

COMMENTS
 NOT ISSUED FOR CONSTRUCTION
 1. SEE HOLLAND PARTNER, INC.

EXHIBIT "A"
 Page No. 2 of 51
 Case No. DIR-2015-12-389



**PRESTON
ARCHITECTS, PC**
A MALE-OWNED FIRM

115 PRINCE STREET, SUITE 200
LOS ANGELES, CA 90012
TELEPHONE: 772.387.7244
FAX: 772.387.7244
WWW.PRESTONARCHITECTS.COM

PROJECT:
APEX II

100 W. 10TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



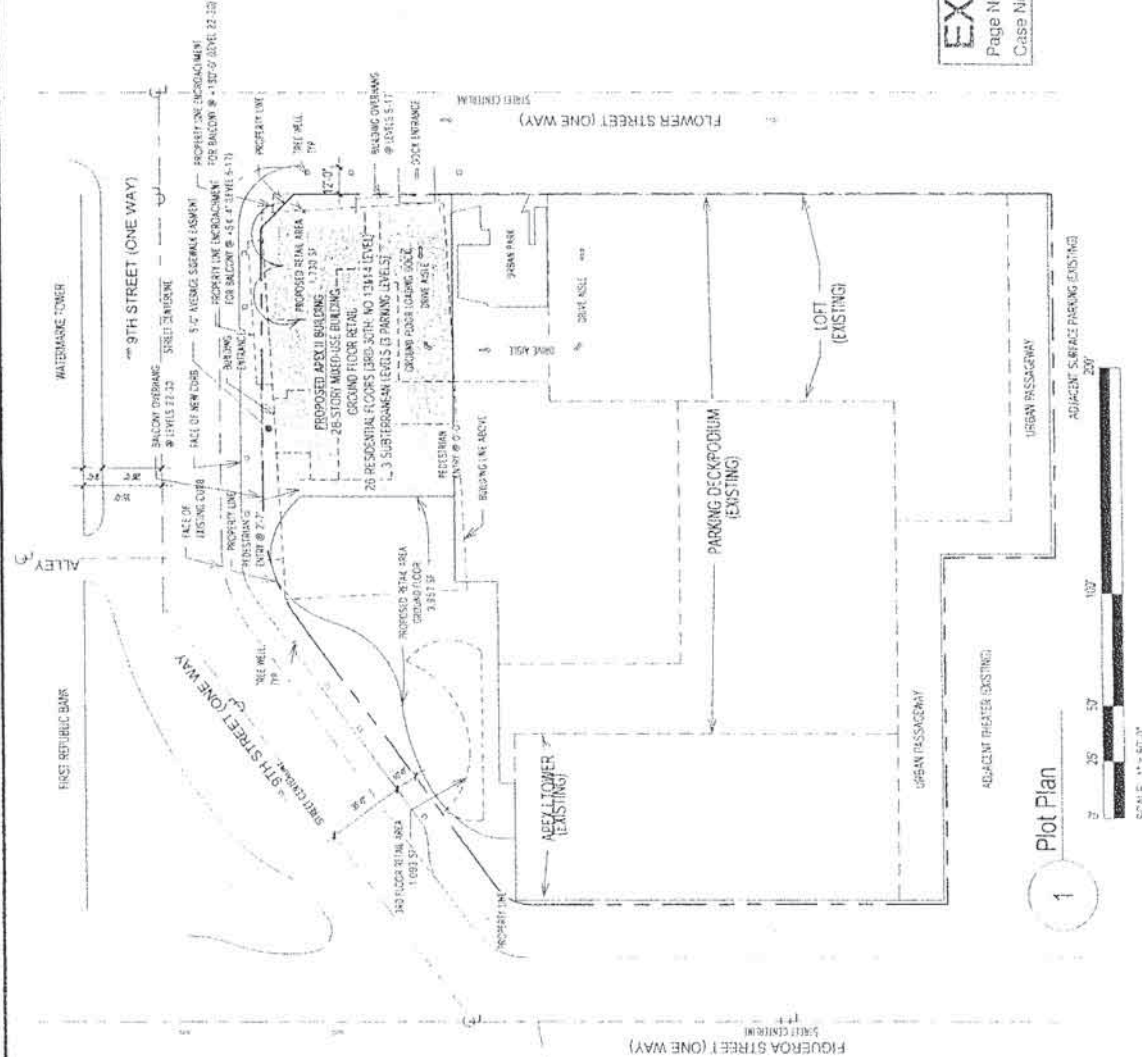
100 W. 10TH STREET
LOS ANGELES, CA 90015
901.884.1300

DATE: 12/17/2014
JOB NUMBER: _____
DRAWN BY: _____
CHECKED BY: AN
SHEET TITLE: PLOT PLAN

SHEET NUMBER: **SP-03**

COMMENTS:
NOT ISSUED FOR CONSTRUCTION
1.000 1/4" = 1'-0"

EXHIBIT "A"
Page No. 3 of 51
Case No. 210-2015-09-510



1 Plot Plan



SCALE: 1" = 50'-0"

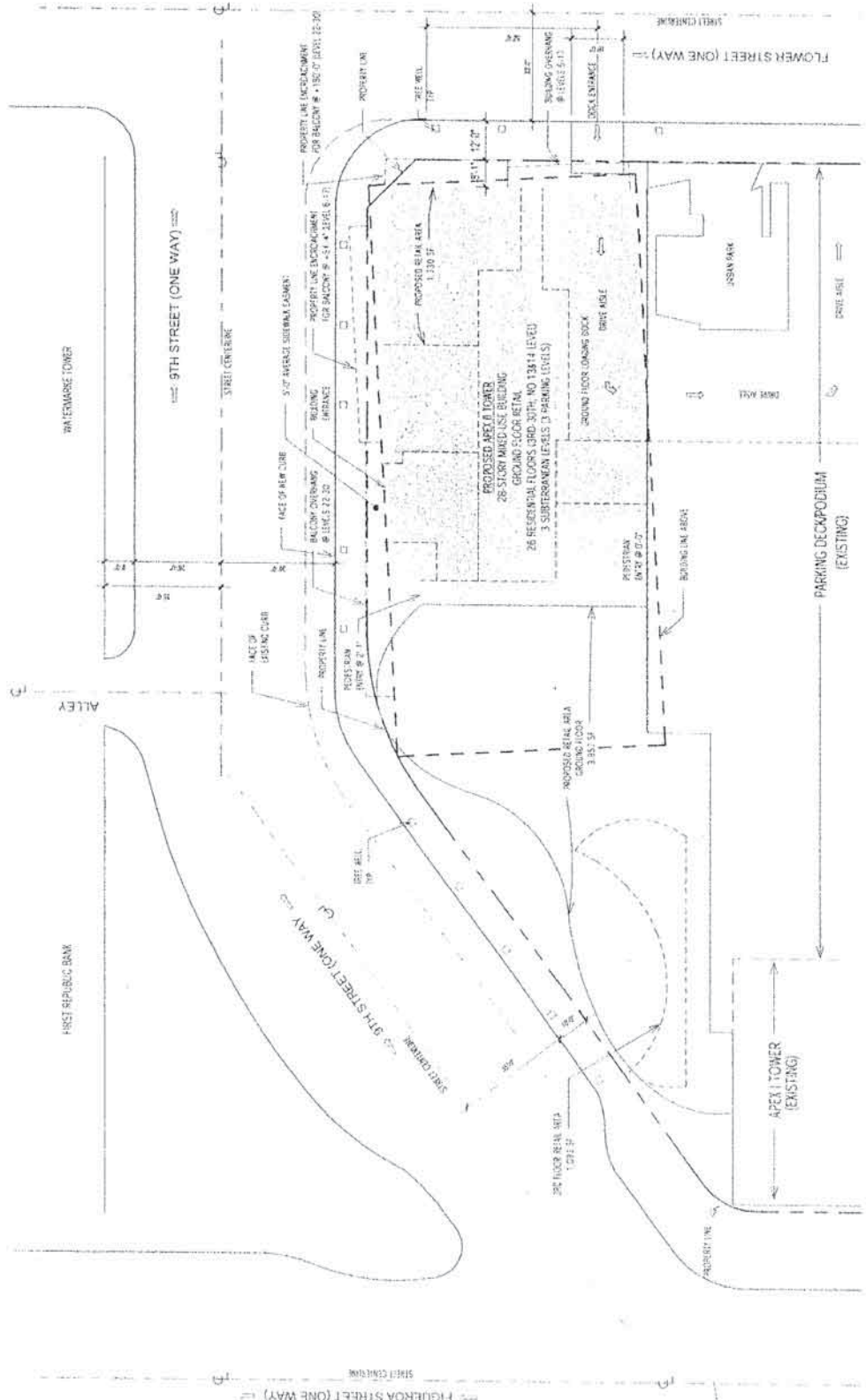


EXHIBIT "A"
Page No. 4 of 51
Case No. D12-005-12-11A



1 Enlarged Plot Plan
1" = 30'-0"

OR
HOLLAND PARTNER
GROUP



200 E SPRING ST. STE 1300
LONG BEACH, CA 90805
JAN 1986

DATE 10/22/75
 CB NUMBER _____
 DRAWN BY _____
 CHECKED BY _____
 SHEET TITLE _____
 AREA TOTALS _____

SP-05

COMMENTS

CONSTRUCTION

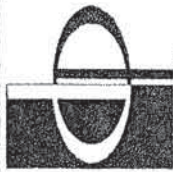
EXHIBIT "A"
Page No. 5 of 51
Case No. D10-2015-12-SP0

NOTE:
 1. JAN. 12: 44,913 cases in Dowling-Harwood Child centers; 10,167, 1,029 and 7,100 in
 2. the visiting, refuge and shelter units, respectively. The Department of City Planning, San Francisco, Jan. 12, 1945, reported 20,343 cases in 15,000 square feet of shelter.

[illegible]



EXHIBIT "A"
Page No. 6 of 51
Case No. PIR-2MS-92-370



PRESTON
ARCHITECTS, PC
A MULTIDISCIPLINARY DESIGN FIRM

5000 VENTURA
115 PERIMETER CENTER PLACE, SUITE 300
SAN ANTONIO, TEXAS 78202
TELEPHONE: 214.748.7248
FAX: 772.582.1945
WWW.PRESTONARCHITECTS.COM

PROJECT
APEX II

720 W. 9TH STREET
LOS ANGELES, CA 90075

FOR
HOLLAND PARTNER
GROUP

SCALE: 1/8" = 1'-0"
DATE: 12/17/14
JOB NUMBER: 1217-14
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CHECKED BY: AN
SHEET TITLE: BASEMENT LEVEL 3

SHEET NUMBER
A1-B3

COMMENTS
NOT ISSUED FOR CONSTRUCTION

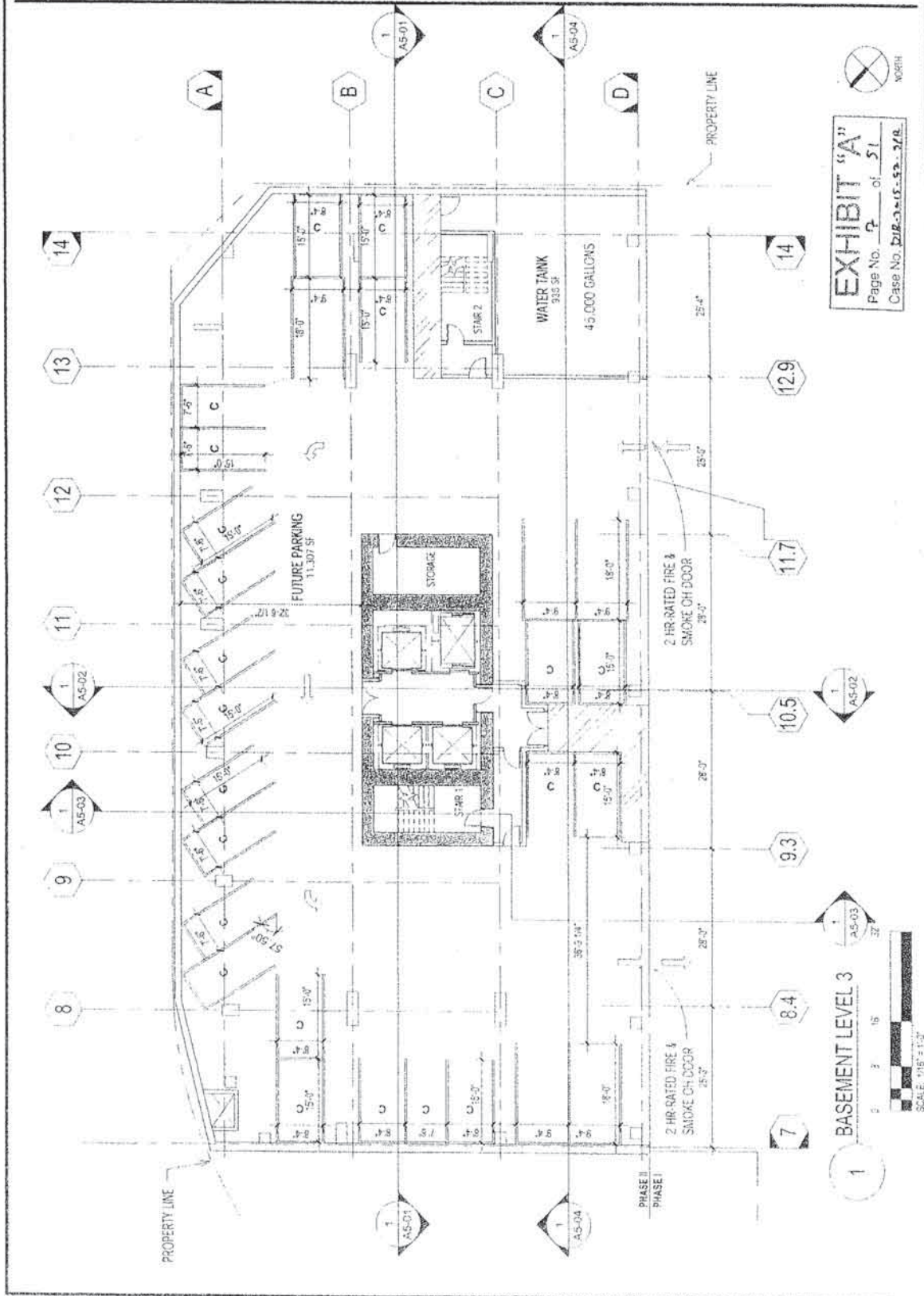
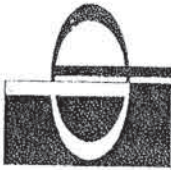


EXHIBIT "A"
Page No. 2 of 51
Case No. DIB-15-52-2/R

BASEMENT LEVEL 3





**PRESTON
ARCHITECTS, PC**
A MULTI-DISCIPLINARY DESIGN FIRM

SOUTH TERRAZES
115 PERIMETER CENTER PLACE, SUITE 800
LOS ANGELES, CA 90045
TELEPHONE: 773.388.7342
FAX: 773.388.7342
WWW.PRESTONARCHITECTS.COM

PROJECT
APEX II

102 N. 3741 STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP

SCALE: FLOOR PLAN 1/8" = 1'-0"
SECTION 1/4" = 1'-0"
ELEVATION 3/16" = 1'-0"

DATE: 12/1/01
JOB NUMBER: 01-001
DRAWN BY: CP
CHECKED BY: AN
SHEET TITLE: BASEMENT LEVEL 2

SHEET NUMBER: A1-B2

COMMENTS:
NOT ISSUED FOR CONSTRUCTION

8/20/01 PRELIMINARY

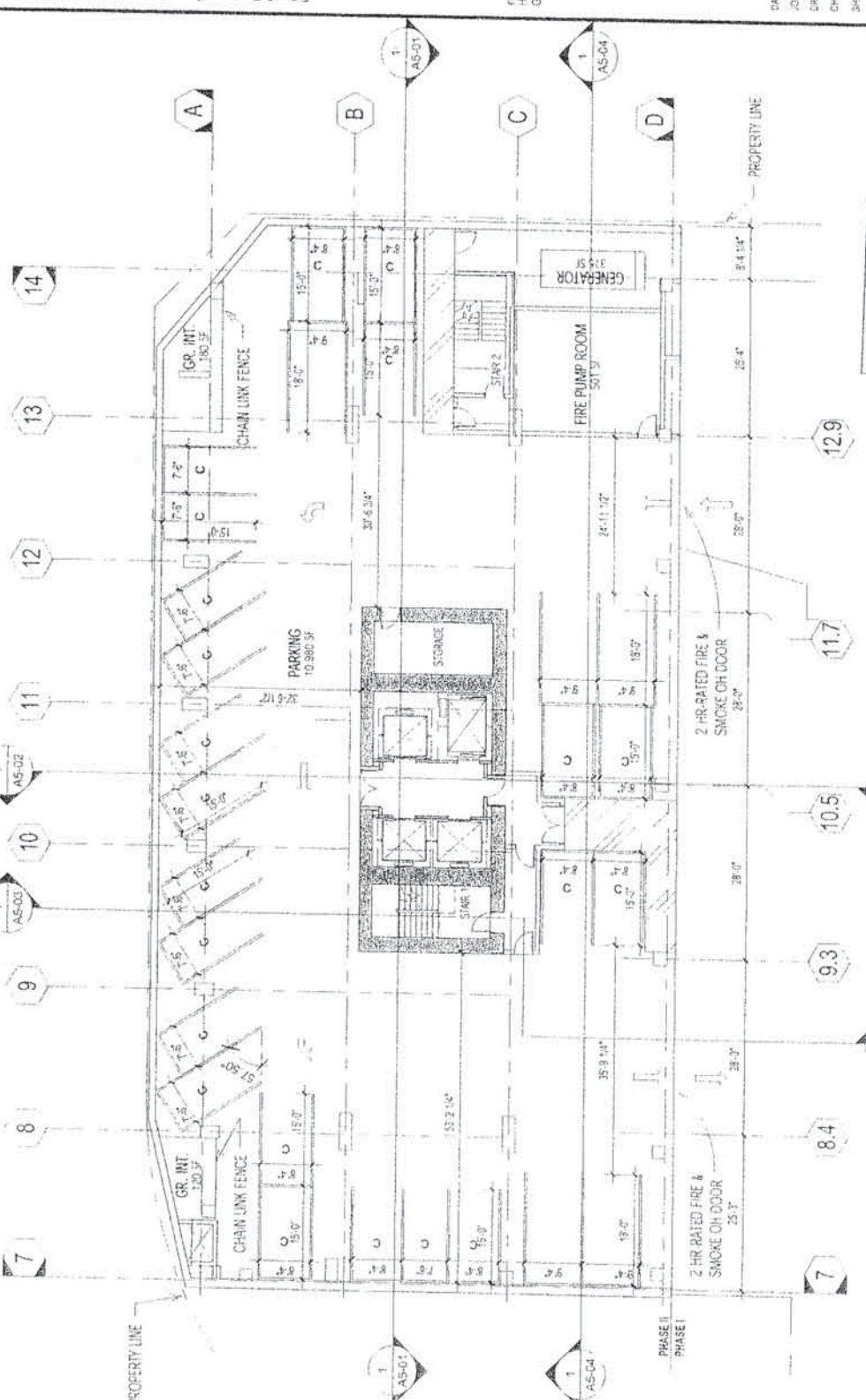
EXHIBIT "A"
Page No. 8 of 51
Case No. DLK-2015-92-374



BASEMENT LEVEL 2



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





**PRESTON
ARCHITECTS, PC**
A MULTI-DISCIPLINARY DESIGN FIRM

SOUTH TERRACE
1150 PIERCE AVENUE, SUITE 800
ALBANY, CA 94706
TELEPHONE: 415.776.2244
FAX: 415.776.2244
WWW.PRESTONARCHITECTS.COM

PROJECT
APEX II

100 N. 4TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



2006 LIVING BY THE LEO
LONG BEACH, CA 90803
909.335.0300

DATE: _____
JOB NUMBER: _____
DRAWN BY: _____
CHECKED BY: _____
SHEET TITLE: _____
GROUND FLOOR PLAN

SHEET NUMBER
A1-01A

COMMENTS
NOT ISSUED FOR CONSTRUCTION
BY PRESTON ARCHITECTS, PC

EXHIBIT "A"
Page No. 10 of 51
Case No. DR-211K-12-Spr



SCALE 1/8" = 1'-0"

GROUND FLOOR

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AS-03

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**PRESTON
ARCHITECTS PC**
A MULTI-DISCIPLINARY DESIGN FIRM

SOUTH TERRACES
115 HERMES CENTER PLACE, SUITE 402
STANFORD, CALIFORNIA 94304
TEL: 650.354.1000
FAX: 650.354.1001
WWW.THEPRESTONARCHITECTS.COM

PROJECT
APEX II

100 W. 14th STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



5000 E. SPRING ST. STE 600
LOS ANGELES, CA 90015
310.779.5504

DATE 10/22/2015

ASR NUMBER

DRAWN BY

CHECKED BY

SHEET TITLE

GROUND FLOOR
PLAN-RETAIL

SHEET NUMBER

A1-01B

COMMENTS
NOT ISSUED FOR CONSTRUCTION

PREPARED BY PRESTON ARCHITECTS PC

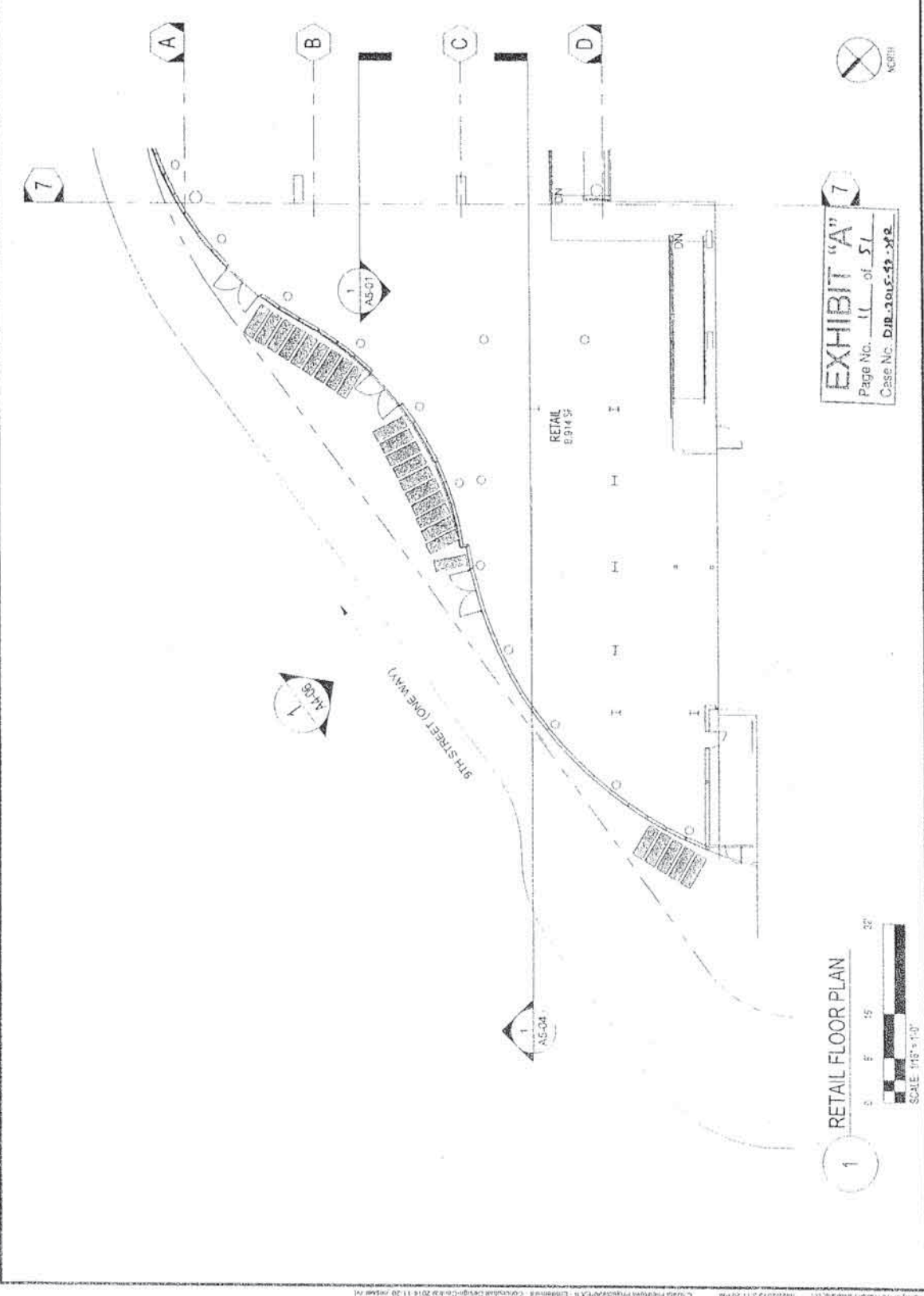


EXHIBIT "A"
Page No. 11 of 51
Case No. D18-2015-12-182

RETAIL FLOOR PLAN







**PRESTON
ARCHITECTS, PC**
A MULTI-DISCIPLINARY DESIGN FIRM

SOUTH TERRACES
115 WATER CENTER PLACE, SUITE 500
LOS ANGELES, CA 90015
TELEPHONE: 710.386.7244
FAX: 710.386.7245
WWW.PRESTONARCHITECTS.COM

PROJECT
APEX II
720 W 4TH STREET
LOS ANGELES, CA 90013

FOR
ROLLING PARTNER
GROUP



SUBJECT SITE FOR
LOW RISE, CA 90013
90013-5004

DATE
12/17/2014

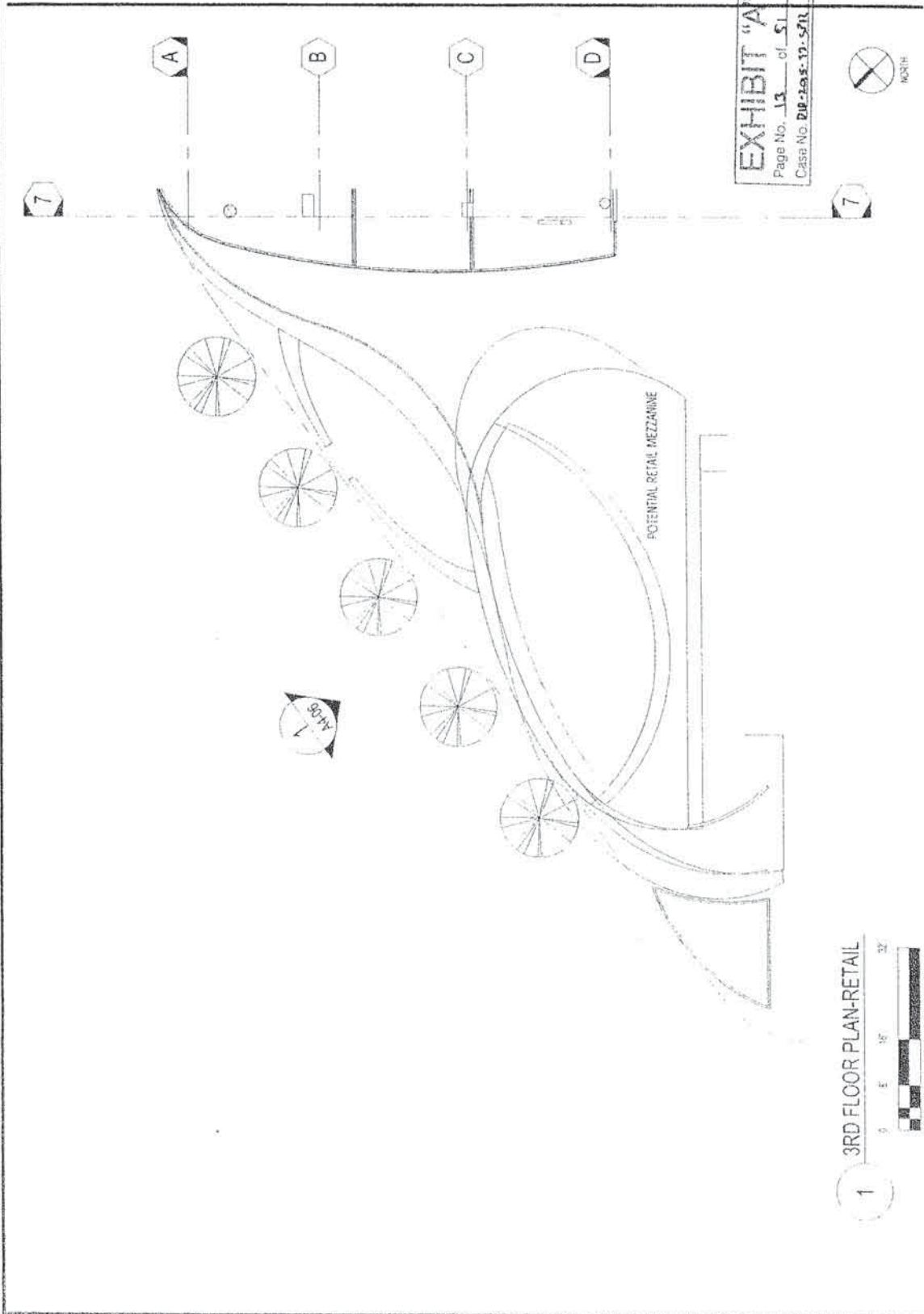
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DRAWN BY
CHECKED BY

SHEET TITLE
3RD FLOOR PLAN-RETAIL

SHEET NUMBER
A1-03B

COMMENTS
NOT ISSUED FOR CONSTRUCTION
12/17/2014



1 3RD FLOOR PLAN-RETAIL





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ARCHITECTS, PC**
A MULTI-DISCIPLINARY DESIGN FIRM

20011 TERRACE, SUITE 200
ATLANTA, GEORGIA 30329
TELEPHONE: 404.592.7244
FAX: 404.592.7245
WWW.PRESTONARCHITECTS.COM
PROJECT: APEX II

102 W 4TH STREET
LOS ANGELES, CA 90015

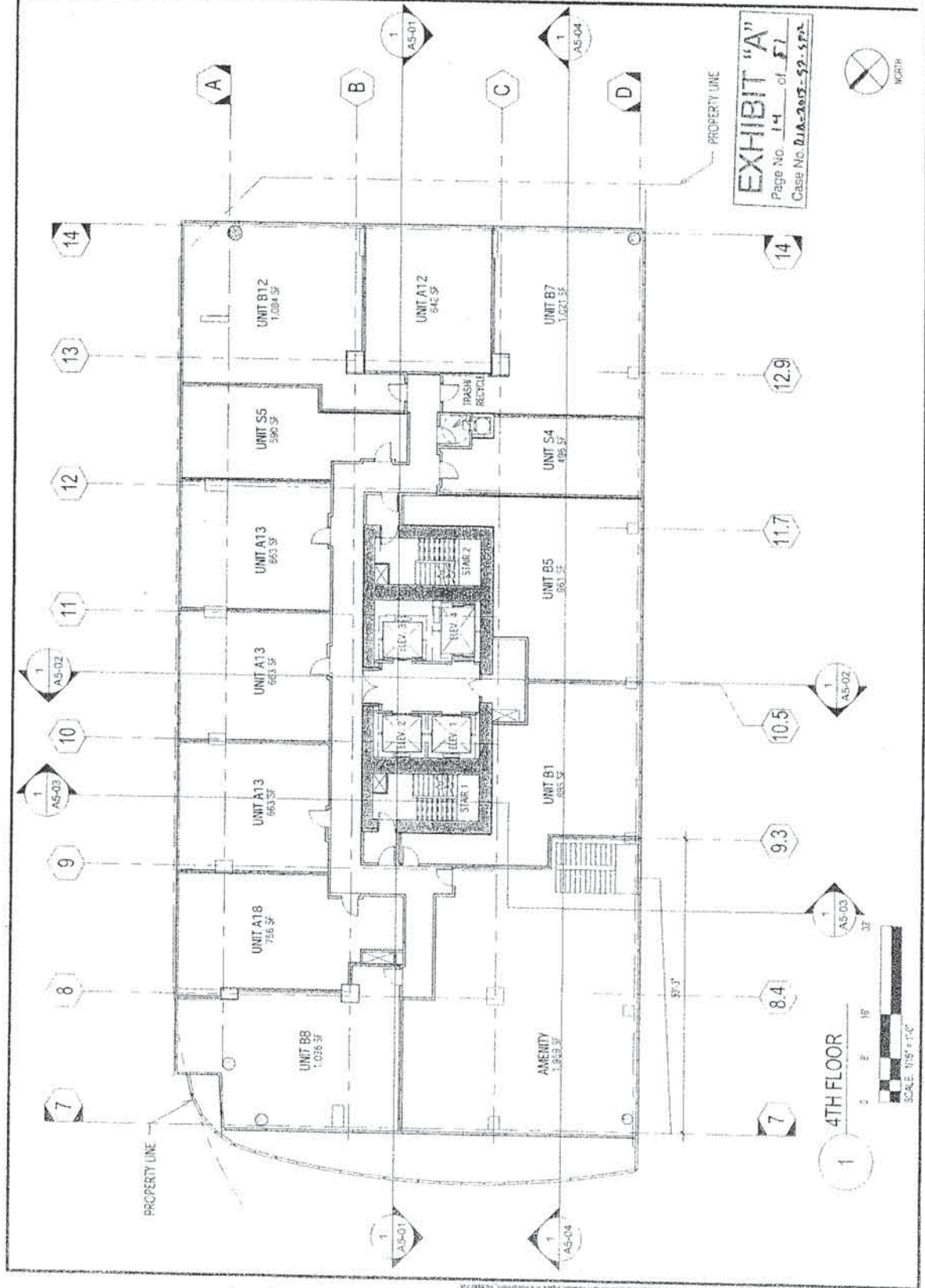
FOR
HOLLAND PARTNER
GROUP

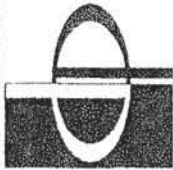


5000 E BRIND ST, STE 400
LONG BEACH, CA 90803
562.595.5388

DATE: 12/11/11
JOB NUMBER: 11-001
DRAWN BY: JAM
CHECKED BY: JAM
SHEET TITLE: UNIT AREA PLAN - 4TH FLOOR

SHEET NUMBER: A1-04
COMMENTS: NOT ISSUED FOR CONSTRUCTION
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SOUTH TERRACES
115 FORMER CENTER PLACE, SUITE 800
LOS ANGELES, CA 90012
TELEPHONE: 713.386.1700
FAX: 713.386.2462
WWW.PRESTONARCHITECTS.COM

PROJECT
APEX II
700 W. 8TH STREET
LOS ANGELES, CA 90012

FOR
HOLLAND PARTNER
GROUP



500 E. WILSON ST. 15th FL.
LOS ANGELES, CA 90012
310.265.5304

DATE 12/17/2014
FOR NUMBERS
DRAWN BY
CHECKED BY
SHEET TITLE
UNIT AREA PLAN - 5TH FLOOR

SHEET NUMBER
A1-05

COMMENTS
NOT ISSUED FOR CONSTRUCTION
PART OF A SET OF 10

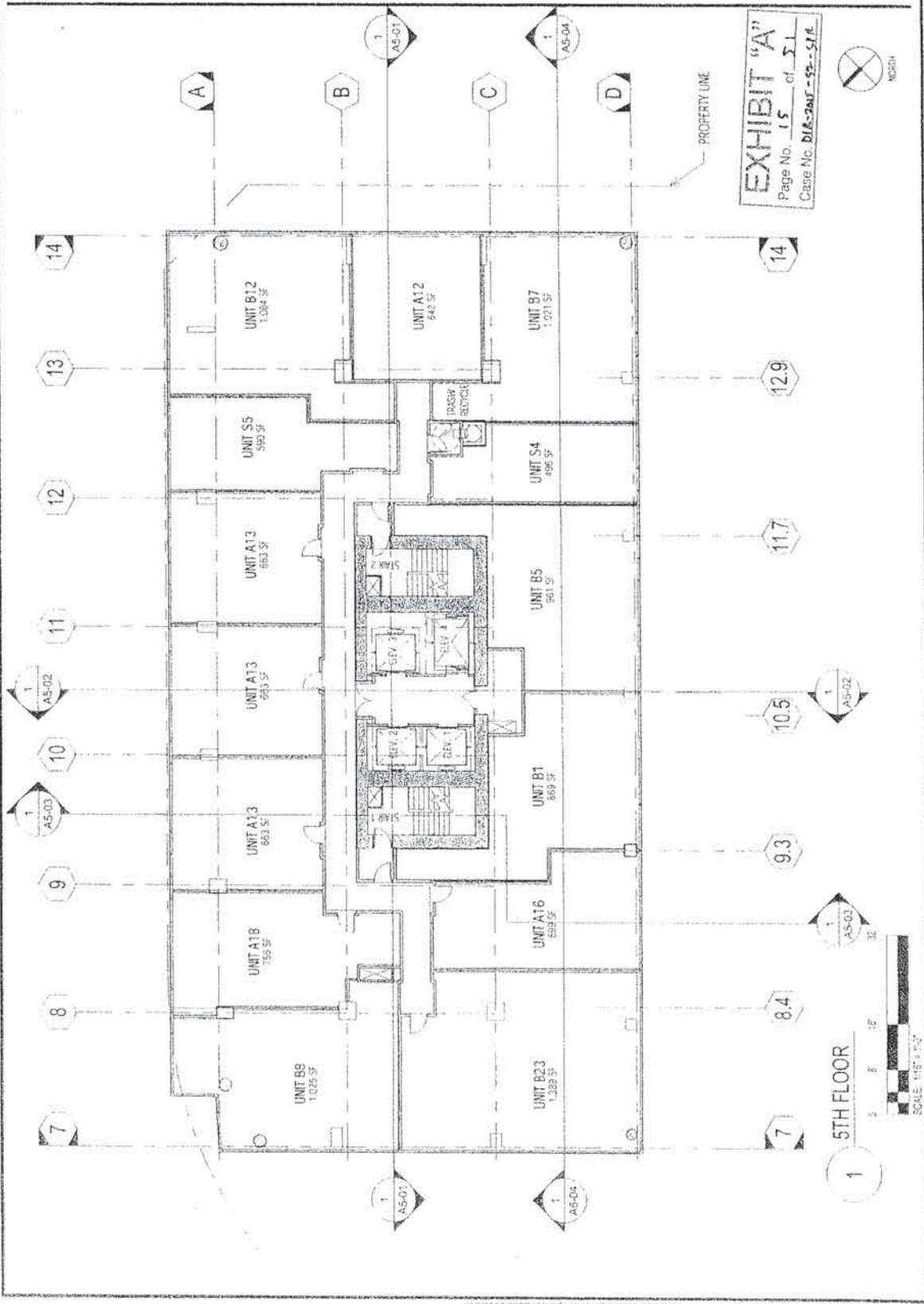
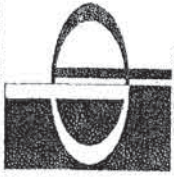


EXHIBIT "A"
Page No. 15 of 31
Case No. DIA-2017-99-S1A

5TH FLOOR



NORTH



**PRESTON
ARCHITECTS, PC**
A MULTI-DISCIPLINARY DESIGN FIRM

1155 PEARSON DRIVE, SUITE 600
ATLANTA, GEORGIA 30344
TELEPHONE: 404.386.7744
WWW.PRESTONARCHITECTS.COM

PROJECT:
APEX II

720 W. 37TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



1900 E SPRING ST. STE 100
LONG BEACH, CA 90801
909.389.3300

DATE: 12/1/14
AS NUMBER: 127
DRAWN BY: JG
CHECKED BY: AN
SHEET TITLE: UNIT AREA PLAN - 6TH-17TH FLOOR

SHEET NUMBER: A1-06
COMMENTS:
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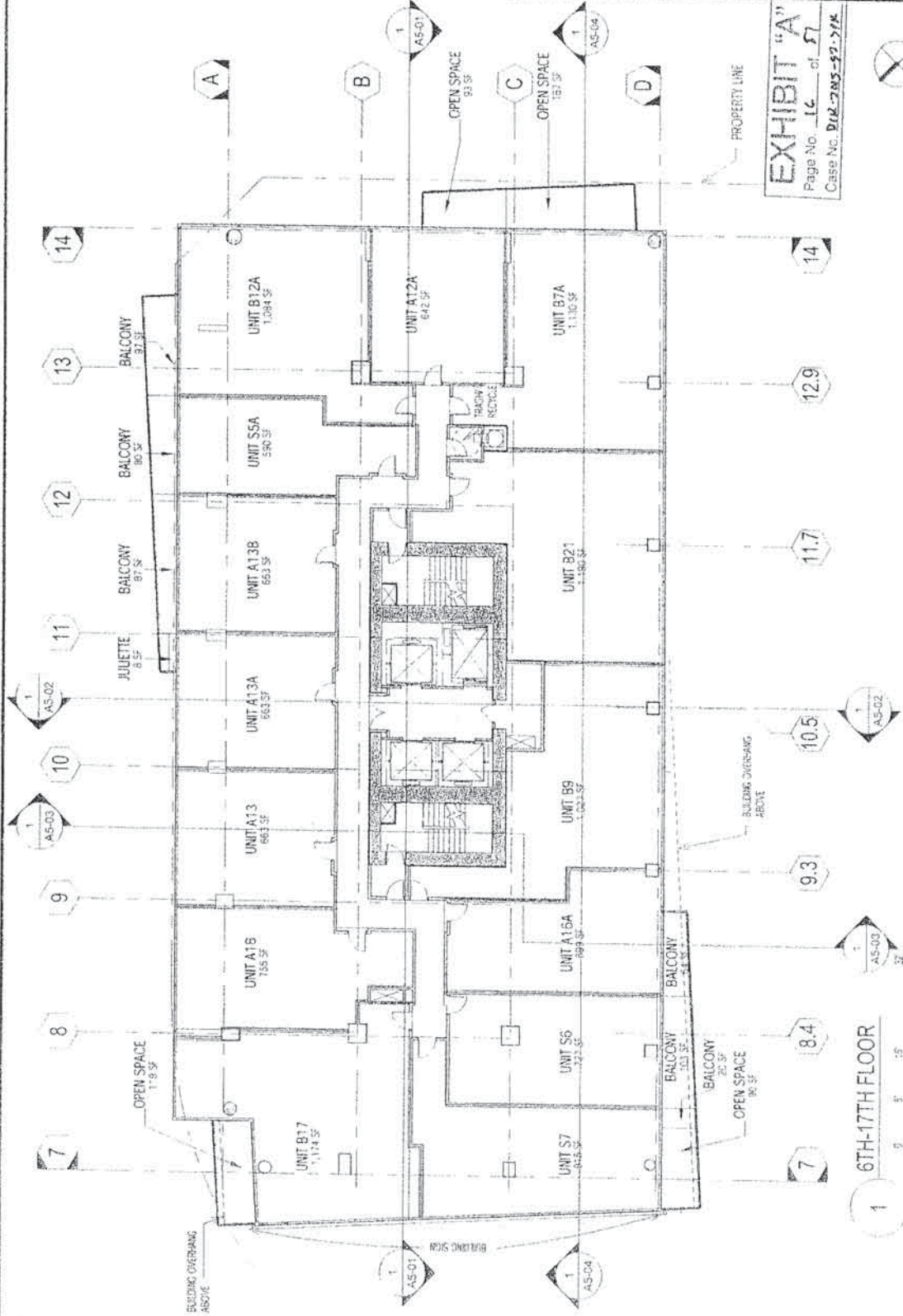
BY: PRESTON ARCHITECTS, PC



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

EXHIBIT "A"
Page No. 16 of 51
Case No. D18-215-92-21K

6TH-17TH FLOOR



PRESTON
ARCHITECTS, PC

A MULTIDISCIPLINARY DESIGN FIRM

SOUTH TERRACES
8 PERIMETER CENTER PLACE, SUITE 602
ATLANTA, GEORGIA 30346
TELEPHONE: 404.252.7548
FAX: 404.252.7548

PROJECT:
PEX II

100 W. 5TH STREET
LOS ANGELES, CA 90014

DR. **HOLLAND PARTNER GROUP**

200 E. JEFFERSON ST. STE. 810
LONG BEACH, CA 90803
562-241-1304

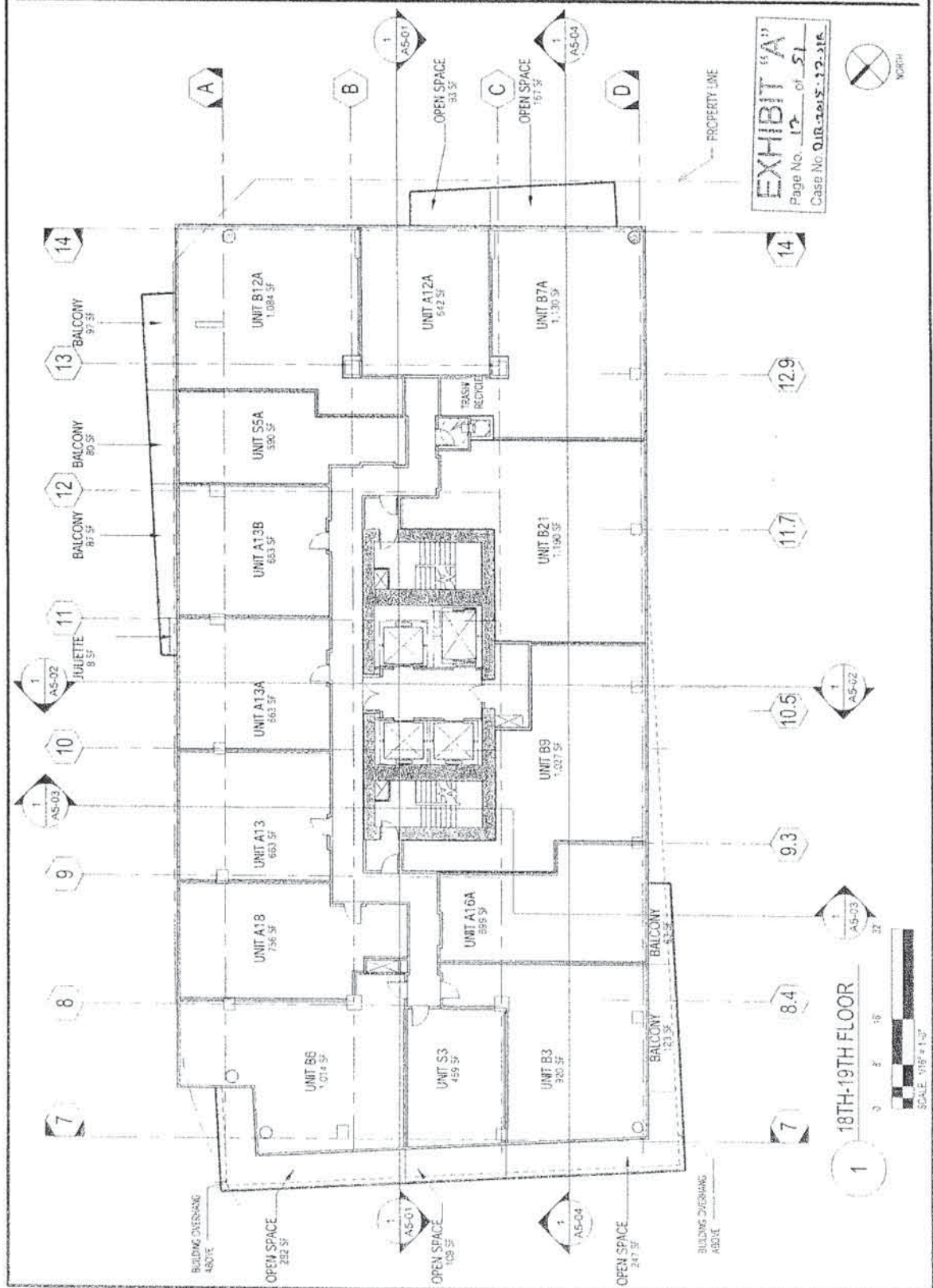
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BY _____

UNIT AREA PLAN -
18TH-19TH FLOOR.

TEST NUMBER A110

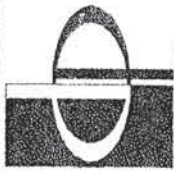
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Library of the Chinese Academy of Sciences
151/2014 2.11.18 AM
C:\Users\WANG\Documents\1148007-Alexis-Experiment\Library

0-294 3194 025, 11.12. 85



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ARCHITECTS, PC

SOUTH TERRACE
115 PERIMETER DRIVE, SUITE 400
ATLANTA, GEORGIA 30346
TELEPHONE: 770.295.1248
FAX: 770.295.1249
WWW.PRESTONARCHITECTS.COM
PROJECT:
APEX II
200 W. 17TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP

1000 E. SPRING ST. 17TH FLOOR
LOS ANGELES, CA 90015
341.255.3004

DATE: 12/1/01
JOB NUMBER: 01-01
DRAWN BY: [Signature]
CHECKED BY: AN
SHEET TITLE: UNIT AREA PLAN - 22ND-23RD FLOOR

SHEET NUMBER: A1-22
COMMENTS:
NOT ISSUED FOR CONSTRUCTION
22ND-23RD FLOOR



EXHIBIT "A"
Page No. 22 of 51
Case No. D18-2015-72-574

22ND-23RD FLOOR



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

1

AS-03

8.4

9.3

10.5

11.7

12.9

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14

PROPERTY LINE

AS-04

AS-04

AS-01

AS-01

AS-02

AS-02

AS-03

AS-03

AS-04

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OPEN SPACE
131 SF

UNIT B15A
1,119 SF

UNIT A11A
515 SF

UNIT A1A
531 SF

UNIT A4A
56 SF

UNIT ABA
590 SF

UNIT A2A
556 SF

UNIT B14A
1,090 SF

UNIT A3
345 SF

UNIT B18
1,210 SF

UNIT A17
161 SF

UNIT B4
921 SF

UNIT B24
1,451 SF

TOILET
RECYCL

UNIT A15A
658 SF

UNIT B10A
1,033 SF

OPEN SPACE
249 SF

BALCONY
45 SF

BALCONY
135 SF

OPEN SPACE
33 SF

OPEN SPACE
25'-4"

OPEN SPACE
57 SF

OPEN SPACE
204 SF



PRESTON
ARCHITECTS, PC
A MULTIDISCIPLINARY DESIGN FIRM

115 PEACOCK CENTER PLACE, SUITE 400
ALBUQUERQUE, NEW MEXICO 87102
TEL: 505.263.1000 FAX: 505.263.1001
WWW.PRESTONARCHITECTS.COM

PROJECT:
APEX II
100 W. 24TH STREET
LOS ANGELES, CA 90057

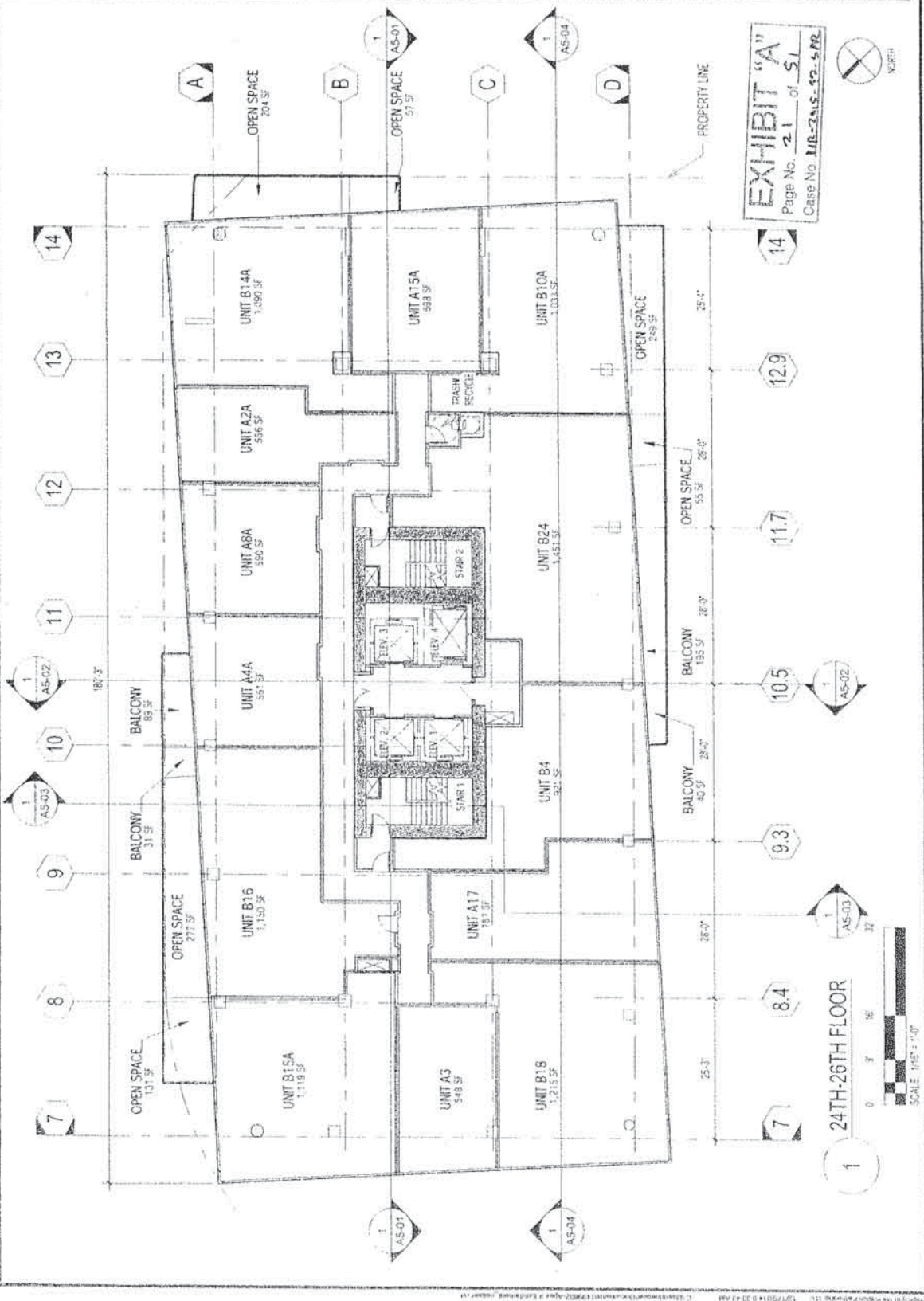
FOR:
HOLLAND PARTNER
GROUP



SCALE: 1/8" = 1'-0"
1/4" = 1'-0"
1/2" = 1'-0"
3/4" = 1'-0"
1" = 1'-0"

DATE: 12/17/2014
JOB NUMBER: _____
DRAWN BY: _____
CHECKED BY: _____
SHEET TITLE: UNIT AREA PLAN -
24TH-26TH FLOOR

SHEET NUMBER: A1-24
COMMENTS:
NOT ISSUED FOR CONSTRUCTION
© 2014 PRESTON ARCHITECTS, PC





PRESTON
ARCHITECTS, PC
A MULTI-DISCIPLINARY DESIGN FIRM

2000 TERRACE, SUITE 800
ATLANTA, GEORGIA 30348
TELEPHONE: 404.524.2400
FAX: 404.524.2401
WWW.PRESTONARCHITECTS.COM

PROJECT
APEX II
700 W 8TH STREET
LOS ANGELES, CA 90015

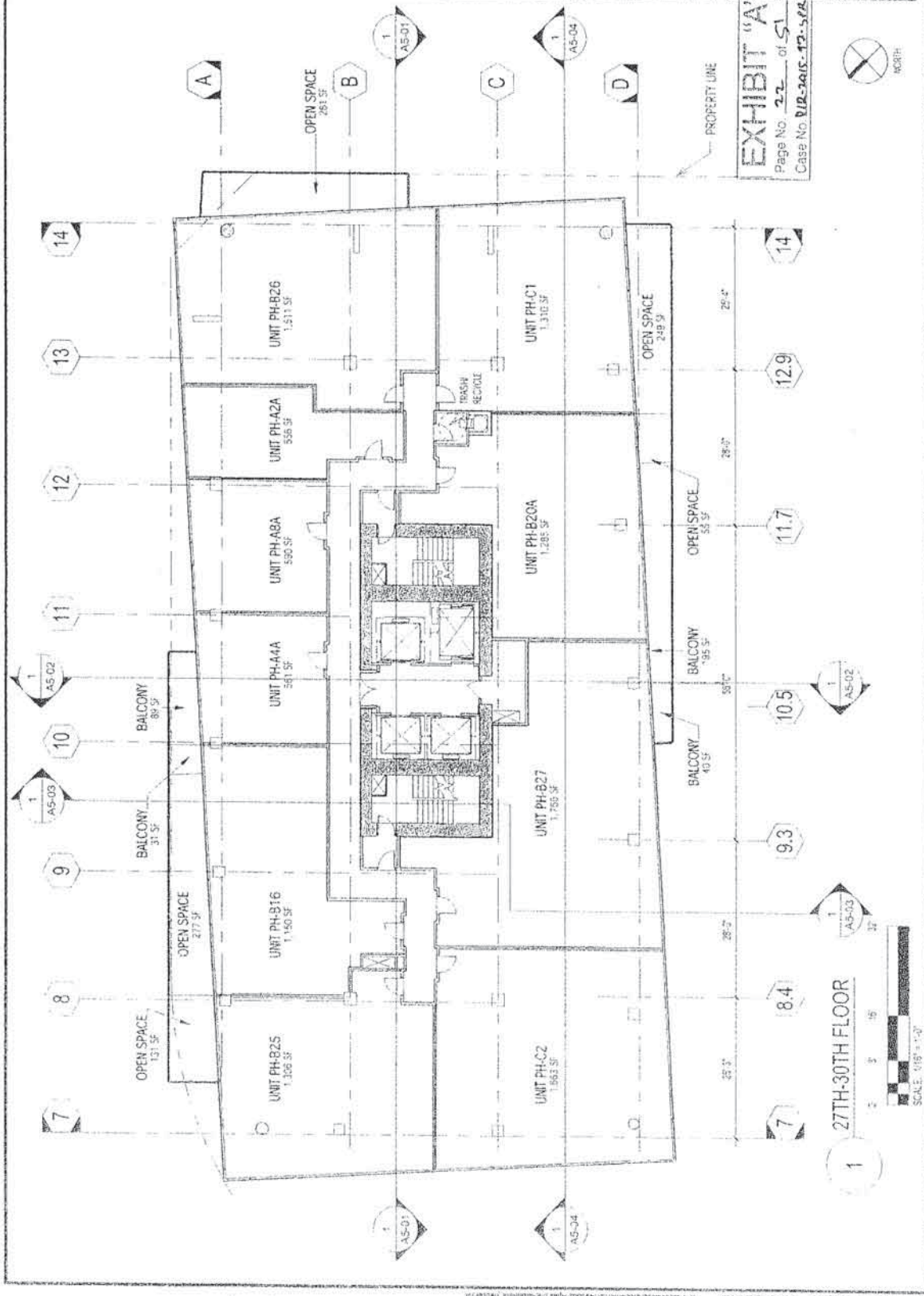
FOR
HOLLAND PARTNER
GROUP



5500 E. DOWLING ST., SUITE 500
LONG BEACH, CA 90803
310.436.3366

DATE: 12/1/04
JOB NUMBER: 04-001
DRAWN BY: [blank]
CHECKED BY: AN
SHEET TITLE: UNIT AREA PLAN - 27TH-30TH FLOOR

SHEET NUMBER: A1-27
COMMENTS:
NOT ISSUED FOR CONSTRUCTION
© 2004 Preston Architects, PC



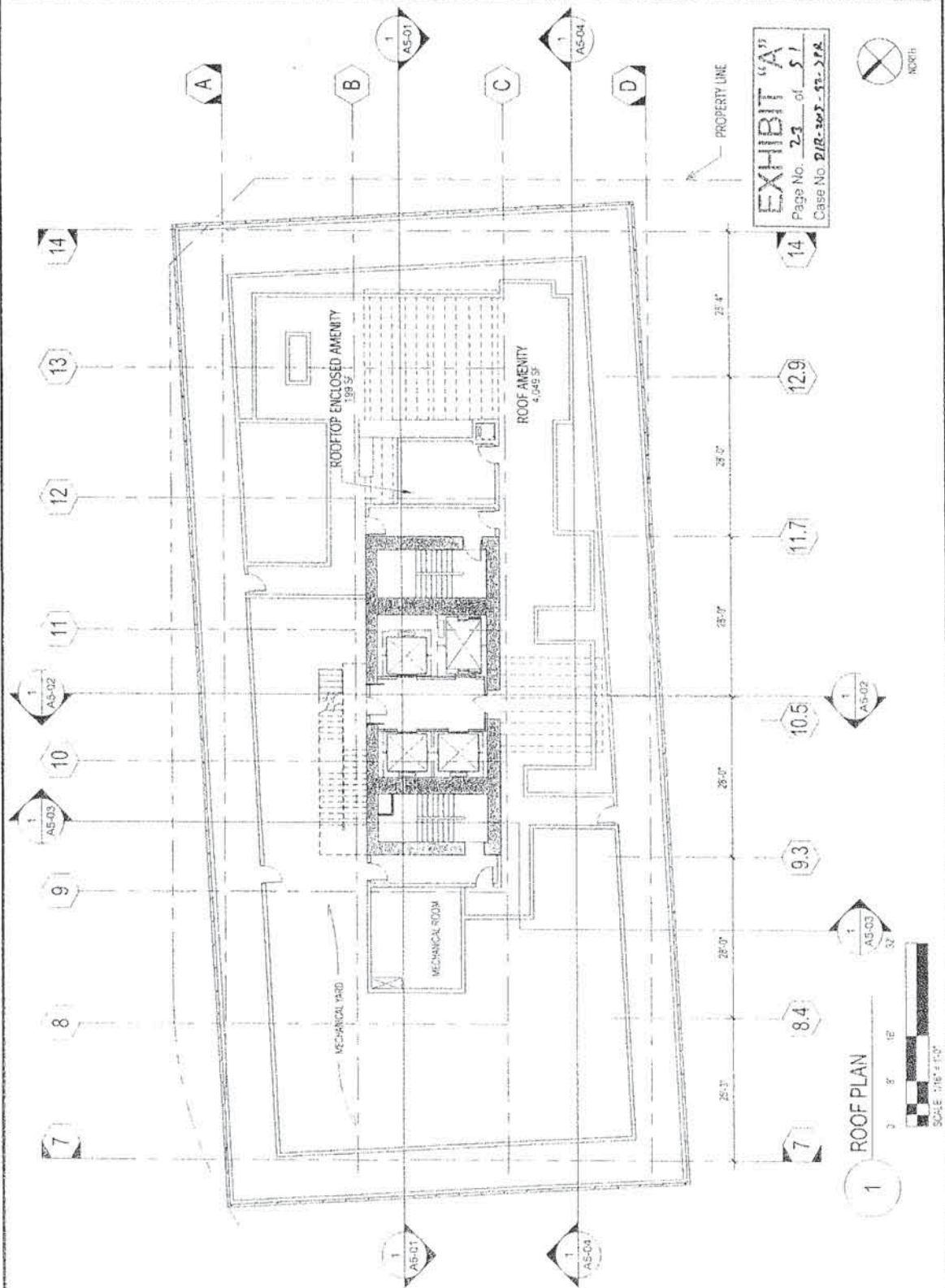
FOR
HOLLAND PARTNER
GROUP



600 E. SPRING ST. STE. 432
LOS ANGELES, CA 90013
(617) 295-1304

DATE 12-1-84
JOB NUMBER
DRAWN BY
CHECKED BY
SHEET TITLE
PCOF PLAN

SHEET NUMBER	A1-31	COMMENTS
		NOT ISSUED FOR CONSTRUCTION



ROOF PLAN

0 5 10
SCALE: 1/16" = 1'-0"

EXHIBIT "A"
Page No. 23 of 51
Case No. DIB-2015-92-212



**PRESTON
ARCHITECTS, PC**
A MULTI-DISCIPLINARY DESIGN FIRM

SOUTH TERRACE
115 STEWART STREET, SUITE 600
ATLANTA, GEORGIA 30304
TELEPHONE 404.525.7244
FAX 404.525.7245
WWW.PRESTONARCHITECTS.COM

PROJECT
APEX II

100 W 8TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



900 S SPRING ST, STE 100
LONG BEACH, CA 90801
310.435.0100

DATE 12/1/11
JOB NUMBER
DRAWN BY
CHECKED BY AN
SHEET TITLE HIGH ROOF PLAN

SHEET NUMBER
A1-31.2

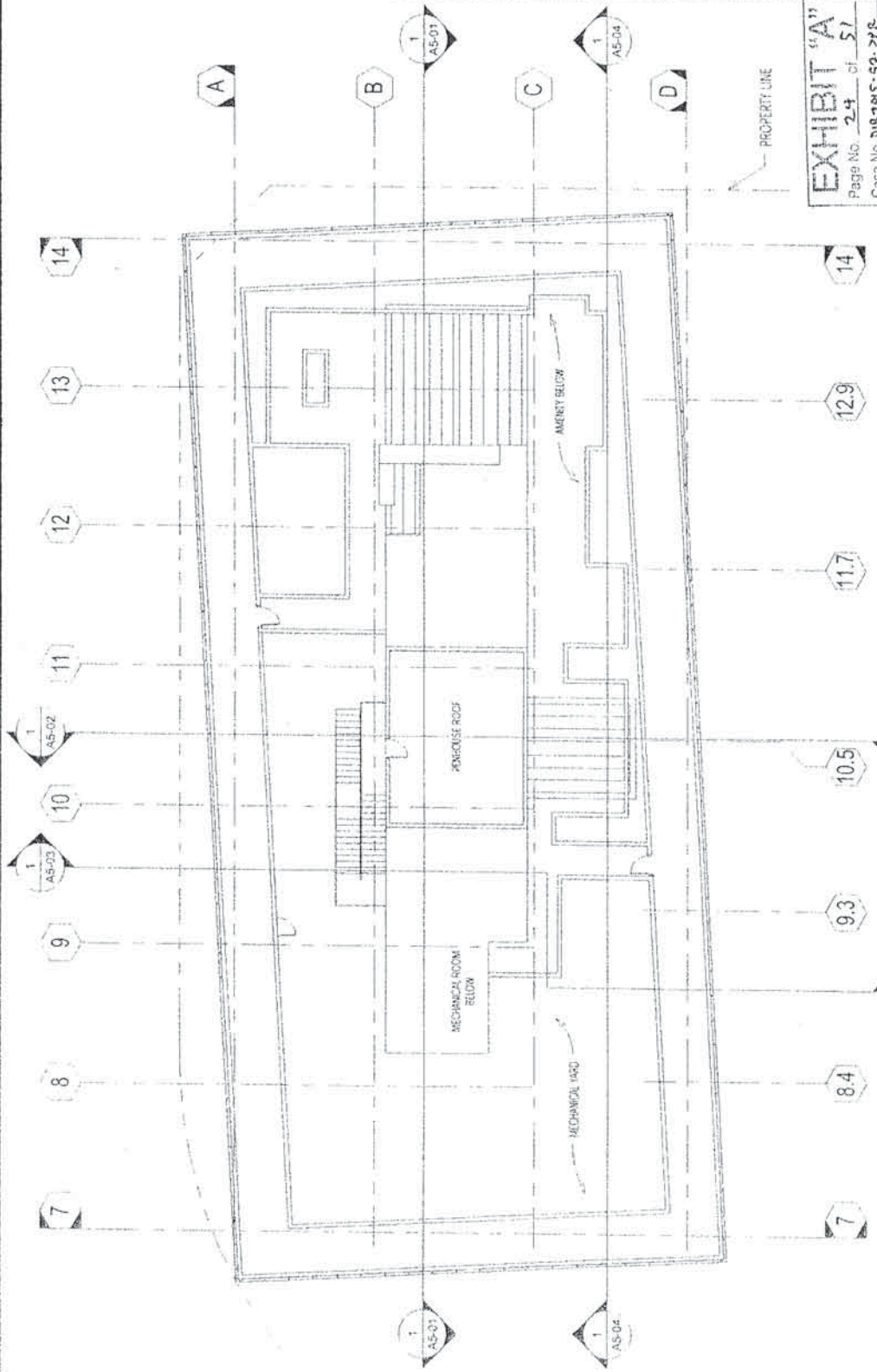
COMMENTS
NOT ISSUED FOR CONSTRUCTION
© 2011 PRESTON ARCHITECTS, PC



EXHIBIT "A"
Page No. 24 of 51
Case No. DB-05-92-222

PROPERTY LINE

HIGH ROOF PLAN





**PRESTON
ARCHITECTS, PC**
A MULTIDISCIPLINARY DESIGN FIRM

SOUTH TERRACES
115 PERMETER CENTER, 400 S. W. 10TH AVE.
MIAMI, FL 33135
TELEPHONE: 773.284.7219
FAX: 773.284.7219
WWW.THEPRESTONARCHITECTS.COM

PROJECT
APEX II
1000 17TH AVENUE
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



5000 E. 9TH AVE. SUITE 100
LOS ANGELES, CA 90015
952.255.5304

DATE
12/17/2014

DESIGNED BY
DRAWN BY

CHECKED BY
SHEET TITLE
NORTH ELEVATION

SHEET NUMBER
A4-01

COMMENTS
NOT ISSUED FOR CONSTRUCTION

1 NORTH ELEVATION (9TH STREET)

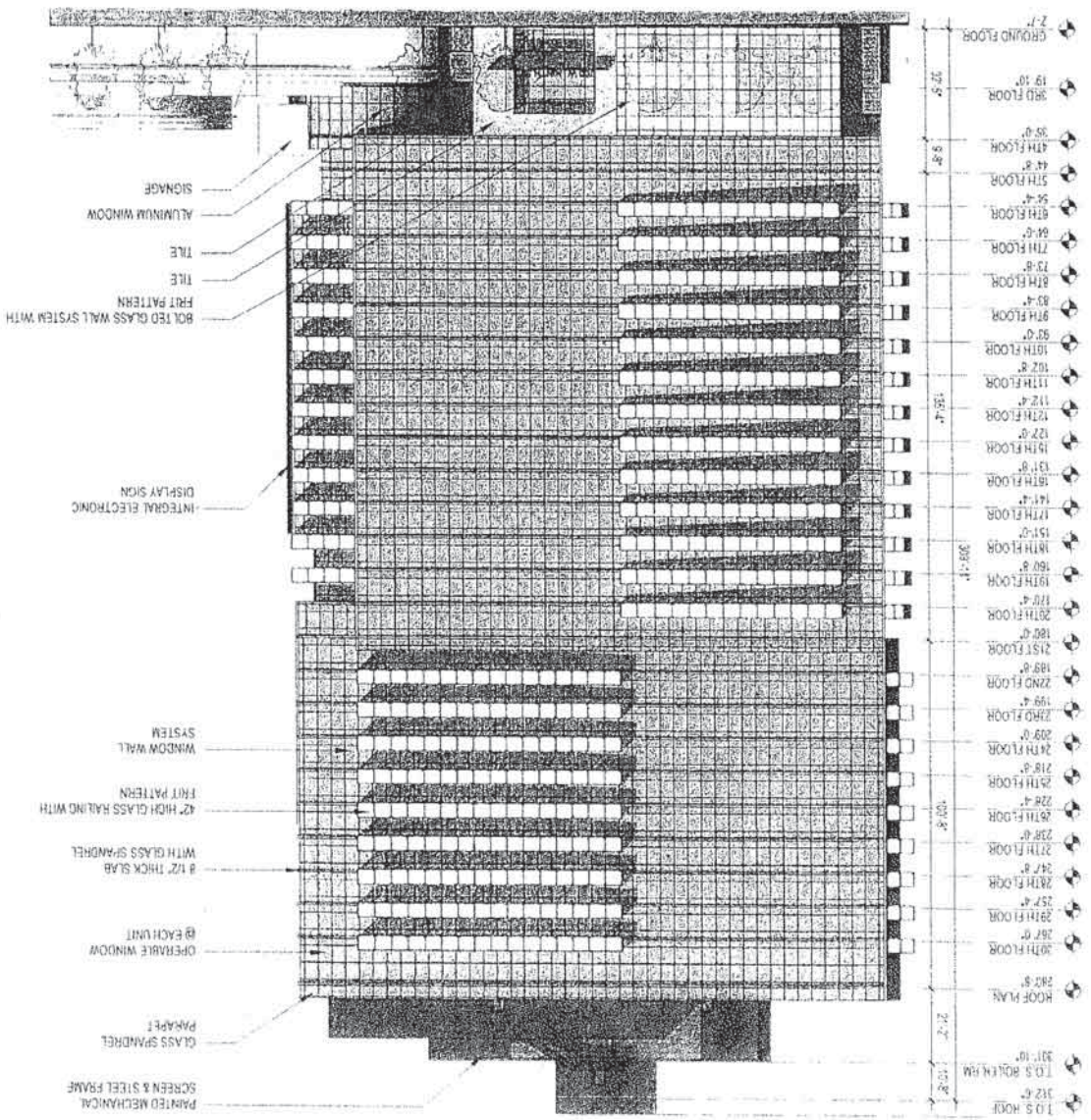
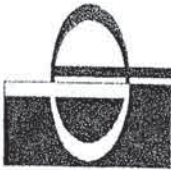


EXHIBIT "A"
Page No. 25 of 51
Case No. DA-2006-07-018



**PRESTON
ARCHITECTS, PC**
A MULTI-DISCIPLINARY DESIGN FIRM

SOUTH TERRAZZES
135 PERIMETER CENTER PLACE, SUITE 600
LOS ANGELES, CALIFORNIA 90045
TELEPHONE: 770-247-2100
FAX: 770-247-2101
WWW.PRESTONARCHITECTS.COM

PROJECT
APEX II

720 N. PHILADELPHIA
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP

DATE: 12/2/01
DESIGN NUMBER: 12/01
DRAWN BY: AN
CHECKED BY: AN
SHEET TITLE: SOUTH ELEVATION
SHEET NUMBER: A4-02
COMMENTS: NOT ISSUED FOR CONSTRUCTION
© 2001 PRESTON ARCHITECTS, PC



SOUTH ELEVATION

1

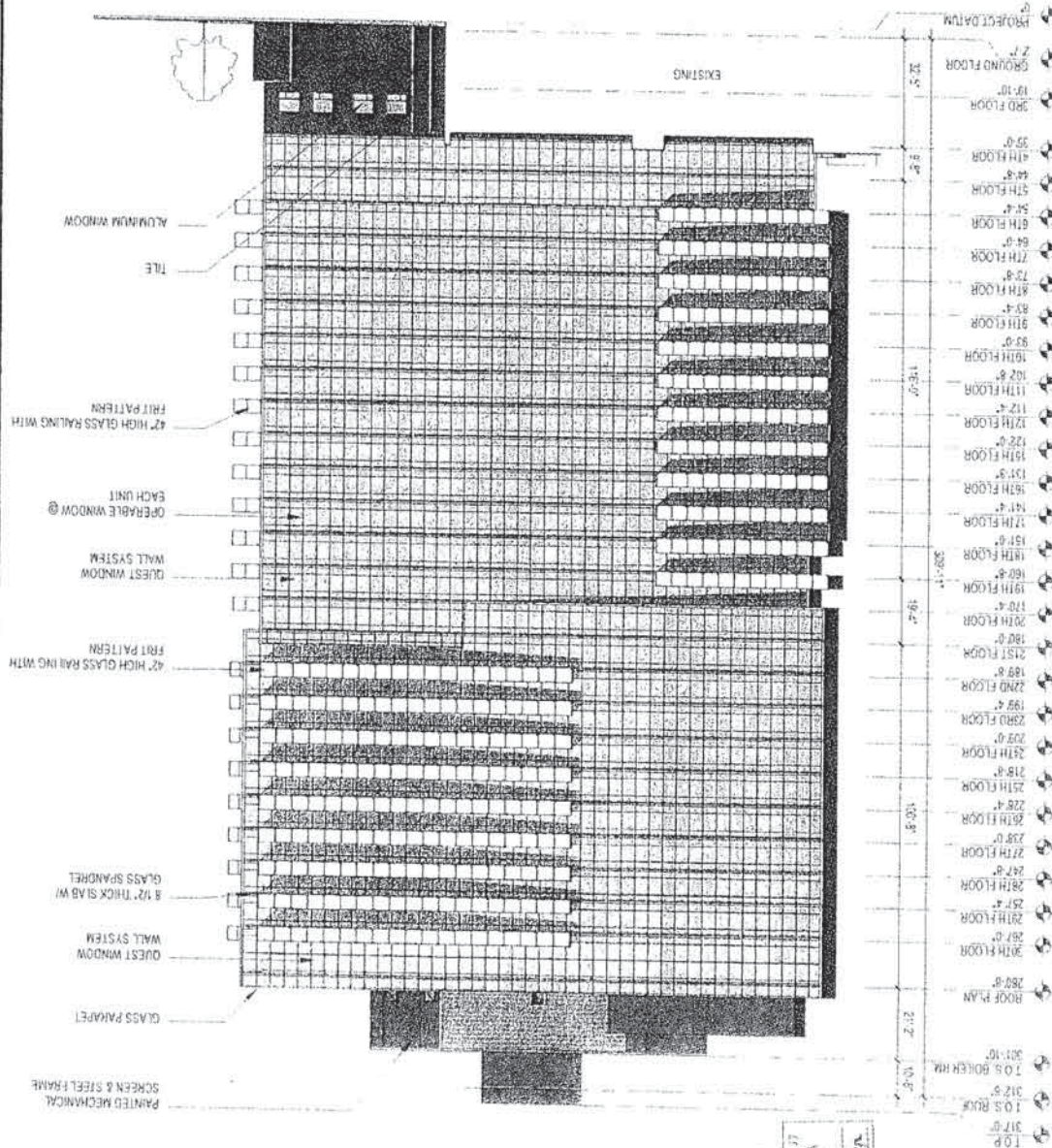


EXHIBIT "A"
Page No. 26 of 51
Case No. D12-2155 - 22-571

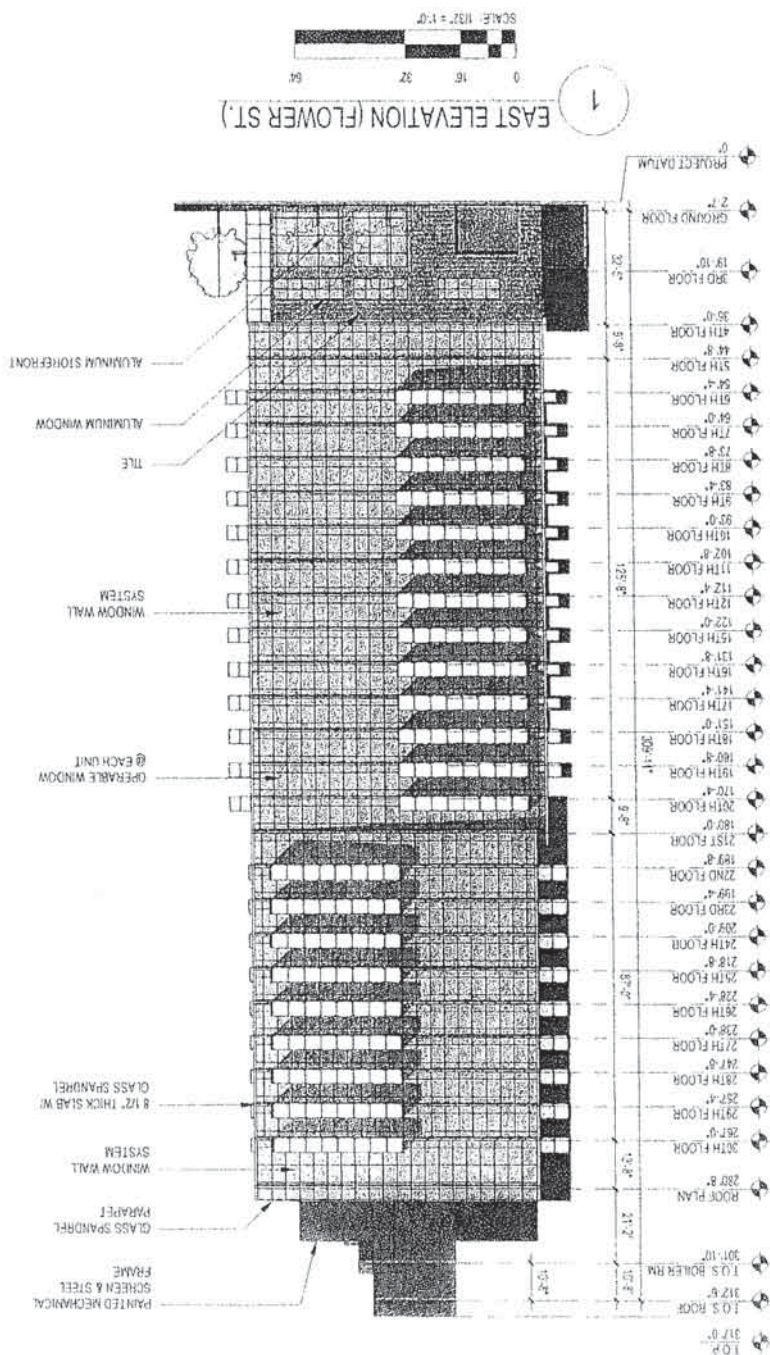


EXHIBIT "A"
Page No. 27 of 51
Case No. DIR-2005-50-SPIL



PRESTON
ARCHITECTS, PC
A UNIT OF PRESTON DESIGN, LLC

115 FIDELITY CENTER, SUITE 200
ATLANTA, GEORGIA 30346
TELEPHONE: 770.395.7246
WWW.PRESTONARCHITECTS.COM

PROJECT
APEX II

1000 8TH STREET
LOS ANGELES, CA 90015

1000
HOLLAND PARTNER
GROUP



1000 8 LAMING BY THE LOS
ANGELES CA 90015
JAC 2005 JAN

DATE 12/1/05

AGE NUMBER 12

DRAWN BY

CHECKED BY AN

SHEET TITLE WEST ELEVATION

SHEET NUMBER

A4-04

COMMENTS
NOT ISSUED FOR CONSTRUCTION

© 2005 PRESTON ARCHITECTS, PC

WEST ELEVATION (9TH STREET)

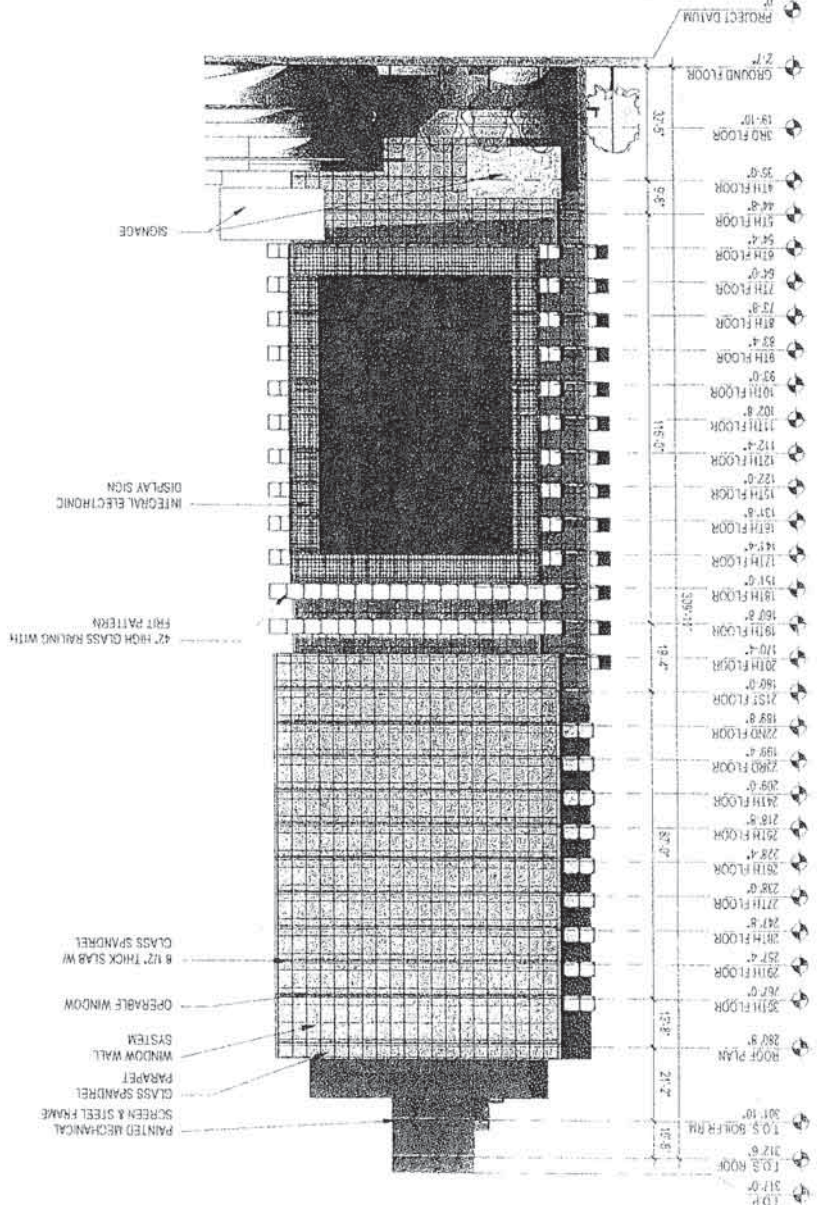


EXHIBIT "A"
Page No. 28 of 51
Case No. D10-1015-10-570



**PRESTON
ARCHITECTS, PC**
A NATIONAL FIRM DESIGN / FIRM

3000 TERRACES
115 PERIMETER CENTER PLACE SUITE 300
LOS ANGELES, CA 90048
TELEPHONE: 773 347 7144
FAX: 773 392 2445
WWW.PRESTONARCHITECTS.COM

PROJECT
APEX II

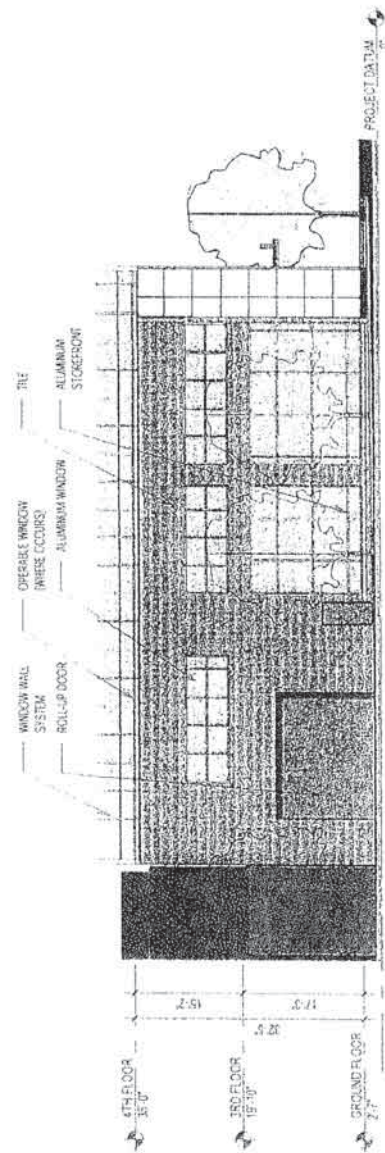
100 W. 11th STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP

DATE: 10/17/2014
JOB NUMBER: _____
SHEET NO.: _____
CHECKED BY: _____
SHEET TITLE: _____
STREET ELEVATIONS

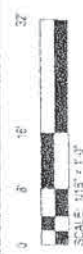
SHEET NUMBER
A4-05

COMMENTS
NOT ISSUED FOR CONSTRUCTION
© 2014 Preston Architects, PC



EAST STREET ELEVATION (FLOWER)

1
ST.



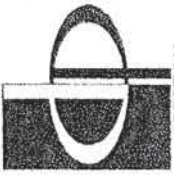
NORTH STREET ELEVATION (9TH STREET)

2



EXHIBIT "A"
Page No. **2-9** of **2-1**
Case No. **018-365-92-57R**





**PRESTON
ARCHITECTS, PC**
A MULTIDISCIPLINARY DESIGN FIRM

10010 TERRACE
SUITE 100
ATLANTA, GEORGIA 30348
TELEPHONE: 770.388.7148
FAX: 770.388.7149
WWW.PRESTONARCHITECTS.COM

PROJECT
APEX 31

100 N. 31st STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP

5000 E. JEFFERSON ST. STE. 100
LONG BEACH, CA 90803
909.285.5004

DATE: 12/17/2014
JOB NUMBER: _____
DRAWN BY: _____
CHECKED BY: _____
SHEET TITLE: NORTH EAST AXON

SHEET NUMBER: A4-90
COMMENTS:
NOT ISSUED FOR CONSTRUCTION
© 2014 Preston Architects, PC

APX 1
EXISTING

APX 31

REAR AREA

13215 HIGH

13215 HIGH

VEHICULAR ENTRANCE

POOL DECK / TERRACE
(EXISTING)

THE OFFICE
(EXISTING)

ROOFTOP TERRACE

NORTH EAST AXON

EXHIBIT "A"
Page No. 31 of 51
Case No. 012-2015-72-3PA



PRESTON
ARCHITECTS, PC
A MULTI-DISCIPLINARY DESIGN FIRM

SOUTH TERRACES
115 PERIMETER CENTER PLACE, SUITE 802
ATLANTA, GEORGIA 30346
TEL: 404.525.1000
FAX: 404.525.1001

WWW.THEPRESTONARCHITECTS.COM
PROJECT
APEX II

120 W 8TH STREET
LOS ANGELES, CA 90014

FOR
HOLLAND PARTNER
GROUP



5000 SPRING ST. STE 100
LOS ANGELES, CA 90022
404.255.4500

DATE 12/17/2014
JOB NUMBER

DRAWN BY

CHECKED BY

SHEET TITLE

NORTH WEST AXON

SHEET NUMBER

A4-91

COMMENTS
NOT ISSUED FOR CONSTRUCTION
PREPARED BY: PC

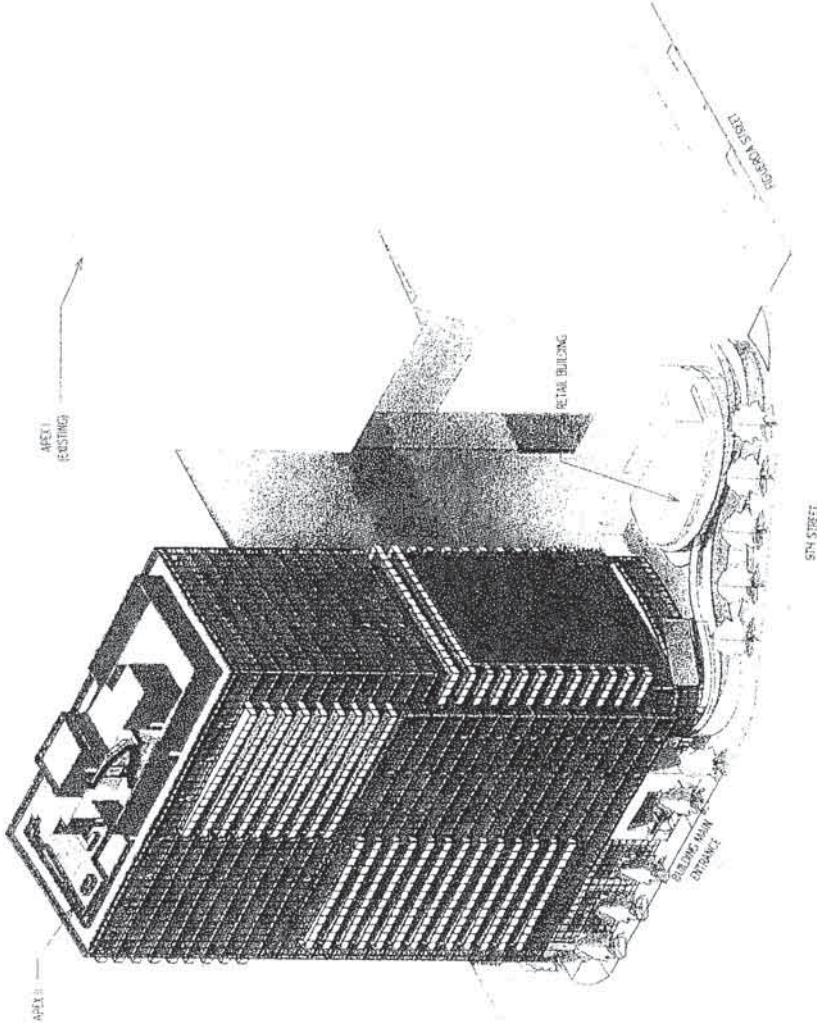
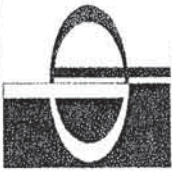


EXHIBIT "A"
Page No. 22 of 51
Case No. D18-JMS-57-SPE

NORTH WEST AXON



**PRESTON
ARCHITECTS, PC**
A NATIONAL GUARDIAN FIRM

115 PRESTON DRIVE, SUITE 100
ATLANTA, GEORGIA 30308
TELEPHONE: 404.525.1200
WWW.PRESTONARCHITECTS.COM

PROJECT:
APEX II

700 N. 9TH STREET
LOS ANGELES, CA 90012

FOR:
HOLLAND PARTNER
GROUP

500 S. SPRING ST., STE. 500
LONG BEACH, CA 90801
(562) 599-1000

DATE: 12/17/2014
JOB NUMBER:
DRAWN BY:
CHECKED BY: AN
SHEET TITLE:
SOUTH WEST AXON

SHEET NUMBER: A4-92

COMMENTS:
NOT ISSUED FOR CONSTRUCTION
© 2014 PRESTON ARCHITECTS, PC

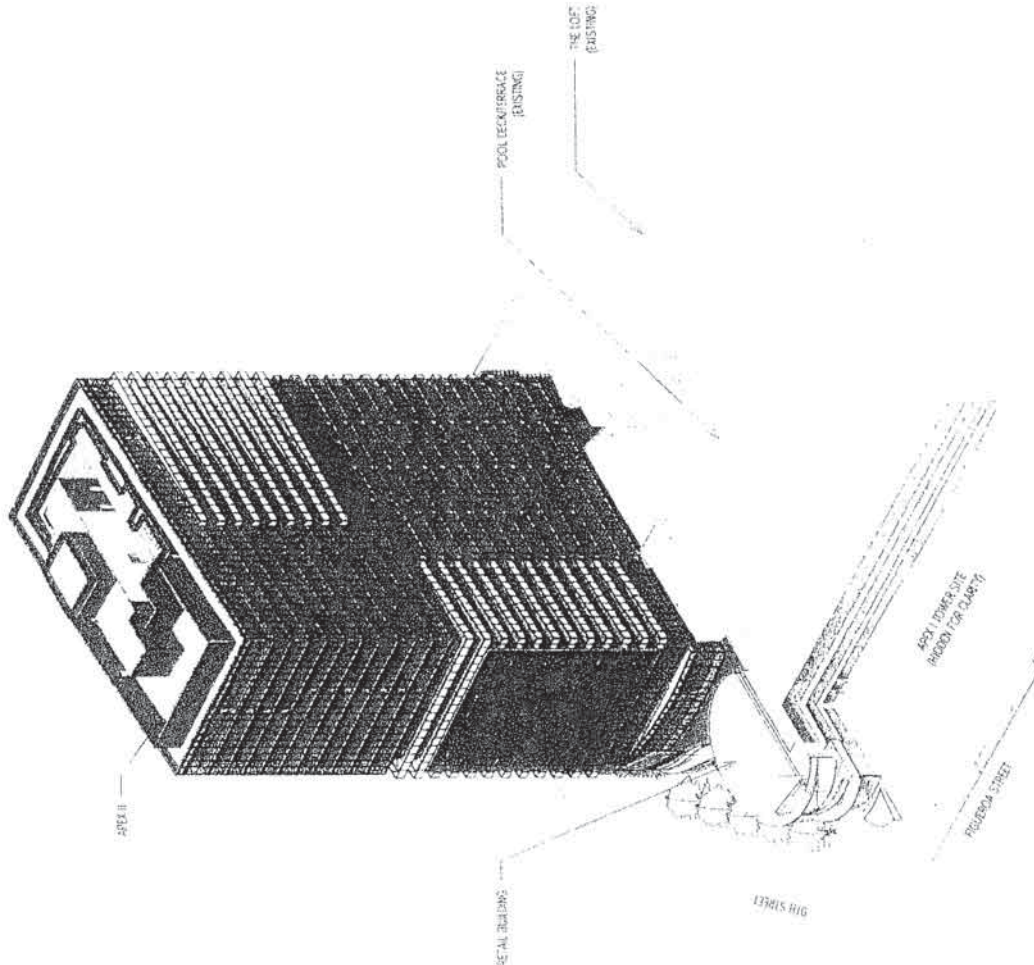


EXHIBIT "A"
Page No. 33 of 51
Case No. DIR-2015-72-516



PRESTON
ARCHITECTS, PC

3011N TERRACES
 115 PERIMETER CENTER PLACE, SUITE 140
 ATLANTA, GEORGIA 30348
 TELEPHONE: 770 366 7248
 FAX: 770 366 7245
 WWW.MEMPHISONPARK-RESEARCH.COM

PROJECT _____

1000 W. 97th St. #246E

LOS ANGELES, CA 90012

OR
HOLLAND PARTNER
GROUP

3000 E. SARGENT ST. STE. 202
LONG BEACH, CA 90801
310-785-3300

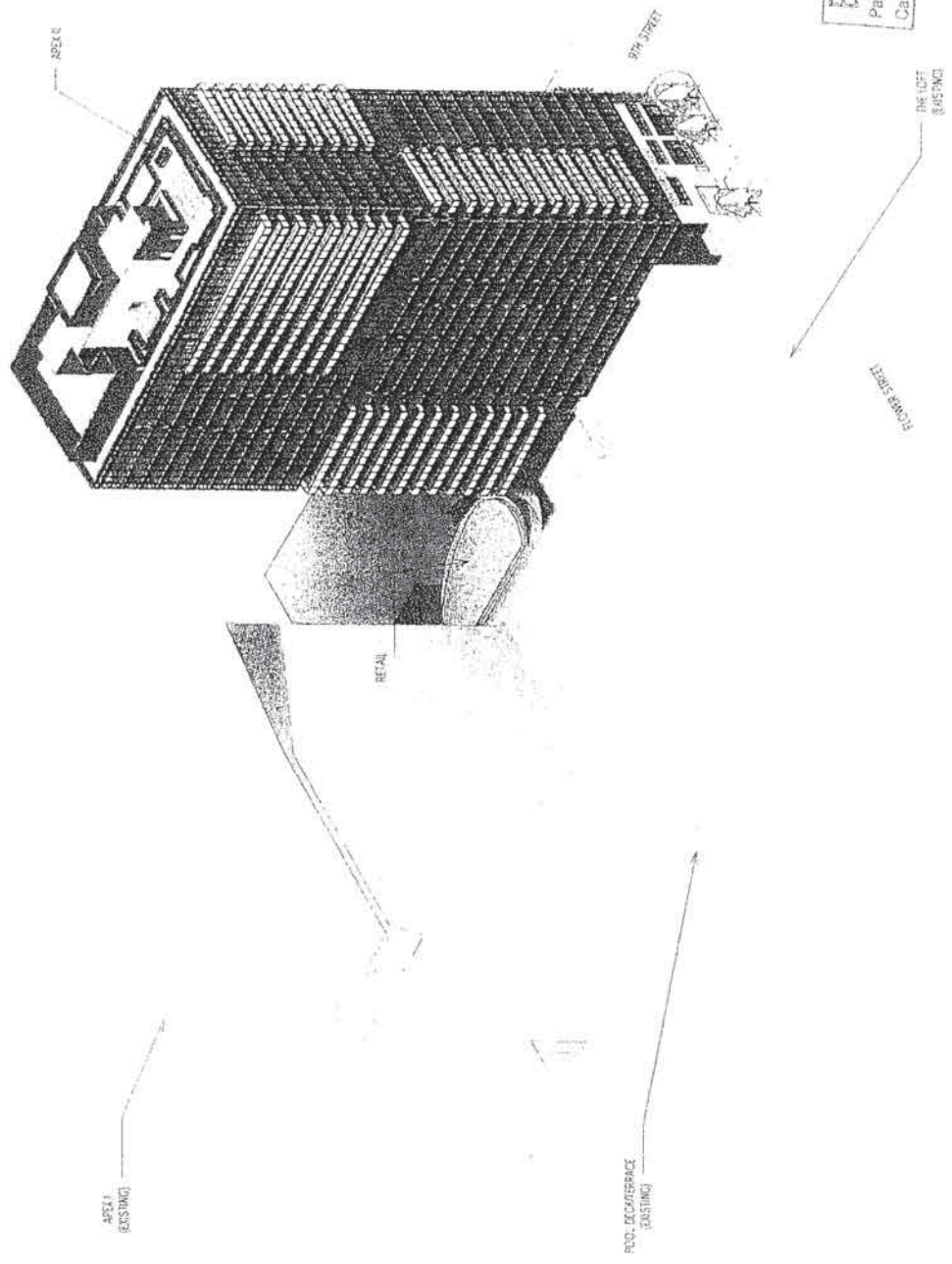
AGE _____ 12-
DOB NUMBER _____
CROWN BY _____
CHECKED BY _____
AN _____
SHEET TITLE _____
SOUTH EAST AXON

TEST NUMBER A4-93

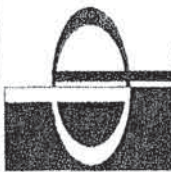
COMMENTS
NOT ASSUED FOR CONSTRUCTION
© 2004 THE McGRAW-HILL COMPANIES, INC.
735 N. ZEEB RD., SUITE 400
ANN ARBOR, MI 48106-1500
TEL: 734.769.7000
WWW.MCGRAW-HILL.COM

Abstract

EXHIBIT 5579
Page No. 34 of 51
Case No. DIR-305-92-370



↑ SOUTH EAST AXON



**PRESTON
ARCHITECTS, PC**
A MULTI-DISCIPLINARY DESIGN FIRM

2007 - 1000 AVENUE
SUITE 1000
ATLANTA, GEORGIA 30309
TELEPHONE 770.399.7241
WWW.PRESTONARCHITECTS.COM

PROJECT
APEX II

700 N. 17TH STREET
LOS ANGELES, CA 90012

FOR
HOLLAND PARTNER
GROUP

500 S. SPRING ST. 17TH FLOOR
LOS ANGELES, CA 90012
312.259.1231

DATE 02/17/2011
JOB NUMBER
DRAWN BY
CHECKED BY
SHEET TITLE
BUILDING SECTION E-W

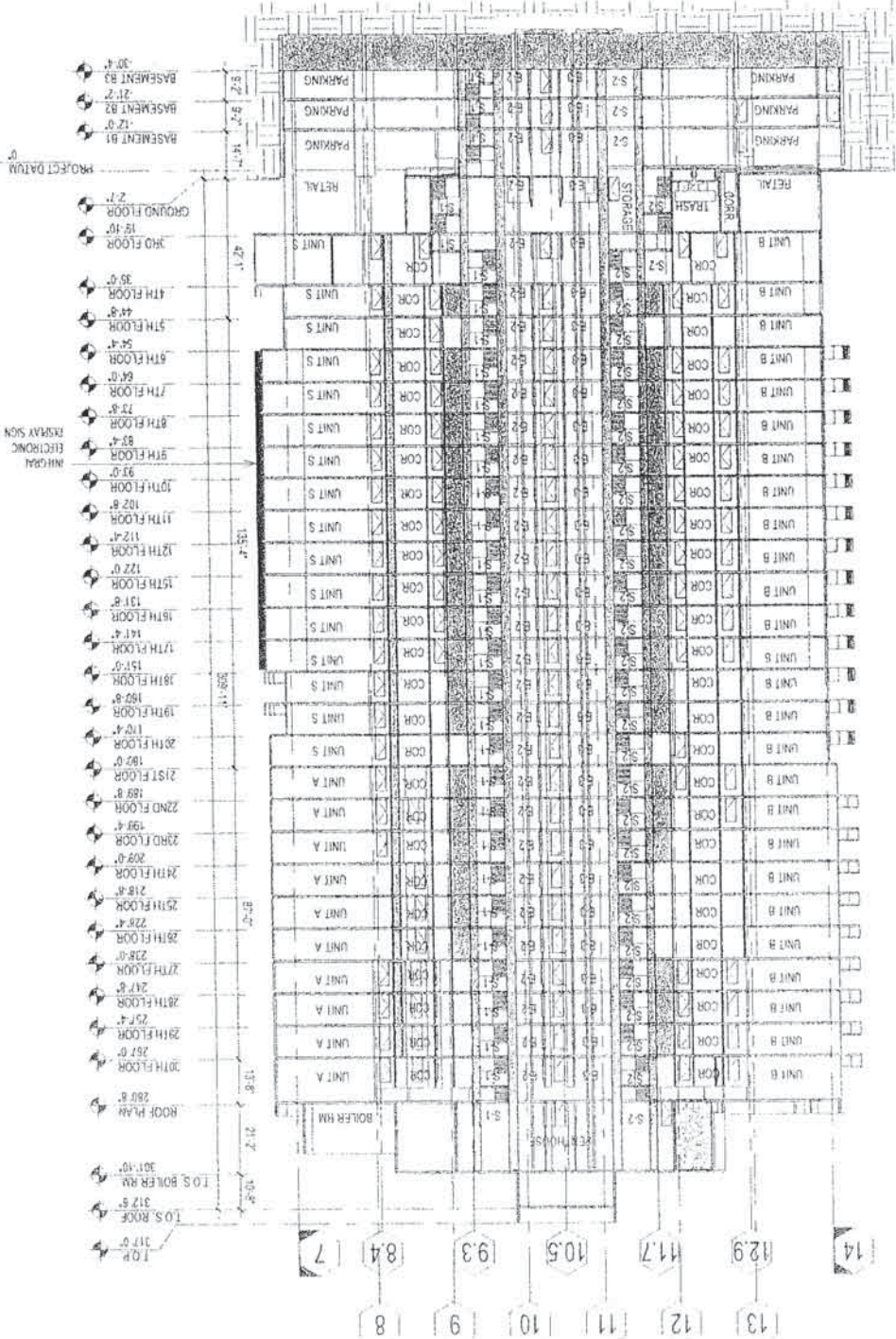
SHEET NUMBER
A5-01

COMMENTS
NOT ISSUED FOR CONSTRUCTION
© 2011 Preston Architects, PC

SCALE 1/32" = 1'-0"
0 16' 32'
1
BUILDING SECTION E-W

EXHIBIT "A"
Page No. 35 of 51
Case No. DIR-2015-72-SEA

FLOWER ST





**PRESTON
ARCHITECTS, PC**
A MULTI-DEPARTMENT DESIGN FIRM
SOUTH TERRACE
115 KENNESAW AVENUE, SUITE 500
ATLANTA, GEORGIA 30309
TELEPHONE 770-261-7748
FAX 770-261-7749
WWW.PRESTONARCHITECTS.COM

PROJECT
APEX II
1000 N. 37th STREET
LOS ANGELES, CA 90015

FIS
HOLLAND PARTNER
GROUP

SUITE 1000, 1000 N. 37th STREET
LOS ANGELES, CA 90015
901-261-1000

DATE 12/17/2011
JOB NUMBER
DRAWN BY
CHECKED BY AN
SHEET TITLE
BUILDING SECTION N/S

SHEET NUMBER
A5-03

COMMENTS
NOT ISSUED FOR CONSTRUCTION
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BUILDING SECTION N/S2

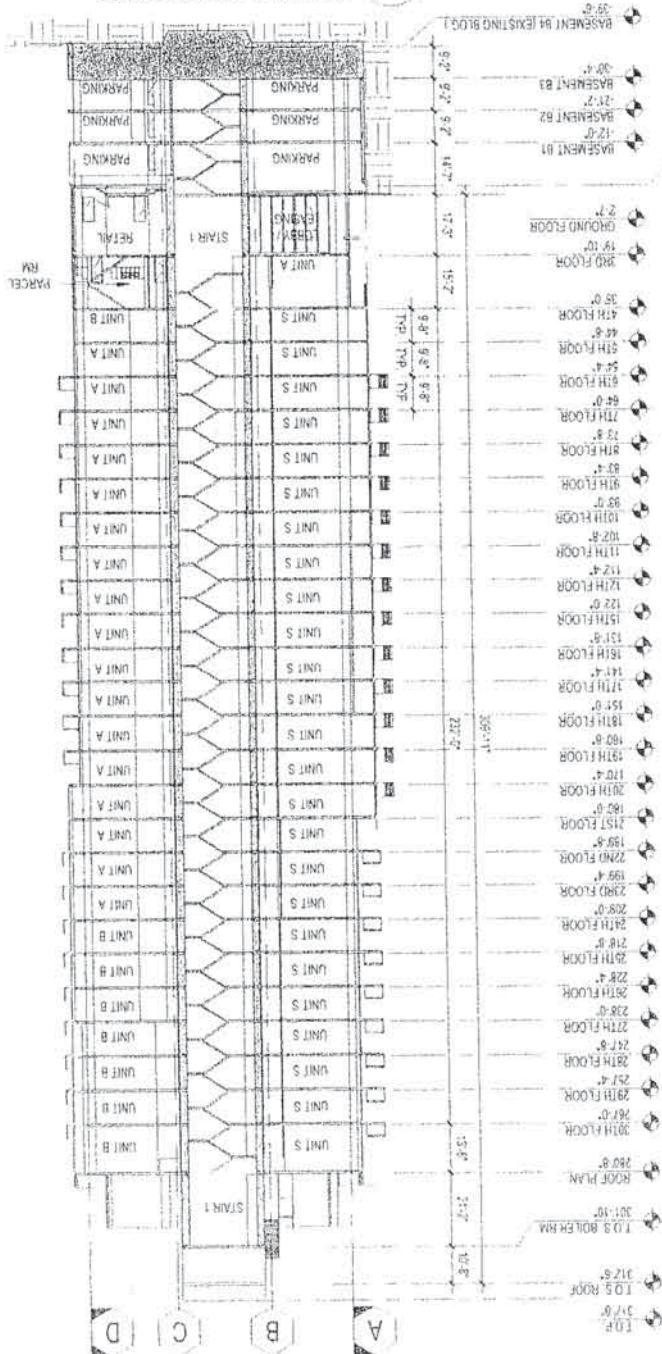


EXHIBIT "A"
Page No. 32 of 51
Case No. DIR-105-98-571



**PRESTON
ARCHITECTS, PC**
A MULTI-DISCIPINARY DESIGN FIRM

115 FERRIER CENTER PLACE SUITE 800
ATLANTA, GEORGIA 30348
TEL: 404.525.1000
FAX: 404.525.1001
WWW.PRESTONARCHITECTS.COM

PROJECT:
APEX II

730 W. 17TH STREET
LOS ANGELES, CA 90011

FOR
HOLLAND PARTNER
GROUP

5000 CIPRIANO LANE
LOS ANGELES, CA 90045
909.339.3004

DATE: 12/1/11

JOB NUMBER: 11-00000000

DRAWN BY: [blank]

CHECKED BY: [blank]

SHEET TITLE: BUILDING SECTION E-W

SHEET NUMBER: A5-04

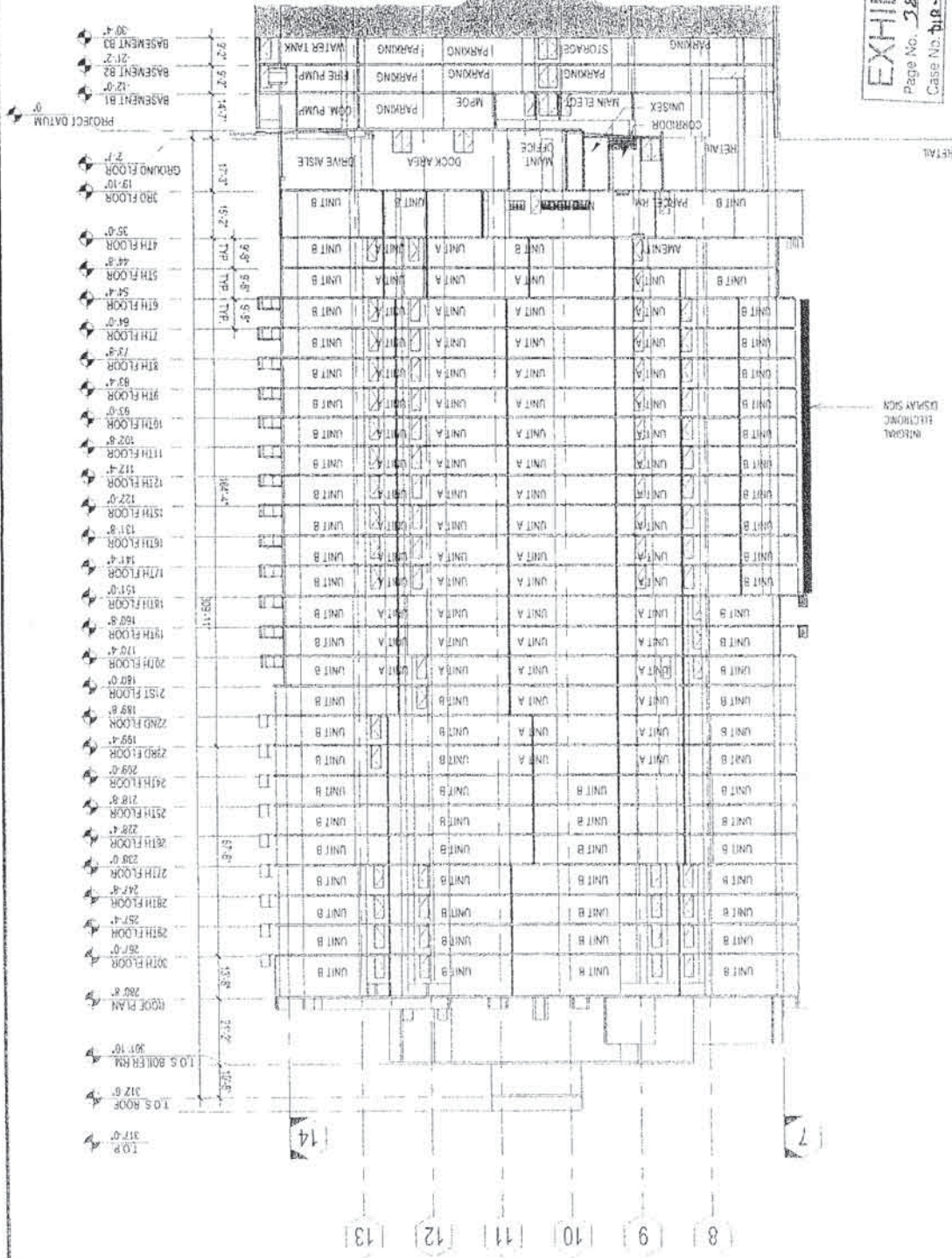
COMMENTS: NOT ISSUED FOR CONSTRUCTION

11/11/11



BUILDING SECTION E-W

EXHIBIT "A"
Page No. 38 of 51
Case No. 11R-1015-92-SLR





**PRESTON
ARCHITECTS, PC**
A PROFESSIONAL CORPORATION
115 MONTELEONE CENTER PLAZA, SUITE 200
ATLANTA, GEORGIA 30303
TEL: 404.525.1200 FAX: 404.525.1201
WWW.PRESTONARCHITECTS.COM

PROJECT:
APEX II
726 N. 9TH STREET
LOS ANGELES, CA 90012

FOR
HOLLAND PARTNER
GROUP



1000 SPRING ST. STE 400
LOS ANGELES, CA 90012
TEL: 213.690.1000

DATE: 12/11/2015
JOB NUMBER: 1211-0011
DRAWN BY: G.
CHECKED BY: AN
SHEET TITLE: PLAN LEVEL 1 - MAXIMIZED

SHEET NUMBER: R1-01
COMMENTS:

9/24/2015 10:00 AM

9th street

RETAIL AREA

Total = 11,687 SF

9th street

B
9,957 SF

LINE OF POTENTIAL
MEZZANINE ABOVE

PROPERTY LINE
STREET BACK

Figueroa street

PLAN LEVEL 1 - MAXIMIZED

TERRACES

700 WEST 9TH ST | 9TH & FIGUEROA | DOWNTOWN LOS ANGELES Gensler

EXHIBIT "A"
Page No. 21 of 51
Case No. D18-2015-12-SRR



**PRESTON
ARCHITECTS, PC**
A MULTI-DISCIPLINARY DESIGN FIRM

115 PERIMETER CENTER PLACE, SUITE 100
LOS ANGELES, CA 90045
TELEPHONE: 310.381.7041
FAX: 310.381.7045
WWW.PRESTONARCHITECTS.COM

PROJECT
APEX II

700 WEST 5TH STREET
LOS ANGELES, CA 90013

FOR
HOLLAND PARTNER
GROUP

DATE: 12/17/2014
JOB NUMBER: 121770014
DRAWN BY: BL
CHECKED BY: AN
SHEET TITLE: PLAN LEVEL 3
SHEET NUMBER: R1-02
COMMENTS:

RETAIL AREA

Total = 11687 SF

5th BOARD LOCATION

open to sky

POTENTIAL FLOOR PLATE

PROPERTY LINE
ST. 36.78' ON

TERRACES

PLAN LEVEL 3

700 WEST 5TH STREET & FIGUEROA | DOWNTOWN LOS ANGELES | Gensler

EXHIBIT "A"
Page No. 40 of 51
Case No. D1A-2015-92-S28



**PRESTON
ARCHITECTS, PC**
A MULTI-DISCIPLINARY DESIGN FIRM

SOUTH TERRACES
115 WEST 9TH STREET, SUITE 200
LOS ANGELES, CA 90015
TELEPHONE: 213-624-1244
FAX: 213-624-1245
WWW.PRESTONARCHITECTS.COM

PROJECT
APPENDIX II

700 WEST 9TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



700 WEST 9TH STREET, SUITE 200
LOS ANGELES, CA 90015
312-295-5000

DATE
12-17-2014

DESIGN NUMBER
DRAWN BY
GL

CHECKED BY
AN

SHEET TITLE
PLAN LEVEL 4

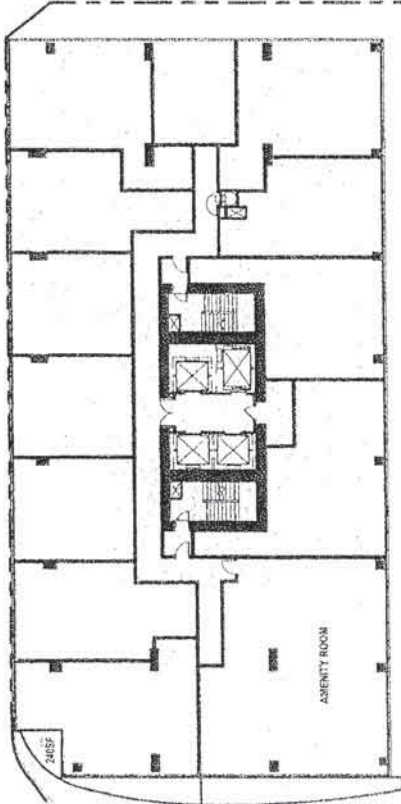
SHEET NUMBER
R1-03

COMMENTS

© 2014 Preston Architects, PC

RETAIL AREA

Total = 11,687 SF



BILLBOARD LOCATION

OUTDOOR TERRACE

OUTDOOR TERRACE

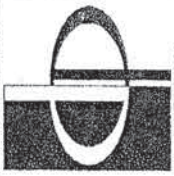
NON-LOCUPABLE POOL DECK

PLAN LEVEL 4

700 WEST 9TH STREET | 9TH & FIGUEROA | DOWNTOWN LOS ANGELES

TERRACES

EXHIBIT "A"
Page No. 41 of 51
Case No. DIR-2015-59-208



**PRESTON
ARCHITECTS, PC**
A NAT-200 FIRM DESIGN FIRM

15 HERMITA CENTRAL PLACE, SUITE 800
LOS ANGELES, CA 90017
TEL: 213.627.1234
FAX: 213.627.1235
WWW.PRESTONARCHITECTS.COM

PROJECT
APEX II

100 WEST 9TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP

DATE: 12-17-14
JOB NUMBER: 12-17-14
DRAWN BY: GE
CHECKED BY: AN
SHEET TITLE: AERIAL FROM 9TH ST

DATE: 12-17-14

JOB NUMBER: 12-17-14

DRAWN BY: GE

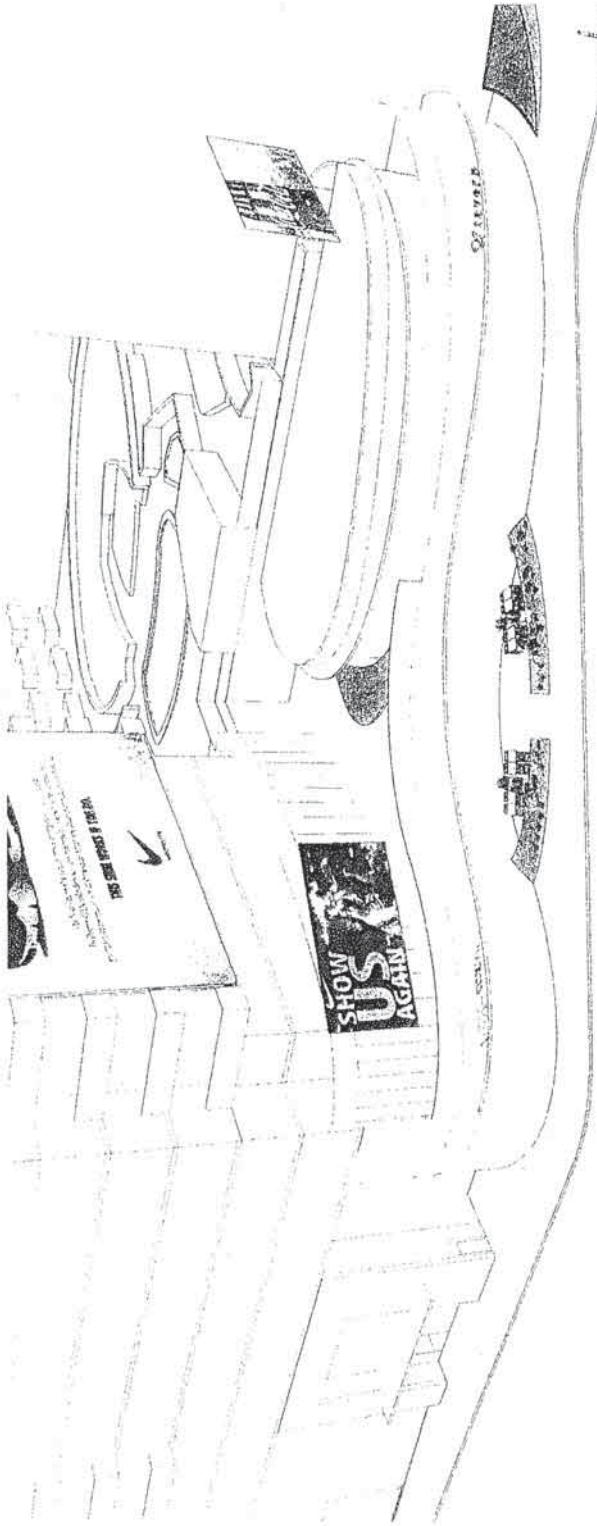
CHECKED BY: AN

SHEET TITLE: AERIAL FROM 9TH ST

SHEET NUMBER: R1-04

COMMENTS:

© 2014 PRESTON ARCHITECTS, PC



TERRACES AERIAL FROM 9TH ST

AERIAL FROM 9TH ST

700 WEST 9TH ST | 9TH & FIGUEROA | DOWNTOWN LOS ANGELES Gensler

EXHIBIT "A"
Page No. 42 of 51
Case No. D18-005-72-SM



PRESTON
ARCHITECTS, PC

A NATIONAL ARCHITECTURAL FIRM

115 PULASKI CENTER PLACE, SUITE 100

ATLANTA, GEORGIA 30308

TEL: 404.525.1234 FAX: 404.525.1235

WWW.PRESTONARCHITECTS.COM

PROJECT

APEX

700 W 3TH STREET

LOS ANGELES, CA 90013

FOR
HOLLAND PARTNER
GROUP

1002 E BIRKING ST, STE 600
LONG BEACH, CA 90813
408.235.1205

DATE

12/17/2014

JOB NUMBER

01

DRAWN BY

AN

CHECKED BY

AN

SHEET TITLE

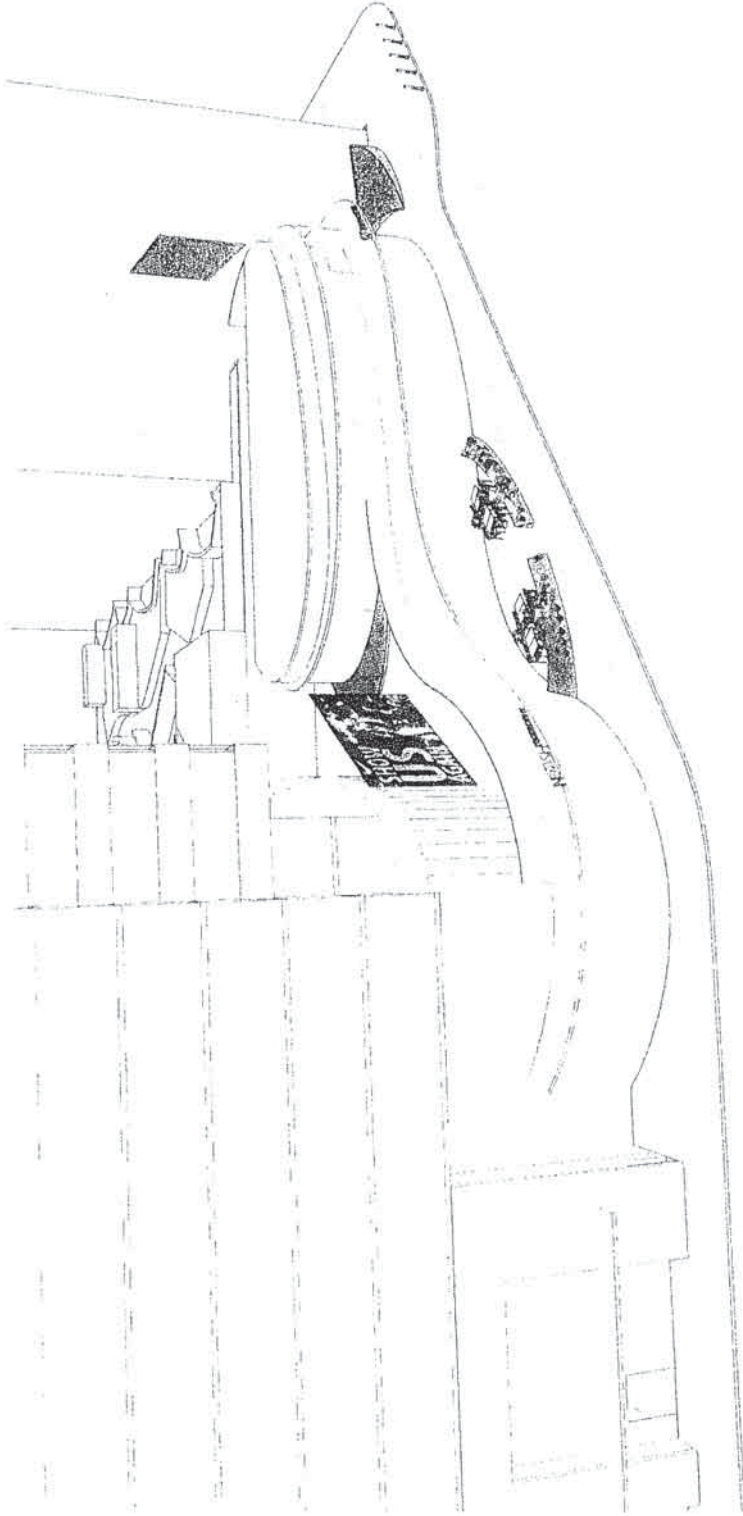
AERIAL FROM 9TH ST, 2

SHEET NUMBER

R1-05

COMMENTS

© 2014 Preston Architects, PC



700 WEST 9TH ST | 9TH & FIGUEROA | DOWNTOWN LOS ANGELES, CA 90013

AERIAL FROM 9TH ST

TERRACES

EXHIBIT "A"
Page No. 42 of 51
Case No. DIN-2015-12-512



**PRESTON
ARCHITECTS PC**
A MAXELLUS COMPANY

SOUTH TERRACES
119 PERIMETER CENTER PLACE, SUITE 800
ATLANTA, GEORGIA 30346
TEL: 404.525.1200
FAX: 404.525.1204
WWW.PRESTONARCHITECTS.COM

PROJECT
APEX F

700 W. 9TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP



800 E. SPRING ST. STE 100
LOS ANGELES, CA 90012
310.255.5555

DATE

ASB NUMBER

DRAWN BY

CHECKED BY

SHEET TITLE

VIEW FROM 9TH ST &
FIGUEROA 2

SHEET NUMBER

R1-06

COMMENTS

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THIS SHOE WORKS IF YOU DO.



SHOW US AGAIN



VIEW FROM 9TH ST & FIGUEROA

700 WEST 9TH ST | 9TH & FIGUEROA | DOWNTOWN LOS ANGELES

Gensler

EXHIBIT "A"
Page No. 44 of 51
Case No. 2:10-cv-02250

TERRACES



PRESTON
ARCHITECTS, PC

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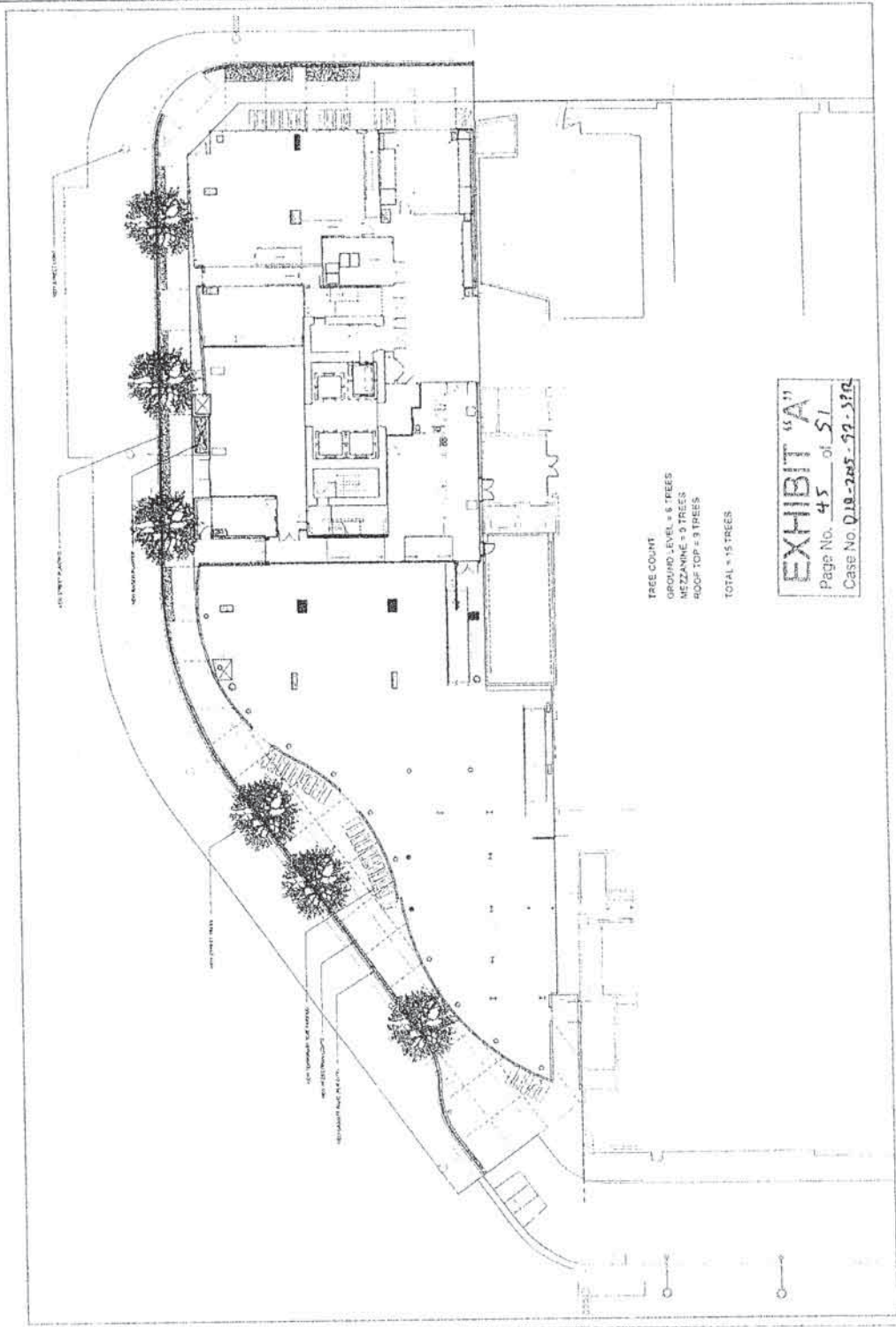
THE CITY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
STREET LIGHTING DIVISION

DATE: 01/11/01
PROJECT: 0102200
SHEET: 14.001
DRAWN BY: LINA
CHECKED BY: LINA
DATE: 01/11/01

GROUND FLOOR

L14

NOT A SCALE OF DISTANCE
FOR REFERENCE ONLY



TREE COUNT:
GROUND LEVEL = 5 TREES
MEZZANINE = 3 TREES
ROOF TOP = 3 TREES
TOTAL = 11 TREES

EXHIBIT "A"
Page No. 45 of 51
Case No. Q10-2005-92-510



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ARCHITECTS, I
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Tomball, TX 77375
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DATE: 01/11/05

PROJECT: 05-001

LOCATION: 14th St. & Hwy 29



DATE: 01/11/05

PROJECT: 05-001

LOCATION: 14th St. & Hwy 29

DATE: 01/11/05

PROJECT: 05-001

LOCATION: 14th St. & Hwy 29

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DATE: 01/11/05

PROJECT: 05-001

LOCATION: 14th St. & Hwy 29

DATE: 01/11/05

PROJECT: 05-001

LOCATION: 14th St. & Hwy 29

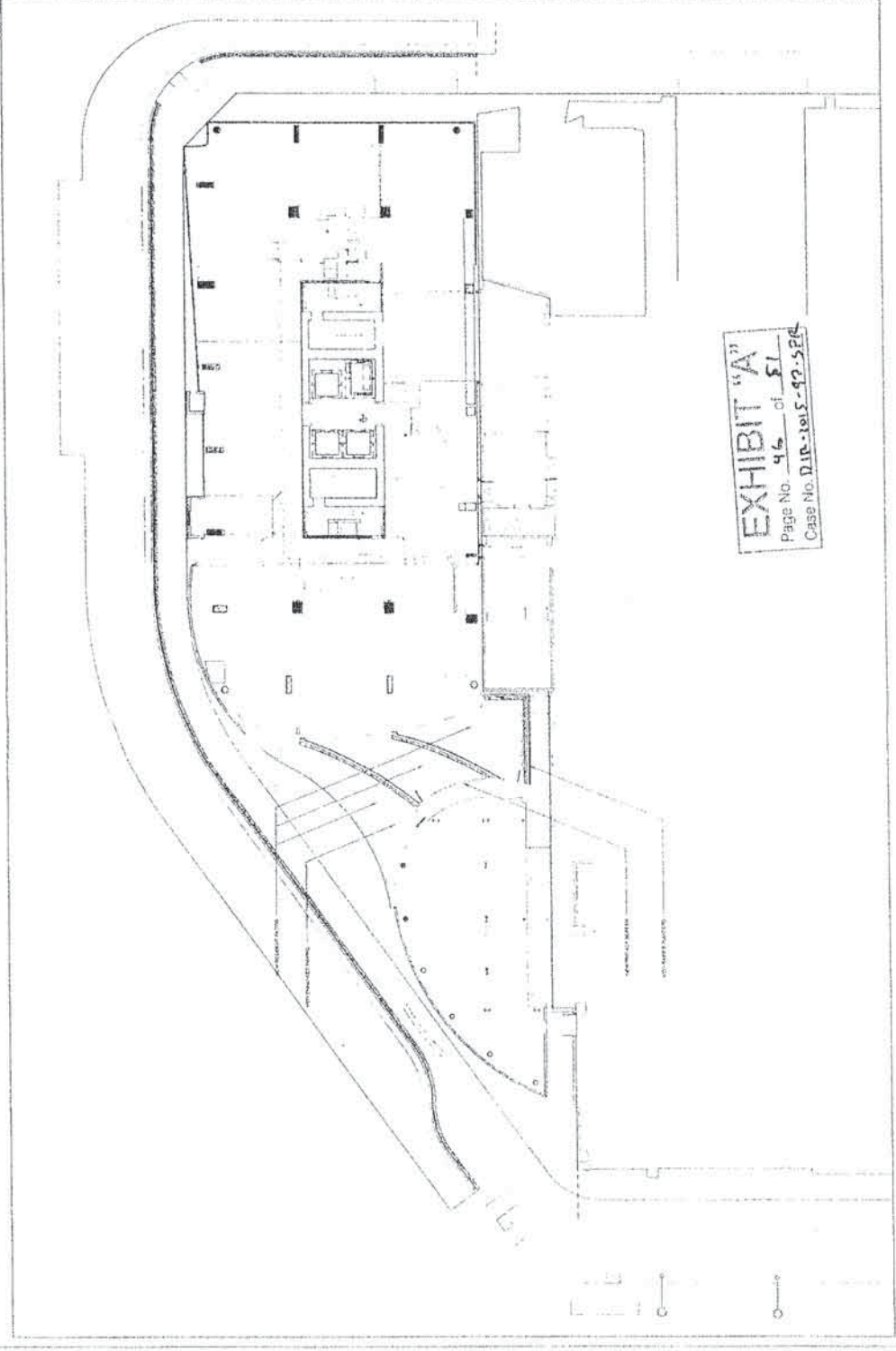


EXHIBIT "A"
Page No. 46 of 51
Case No. DIP-1015-90-526

DATE: 01/11/05

PROJECT: 05-001

LOCATION: 14th St. & Hwy 29

DATE: 01/11/05

PROJECT: 05-001

LOCATION: 14th St. & Hwy 29

DATE: 01/11/05

PROJECT: 05-001

LOCATION: 14th St. & Hwy 29

DATE: 01/11/05

PROJECT: 05-001

LOCATION: 14th St. & Hwy 29



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200 1/2" SCALE



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EXHIBIT "A"
Page No. 47 of 51
Case No. DBA-2015-12-508



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LOS ANGELES, CA 90024
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DATE: 10/22/03

PROJECT: 03-001

10000 WILSON AVENUE
LOS ANGELES, CA 90024



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

DATE: 10/22/03

PROJECT: 03-001

10000 WILSON AVENUE
LOS ANGELES, CA 90024

DATE: 10/22/03

PROJECT: 03-001

10000 WILSON AVENUE
LOS ANGELES, CA 90024

DATE: 10/22/03

PROJECT: 03-001

10000 WILSON AVENUE
LOS ANGELES, CA 90024

DATE: 10/22/03

PROJECT: 03-001

10000 WILSON AVENUE
LOS ANGELES, CA 90024

DATE: 10/22/03

PROJECT: 03-001

10000 WILSON AVENUE
LOS ANGELES, CA 90024

DATE: 10/22/03

PROJECT: 03-001

10000 WILSON AVENUE
LOS ANGELES, CA 90024

DATE: 10/22/03

PROJECT: 03-001

10000 WILSON AVENUE
LOS ANGELES, CA 90024

DATE: 10/22/03

PROJECT: 03-001

10000 WILSON AVENUE
LOS ANGELES, CA 90024

DATE: 10/22/03

PROJECT: 03-001

10000 WILSON AVENUE
LOS ANGELES, CA 90024

DATE: 10/22/03

PROJECT: 03-001

10000 WILSON AVENUE
LOS ANGELES, CA 90024

DATE: 10/22/03

PROJECT: 03-001

10000 WILSON AVENUE
LOS ANGELES, CA 90024

DATE: 10/22/03

PROJECT: 03-001

10000 WILSON AVENUE
LOS ANGELES, CA 90024

DATE: 10/22/03

PROJECT: 03-001

10000 WILSON AVENUE
LOS ANGELES, CA 90024

DATE: 10/22/03

PROJECT: 03-001

10000 WILSON AVENUE
LOS ANGELES, CA 90024

DATE: 10/22/03

PROJECT: 03-001

10000 WILSON AVENUE
LOS ANGELES, CA 90024

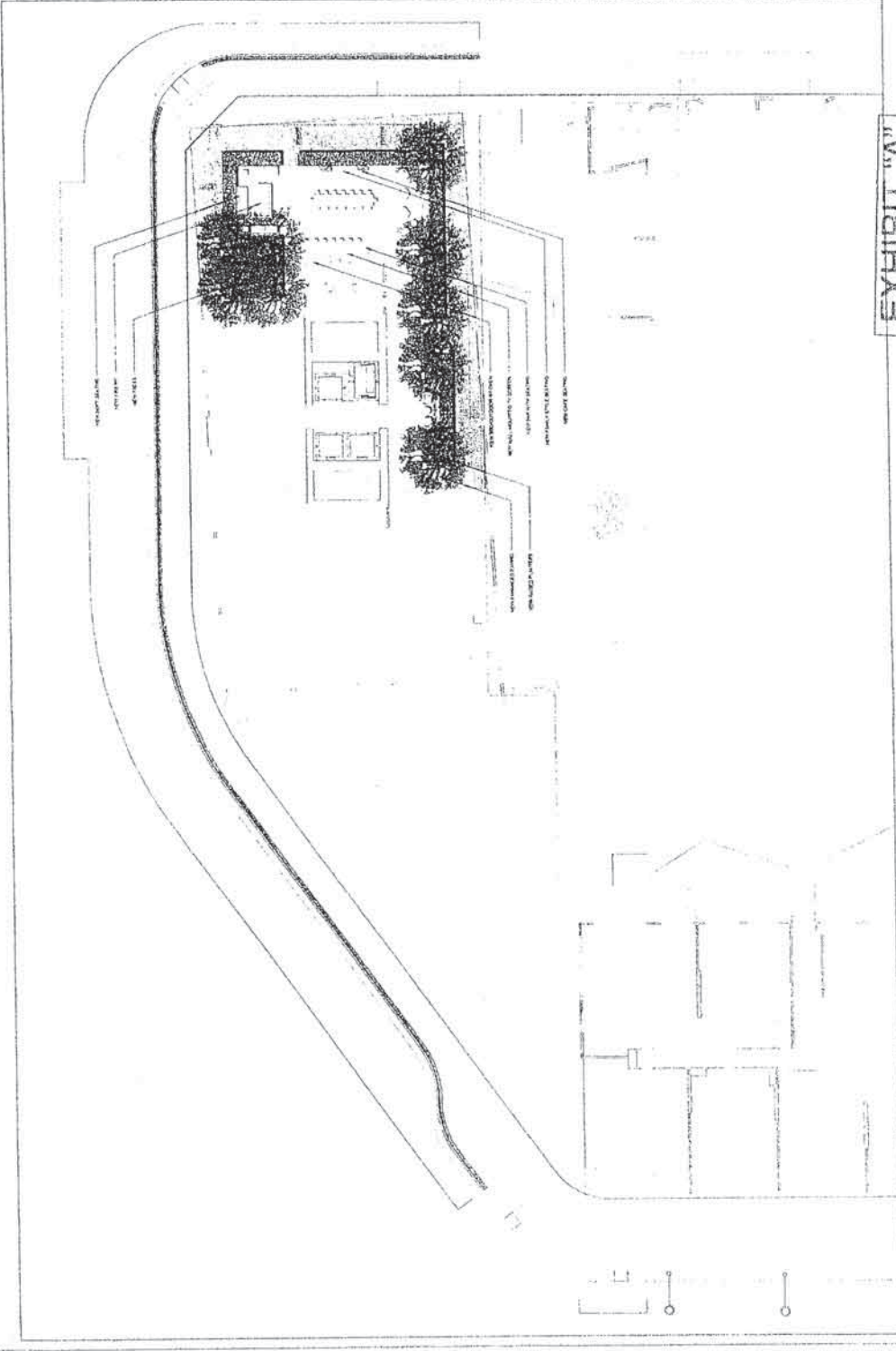
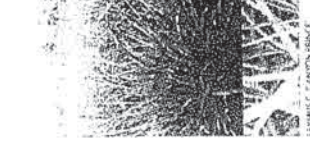
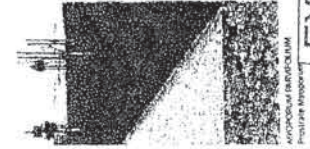
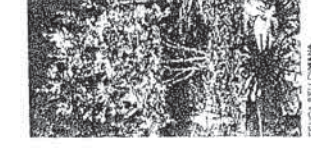
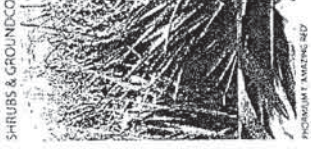
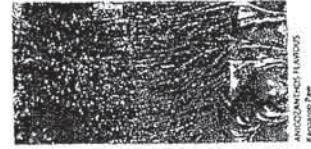
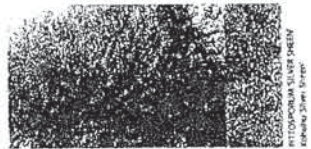
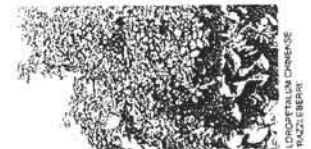
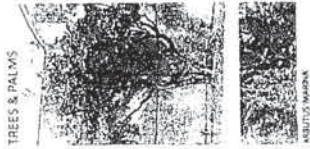
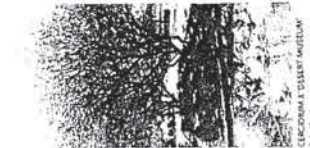
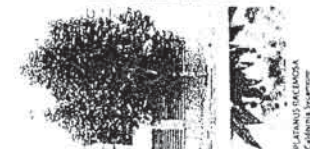


EXHIBIT "A"
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Case No. DIR-2015-52-SP2



TREES & PALMS

STREET TREES

SHRUBS & GROUND COVER

EXHIBIT "A"
Page No. 45 of 51

~~Case No. 512-571~~



THE PRESTON
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A MULTI-DISCIPLINARY DESIGN FIRM
100 SOUTH TOWER
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100 W. 17TH STREET
100 W. 17TH STREET
LOS ANGELES, CA 90015

FOR
HOLLAND PARTNER
GROUP

DATE 10/22/2015
JOB NUMBER
DRAWN BY
CHECKED BY AN
SHEET TITLE
BIKE PARKING DIAGRAM
LOWER LEVEL (B1)

SHEET NUMBER
BP-01

COMMENTS
NOT ISSUED FOR CONSTRUCTION
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LONG TERM PARKING

100 SF BIKE
MAINTENANCE AREA

32, 2-TIER, 5 BIKE RACKS FOR TOTAL
OF 320 LONG TERM BIKE STALLS

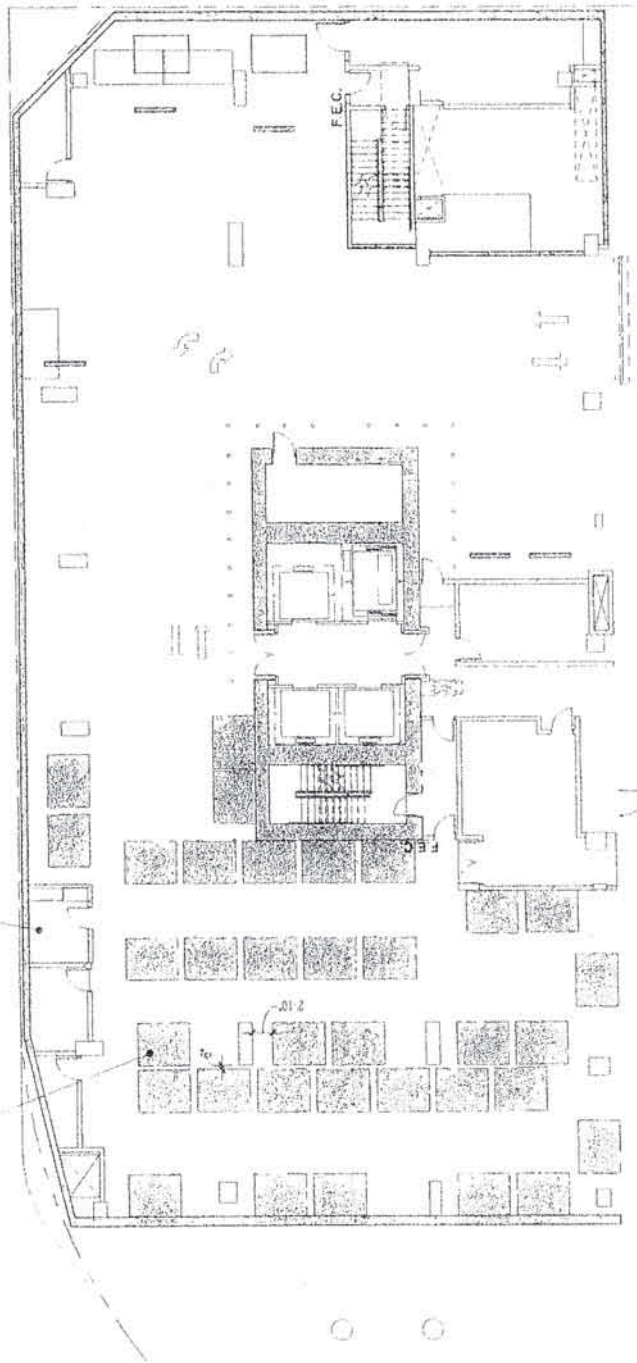
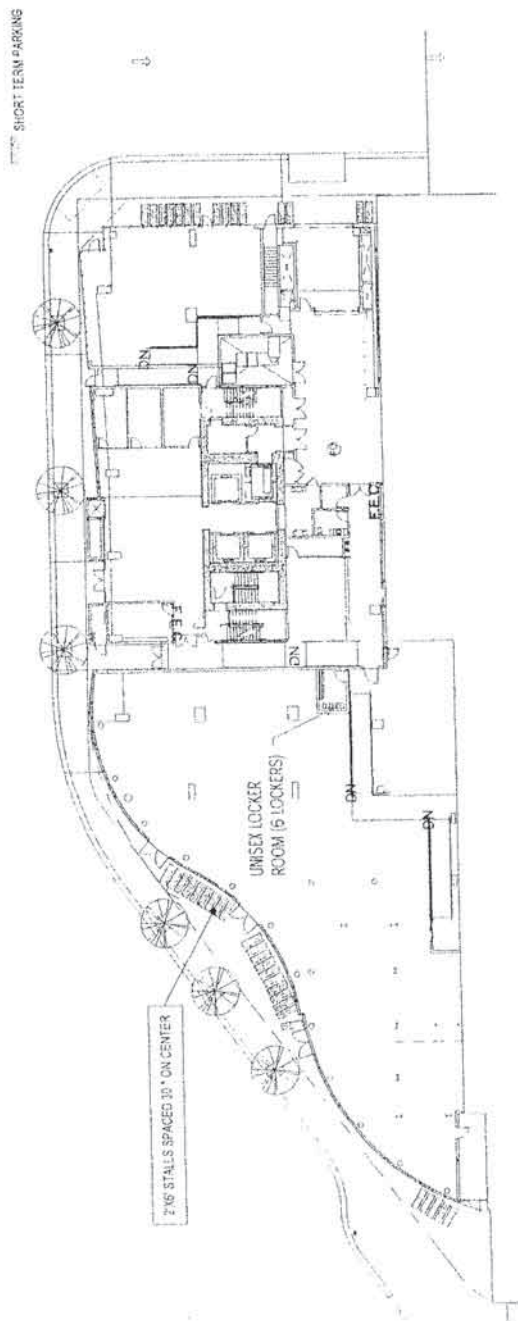


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Case No. D10-1015-92-512

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EXHIBIT "A"
Page No. 51 of 51
Case No. D19-4015-77-SPR



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Exhibit "2"

List of Related Projects That Were Not Considered in the MND Addendum

**PROJECTS PROPOSED AND/OR APPROVED SINCE 2005 THAT WERE NOT CONSIDERED
IN THE 2005 INITIAL STUDY/MND OR THE 2015 ADDENDUM FOR THE APEX 2 PROJECT**

#	Project/ Developer	Address	Brief Description	Case Nos.	Status
1	Luxe Hotel/ Shenzhen Hazens	1016-1060 S. Figueroa St.; 716-730 W. Olympic Bl.	Two 30-story buildings and a 42-story building containing a 250-unit hotel, 650 residential condominium units, and 80,000 sf of retail.	CPC-2015-1160-DA; ENV-2015-1159-EAF	Filed 3/26/15.
2	801 Olive/ Carnel Partners	801-825 S. Olive St.	27-story building containing 363 dwelling units and 10,000 sf of retail.	CPC-2013-3224-ZV- TDR-MSC-SPR; ENV-2013-3225- MND	Filed 10/11/13; approved 1/31/14.
3	820 Olive/ Omni Group	802-826 S. Olive St., 817-825 S. Hill St.	50-story building containing 589 residential units.	CPC-2013-4134- TDR-MCUP-ZV- SPR; ENV-2013- 4135-MND	Filed 12/23/13; approved 10/9/14.
4	920 Hill/ Barry Shy	920 S. Hill St.	32-story building containing 239 residential condominium units and 5,405 sf of ground floor commercial space.	CPC-2014-2590- TDR-ZV-SPPA-SPR; ENV 2014-2591-EAF	Filed 7/17/14.
5	1001 Olive/ Lennar Multifamily	1001-1005 S. Olive St., 400-412 W. Olympic	7-story building containing 201 apartment units and 4,100 sf of ground floor commercial space.	DIR-2013-2563-SPR; ENV-2013-2562- MND	Filed 8/20/13; approved 12/11/13; under construction.
6	1133 Hope/ Amacon	1133 S. Hope St.	28-story building containing 208 residential units and 5,029 sf of commercial floor area.	ZA-2013-4157-ZV- TDR-SPR; ENV- 2006-8931-MND- REC1	Filed 12/26/13; approved 7/11/14.

7	1200 Flower/ Omni Group	1200-1226 S. Flower St.	31- and 40-story buildings containing 730 dwelling units.	CPC-2013-4125-TDR-MCUP-ZV-SPR; ENV-2013-4126-MND	Filed 12/23/13; approved 10/9/14.
8	1400 Figueroa/ DHG Family Trust	1362-1400 S. Figueroa St.	7-story building with 106 dwelling units and 4,750 sf of retail space.	DIR-2014-1580-TDR-SPR; ENV-2014-1581-EAF	Filed 5/6/14; approved 11/14/14.
9	Broadway and Olympic/ Barry Shy	935-955 S. Broadway	15-story building containing 163 dwelling units and commercial space.	CPC-2014-2947-TDR-ZC-ZV-CDO-SPR; ENV-2014-2948-EAF	Filed 8/13/14.
10	Broadway Palace/ G.H. Palmer	912-1046 S. Broadway; 100-104 W. Olympic Bl.; 915-1015 S. Main St.	6- and 10-story buildings containing 684 apartment units and 58,471 sf of commercial floor area.	DIR-2013-1216-SPR-CDO; ENV-2013-200-MND	Filed 4/24/13; approved 12/12/14.
11	Eighth and Grand/ Carmel Partners	710-798 S. Grand Ave.; 701-799 S. Olive Ave.	7-story complex containing 700 dwelling units, a 42,000 sf grocery store and 8,000 sf of additional retail.	DIR 2011-1229-SPR; ENV-2005-7367-MND-REC2	Filed 5/16/11; approved 12/28/11.
12	Eighth and Spring/ Holland Partner Group	737-759 S. Spring St.; 215 W. 8th St.	24-story building containing 320 apartment units and ground floor retail.	DIR-2014-4189-TDR-SPR; ENV-2014-4190-MND	Filed 11/7/14.
13	Foreman and Clark Building/ Kyung Cho	701-715 S. Hill St.; 400- 406 W. 7th St.	Conversion of 13-story commercial building into housing complex with 165 dwelling units and ground floor retail/restaurant uses.	ZA-2014-1800-MCUP-CUX-ZV-ZAA; ENV-2014-1801-EAF	Filed 5/21/14.
14	South Park/Forest City	1100-1108 S. Hill St.; 1111 S. Broadway; 1200 S. Broadway.	Two 7-story buildings containing 391 dwelling units and 15,000 sf of ground floor retail space.	ZA-2006-6513-CUB-CUX-CU-ZV-ZAA; ENV-2005-4654-EIR	Filed 7/26/06; approved 3/21/07; modified 1/30/15.
15	G12/Sonny Asiani	1211-1247 S. Olive St.	7-story building containing 293 residential units and 20,000 sf of retail and commercial space.	DIR-2013-0357-SPR; ENV-2013-0358-MND	Filed 2/8/13; approved 7/15/13.

16	Hanover Grand/ Hanover Company	1000-1032 S. Grand Ave.; 414-50 W. Olympic Bl.	7-story, 274-unit apartment complex with 12,000 sf of ground level retail space.	DIR-2013-2455-SPR; ENV-2013-2456- MND	Filed 8/9/13; approved 12/20/13.
17	Hanover Olympic/ Hanover Company	924-962 S. Olive St.	7-story, 263-unit apartment complex with 14,500 sf of ground level retail space.	DIR-2013-3137-3137- SPR; ENV-2013- 3138-EAF	Filed 10/8/13; approved 4/4/14.
18	Level Furnished Living/ Omni Group	840-888 S. Olive St.; 321 W. 9th St.; 839-845 S. Hill St.	33-story building containing 303 residential units.	ZA-2013-1013- MCUP-ZV-SPR; ENV-2008-2573- MND-REC1	Filed 4/8/13; approved 7/30/13.
19	South Park/ Mack Urban	1211-1241 S. Hill St.; 1228-1240 S. Olive St.	Two 7-story buildings containing 362 apartment units and 4,000 sf of retail space.	ZA-2014-535-ZV- SPR; ZA-2014-539- MCUP; ENV-2014- 534-MND	Filed 2/13/14; approved 7/24/14.
20	Onyx/ Jade Enterprises	1308 S. Flower St.; 516- 534 W. Pico Bl.; 1306 S. Hope St.; 416-434 W. Pico Bl.	Two buildings containing 410 residential units and 42,000 sf of commercial floor area.	CPC-2012-1665- TDR-ZV-SPR; ENV- 2012-1666-MND- REC2	Filed 6/20/12; approved 3/27/14.
21	Wilshire Grand Replacement/ Hanjin International	930 W. Wilshire Bl.	73-story building containing 900 hotel rooms and 400,000 sf of office, retail and restaurant space.	CPC-2009-3416- TDR-CUB-CU-ZV- SN-DA-ZAD-SPR; ENV-2009-1577-EIR	Filed 10/20/09; approved 5/21/11.
22	SB Omega/ Barry Shy	601-641 S. Main St.	38-story tower with 452 residential condos and ground floor retail	CPC-2014-2906- TDR-ZV-SPPA-SPR; VTT-69839; ENV- 2014-2907-EAF	Filed 8/11/14
23	Oceanwide Plaza/ Oceanwide *	1188 S. Figueroa St.	1,488,100 sq. ft. mixed use development, with three 40- and 49- story towers containing 504 dwelling units, 183 hotel rooms, 166,000 sq. ft. of retail uses.	DIR-2014-3673- SPPA; ENV-2000- 3577-EIR- ADDENDUM	Filed 10/1/14; approved 1/16/15.

24	Circa/ Jamison Partners, Hankey Group*	1200 S. Figueroa St.	Two 34-story buildings containing 648 residential condominium units and 48,000 sf of retail space.	DIR-2014-1795-SPPA-SPR; ENV-2000-3577-EIR Addendum	Filed 5/21/14; approved 11/12/14.
25	J.W. Marriott Expansion / Anschutz Entertainment Group *	948 S. Georgia St.; 1000 W. Olympic Bl.	38-story building containing 755 hotel rooms and over 75,000 sf of meeting, banquet and conference space.	n/a	Announced.

* These projects are located within the Los Angeles Sports and Entertainment District ("LASED") Specific Plan area. Although development within the LASED was identified as a related project in the 2005 Initial Study/MND, these more recent projects were not considered in the 2005 Initial Study/MND or the 2015 Addendum. Furthermore, the LASED Specific Plan was amended at least three times since 2005 (see Ord. No. 178,134, eff. January 27, 2007; Ord. No. 179,413, eff. November 11, 2007; and Ord. No. 181,334, eff. November 16, 2010). Again, these amendments were not considered in the 2005 Initial Study/MND or the 2015 Addendum.

Exhibit "3"

CAJA Letter

11990 West San Vicente Boulevard, Suite 250
Los Angeles, CA 90049
Phone 310-469-6700 Fax 310-806-9801

April 22, 2015

Oliver.Netburn@lacity.org
Oliver Netburn
City of Los Angeles
Department of City Planning
200 North Spring Street, Room 721
Los Angeles, CA 90012

Re: Opposition to Modification of Vesting Tentative Tract Map No. 62367 and Related Addendum to Mitigated Negative Declaration (ENV-2005-1674-MND-REC1)

Dear Mr. Netburn:

On behalf of GTS 900 F, we provide the following public comment regarding the Addendum to the Mitigated Negative Declaration (the Addendum) for the Apex II development (the Project), prepared by the City of Los Angeles (the City) under the California Environmental Quality Act (CEQA). We have several concerns about the Project and the accompanying environmental analysis, as the Addendum fails to fully evaluate the issues identified in this letter, and fails to properly analyze several additional issues relating to: environmental setting, traffic, air quality, noise, and public services (school, parks, and library services).

I. The Addendum Uses an Outdated Environmental Document That was Published 10 Years Earlier

As a result of the length of time between publication of the Original MND document in 2005 (the 2005 MND) and subsequent Addendum to MND in 2015, the CEQA analysis lacks updated environmental baseline information necessary for reasoned and informed consideration of the Project's environmental impacts. Given the potential impacts the Addendum predicts that the Project will cause, the request for an increase in residential density renders impossible any informed judgment by the decision-makers regarding the benefits of the Project against its potential environmental effects. This omission in the Addendum also deprives the decision-makers of substantial evidence upon which to make findings or approve a Final Tract Map. We ask that the City demand the Applicant put forth an actual predictable environmental baseline, and must base both the environmental analysis and the consideration of the Project on that new information. Specifically, the Addendum compares the potential environmental impacts of the revised project against those identified in the 2005 MND published 10 years ago. Since then, the City has undergone several changes to the existing environmental climate in and around the area of the project site. Comparing impacts and assuming that future potential impacts would be similar to those identified in the 2005 MND is inadequate and does not satisfy the requirements of CEQA. With this, the City must revise and recirculate the Addendum (similar to an MND) to provide the public and decision-makers the opportunity for informed comment and deliberation based on an actual environmental setting that depicts the existing nature of the project site and surrounding communities.

II. The Updated Traffic Memorandum (September 23, 2014) Uses Outdated Trip Counts, Inaccurate Trip Generation Comparisons, and Never Updated Its Related Projects List

Outdated Trip Counts

The Addendum provides updated transportation level of service analyses based on trip counts taken over 10 years earlier. The revised traffic study presented in the Addendum uses actual trip counts from the 2005 MND as its baseline of significance when determining if the Project would create an unacceptable level of service at a particular intersection. When adding the projected trip counts associated with the revised Project before this Advisory Agency, the conclusion is reached that no potential significant impacts would occur at the studied intersections. However, the environmental baseline of traffic conditions within and surrounding downtown Los Angeles has changed dramatically since the trip counts were recorded over 10 years ago. In particular, new bicycle lanes have been constructed around the Project site, which would alter the traffic capacity and related circulation patterns in and around the site. We request that the applicant perform an updated existing traffic trip count at the studied intersections to gather a better perspective of the transportation node in this particular area of the City. It may then conclude that additional intersections should be studied as well. It is obvious that altering level of service analyses would occur if updated trip counts were to be recorded presently when compared to traffic conditions 10 years past. Therefore, an inaccurate or incomplete traffic baseline renders the analysis of environmental effects inherently unreliable, in turn rendering impossible any evaluation of the benefits of the Project. Although general detail is not necessarily required, an environmental document must describe a project not only with sufficient detail, but also with sufficient accuracy, to permit informed decision-making.

Inaccurate Trip Generation Comparisons

Not only is outdated information used to determine level of significance when compared to the original conclusions identified in the MND, but actual built out uses of Phase I and II differ from what was originally analyzed in the 2005 MND transportation CEQA section. The 2005 MND studied 629 residential units and roughly 27,000 square feet of retail space. What was actually built and on-site today is office uses and lounge space, which in turn would require a differing trip generation rate be used when calculating trip generation in and around the Project site. Thus, to compare projected trip counts to those identified in the 2005 MND would be void. Thus, we request that updated trip counts and updated trip generation factors based on existing uses be used to determine the transportation level of significance.

Related Projects List

What's more, the revised traffic analysis did not provide an updated related projects list so as to accurately reflect the existing and potential future of cumulative traffic in the downtown area of Los Angeles. As such, the updated Addendum did not provide an updated and informed cumulative analysis based on Project revisions. An updated related projects list would afford the environmental consultant to provide an accurate potential cumulative impacts

discussion within the Addendum, which was not provided. We feel this is vitally important given the changing development real estate climate in and around the Project site.

Overall, the City must revise the Addendum and revised traffic memorandum to better illustrate the accurate existing traffic environment at the Project site as it stands today.

III. The Addendum Inaccurately Analyzes A 10% Increase in Density

The Addendum provided environmental analysis on an increase of roughly 60 residential units when compared to the 2005 MND document. This is a roughly 10% increase in residential density from what was originally approved in 2005. The applicant seeks to modify the Vesting Tentative Tract Map No. 62367, as referenced in the recently circulated Notice of Public Hearing for the hearing scheduled on April 22, 2015. This Vesting Map has recorded and is now the Final Map. As such, the modification sought, namely the addition of 60 condominiums in the Tower 2 Building, located on Lot 3, is subject to the requirements for modification of a final map, as prescribed by California Government Code Section 66472.1 and Los Angeles Municipal Code Section 17.14. Not only would 60 additional units deviate from the original design and approval, the Addendum needs to be updated to reflect an accurate 10% increase in density, since the Vesting Map has been recorded and is now the Final Map. With this, the proposed Addendum inaccurately analyzes a project that is proposing above and beyond what is allowed. The Original Subdivider is not aware that any findings, studies or reports have been made by any agency of the City that the modifications proposed by the applicant meet the requirements of Government Code Section 66474. The applicant relies on environmental findings regarding the Project which are 10 years old at this point, specifically, the original MND. Downtown Los Angeles has undergone significant changes in the past decade and the addition of 60 new units should require that certain findings be made.

IV. The Addendum Fails To Provide Specific Information On Alcoholic Beverage Sales

The Addendum fails to provide any specific information on whether alcohol sales would occur on-site. As proposed, the applicant suggests construction of an outdoor resident space with fire pits on its rooftop, a residential lounge, and residential amenity space. To the extent the Applicant has any specific plans for specialized uses that might occur on-site, the Addendum must describe those plans. The actual uses of the site could alter the impact analysis in the Addendum and could obscure key impact analyses. As this is not disclosed in the Addendum, the general population has no conclusion of what the applicant would ultimately construct and precisely what would occupy that square footage. Therefore, any permit for the sale of alcohol or live entertainment must be thoroughly evaluated with input from the Police Department. Therefore, a supplemental or subsequent MND is required for the service of alcohol and live entertainment use within the Project boundaries.

V. The Addendum Fails to Evaluate the Project's Indirect Impact on School Overcrowding and Library Services.

The Addendum states that payment of school fees would mitigate the impact of the Project on area schools, but failed to analyze the secondary effects of school-related traffic and construction activities on the surrounding community given the excessive date the 2005 MND was drafted and the potential increase in residential density on-site. The 2005 MND provided evidence that overcrowding could or would result from the addition of Project-generated and cumulatively generated students. Thus, the Addendum failed to discuss measures necessary to accommodate Project-related and cumulative students under the new Addendum. Although the impacts of any construction activities on the school would be mitigated by SB50 fees, the impacts of such construction on the communities surrounding the affected schools or school sites do not fall within the types of impacts that fees can mitigate. Thus, the Addendum must evaluate the potential construction-related impacts of school expansion, such as air quality and noise issues associated with construction.

Similarly, the Addendum fails to disclose how the revised project would impact the library system. Therefore, the Project should include an analysis of its library system in order to identify educational and informational facilities for its residents. Thus, a revised and updated MND would be needed to disclose this information to the general public.

VI. The Addendum Undervalues the Impact of the Project on Parks.

The Addendum identifies certain park in-lieu fees required for the Project, including the Dwelling Unit Construction Tax and the Quimby Fees for Condominium Units. Park in-lieu funds should be specifically allocated to parks within the immediate vicinity of the Project as a condition of approval. This may include renovation to existing parks, or funding of future parks. The Addendum identifies the required open space per unit required by the Project; however, this open space does not count towards the required parkland, unless it exceeds the open space requirements. The Addendum must evaluate how the increase in residential population and units at the Project site impacts the existing park system.

VII. The Addendum Failed To Adequately Disclose Construction-Related Noise And Vibration Impacts.

Since the development of nearby sensitive receptors since the 2005 MND was approved, it is obvious that the existing (present) environmental setting has dramatically changed. Given that the proximity of nearby sensitive receptors (specifically Phase I and II residents) renders full construction noise mitigation technically infeasible, as disclosed in the Addendum on Page 31, the probability exists that residents present on site during construction would experience construction noise levels well in excess of the City significance thresholds. Although neighboring residents were presented with disclosure notices regarding noise and vibration, the Addendum has failed to disclose a potentially significant, unavoidable impact of the Project, and must be amended to provide this analysis.

VIII. The Addendum Fails to Adequately Evaluate Operational Noise Caused by Outdoor Rooftop Decks

The Addendum also fails to properly identify noise impacts during the operation of the Project. The Addendum states that the residential units will have access to rooftop gathering spaces with fire pits. The Addendum fails to identify the location of these outdoor areas, and fails to provide typical mitigation measures required of other rooftops in the areas, such as time limits, prohibition of live entertainment on rooftops, and proper design and landscaping to locate noisier areas away from residential uses (or neighboring sensitive receptors). Lots 1 and 2 of the 2005 MND have been developed with the Lofts Building and Tower Building, which should now be considered a sensitive receptor for noise and vibration. We feel that a subsequent or supplemental environmental review is necessary prior to approval of specific outdoor areas.

Conclusion

In closing, the Applicant severely relies on environmental significance conclusions which are now over 10 years old. Specifically, substantial changes are proposed, which would require major revisions to the 2005 MND. What's more, substantial changes have occurred with respect to the circumstances under which the Project is being undertaken, including the surrounding physical environment at the site and neighboring adjacent sites. For example, Lots 1 and 2 of the 2005 MND have been developed with the Lofts Building and Tower Building, which should now be considered a sensitive receptor and should be included in the overall discussion of potential environmental impacts of such a revision. We request that the presently scheduled public hearing be cancelled and that if it must go forward, that you deny the Project and subsequent revisions to the previously approved MND.

Very truly yours,

Chris Joseph
CAJA Environmental Services, LLC

Exhibit "4"

IBI Memo



IBI GROUP
18401 Von Karman Avenue – Suite 110
Irvine CA 92612 USA
tel 949 833 5588 fax 949 833 5511
ibigroup.com

Memorandum

To/Attention Sonny Astani **Date** May 13, 2015
From Bill DeLo **Project No** 99
cc
Subject 9th & Figueroa Mixed-Use Project – Traffic Comments

This memorandum summarizes the results of IBI Group's review of materials provided related to the proposed Apex II development in Los Angeles, CA. IBI Group has reviewed the Mitigated Negative Declaration (MND) originally prepared for the Apex project in 2005, an Addendum to the Mitigated Negative Declaration (the Addendum) prepared for the Apex II development, and with a comment letter prepared by CAJA Environmental Services. The original Mitigation Negative Declaration (MND) for the Apex Mixed Use project was prepared in 2005. The Addendum prepared in 2014 assesses the impacts of a revised third residential tower on the project site.

The objective of this memorandum is to highlight issues and topics related to the traffic impact analysis that should be addressed in the Addendum given changes to the proposed project and the duration in time that has passed since the completion of the 2005 MND. The comments presented in this memorandum are provided for reference and to support your review of the MND Addendum prepared for the Apex II project.

Traffic Comments

IBI Group provides the following comments related to the traffic analysis for the Apex II project, based on our review of the 2005 MND, the California Environmental Quality Act (CEQA) comment letter prepared by CAJA Environmental Services, LLC, and our familiarity with transportation conditions and ongoing projects in Downtown Los Angeles.

- The MND Addendum uses trip counts and traffic count data from the 2005 MND for the updated traffic analysis. This approach does not follow the typical standard practice for traffic studies in the City of Los Angeles, where traffic count data should be no more than 2 years old when utilized in a traffic impact study.
- The Los Angeles Department of Transportation (LADOT) revised their Traffic Study Guidelines in 2013. It is unclear if the updated traffic analysis in the Addendum follows the updated LADOT guidelines.
- As part of the traffic study guideline updates, LADOT permits a wider range of potential traffic mitigation measures to address significant traffic impacts. These mitigation measures could include transportation demand management, transit, and active transportation improvements. There is no discussion in the MND Addendum regarding the potential for proposing alternative mitigations that would not result in roadway widening.
- There have been substantial changes to the roadway network within Downtown Los Angeles since 2005. Changes that could have an impact on the traffic study analysis (particularly intersection LOS), results, and findings include:

Sonny Astani – May 13, 2015

- Modifications to the off-ramp from Interstate 110 to 9th Street
 - New bicycle lanes on 7th Street, Figueroa Street, Grand Avenue, and Olive Street, resulting in changes to the number of travel lanes and intersection lane geometries
 - The proposed buffered bicycle lane and separated cycle track on Figueroa Street proposed as part of the My Fig project, which will reduce the number of travel lanes on Figueroa adjacent to the project site.
 - The currently under construction Metro Regional Connector light rail project
- The traffic technical memorandum included with the MND Addendum notes that the analysis was updated to incorporate new and planned bicycle lanes as part of the revised analysis, but it is not clear that new traffic counts were obtained to better understand how traffic patterns may have changed with the implementation of the bicycle lane projects.
- Another key item that appears to be missing from the traffic analysis in the Addendum to the MND is an updated list of related and cumulative projects. Based on the CAJA comment letter, it appears that an updated cumulative project list, accounting for projects proposed, under construction, and opened since 2005 was not incorporated into the traffic analysis. Significant nearby projects that could change traffic patterns, traffic volumes, and intersection LOS in the project study area include (but are not limited to) the following:
 - The Metropolis development at 9th Street and Francisco Street
 - The Wilshire Grand mixed-use high-rise at the corner of Figueroa Street and 7th Street
 - Embassy Tower at 848 S. Grand Avenue
 - A mixed-use tower at 1050 S. Grand Avenue
 - A mixed-use tower with 210 units at 215 W. 9th Street
 - The 8th/Hope/Grand mixed-use project with 225 units
 - A mixed-use project at 840 S. Olive with 303 units
 - A mixed-use project at 1000 S. Grand Avenue with 274 units
 - Three additional residential projects along South Olive, adding over 1,000 new residential units
- These projects, and others near the project site, create new vehicle trips and result in changes to traffic patterns that would not be accounted for in the 2005 traffic counts and traffic analysis. Updated traffic counts, and an updated analysis accounting for these projects being part of the baseline conditions, should be part of any updated traffic study.
- Trip generation estimates available from the Institute of Transportation Engineers (ITE) have changed since 2005 (original studied used the 7th Edition of the ITE Trip Generation Handbook). The 9th Edition is most current. The traffic technical memorandum included with the MND Addendum notes that use of the trip generation rates from the 7th Edition Handbook is a more conservative approach, as these rates are higher than those in the 9th Edition.

Sonny Astani – May 13, 2015

- Additionally, LADOT's guidelines regarding trip generation and trip credits for new development have also changed since 2005. It is not clear that the updated traffic analysis takes these changes in trip generation estimation methodology into account.

Observations

Based on the review of the materials provided to IBI Group, we would recommend that a revised traffic study be prepared for the Apex II development to ensure that the updated traffic study complies with current LADOT traffic study guidelines and accounts for changes to traffic volumes, traffic patterns, and cumulative projects within the study area since 2005.

Exhibit "5"

OTC Letter



Overland Traffic Consultants, Inc.
952 Manhattan Beach Boulevard, # 100
Manhattan Beach, CA 90266
Phone (310) 545-1235
E mail: otc@overlandtraffic.com

May 12, 2015

Mr. Sonny Astani
Astani Enterprises
9595 Wilshire Blvd.,
Beverly Hills, CA 90212

RE: Review of Traffic Addendum for Vesting Tentative Tract Map No. 62367-M3
(700 W 9th Street)

Dear Mr. Astani,

As requested, Overland Traffic Consultants has reviewed the traffic addendum prepared for the Apex II Tentative Tract Map No. 62367 – M3. The addendum prepared by The Mobility Group, dated September 23, 2014 was approved the City Department of Transportation (LADOT) on October 3, 2014 (approval attached).

The supplemental analysis focused on the changes to the project's traffic generation and a comparative level-of-service analysis of the original nine study intersections selected for evaluation in 2005. LADOT concurred with the findings of the supplemental traffic analysis that the changes to the project scope would not result in any additional significant traffic impacts.

The supplemental level of service analysis relied on traffic counts collected in 2004 and 2003 and a cumulative project list developed in 2005. No analysis or evidence was provided to support using 2005 traffic volumes and cumulative project list. Therefore, the supplemental traffic analysis provides information only on the potential project traffic impacts on 2005 traffic conditions but does not provide any level-of-service information on potential project traffic impacts occurring in 2015.

As you know, many projects have been developed and proposed in the past 10 years in downtown Los Angeles. Downtown Los Angeles has been staging an urban comeback. The transformation of downtown Los Angeles is not so much a renaissance of a business core, but a shift into a new, and different, function with a residential high-rise district. With that comes changes to the traffic flow in and out of the downtown core and within. The

A Traffic Engineering and Transportation Planning Consulting Services Company



supplemental analysis ignored any discussion or analysis to validate the 2005 traffic database.

Traffic counts and the development of a new cumulative project list that reflects current 2015 conditions needs to be included in any supplemental analysis to evaluate the proposed changes to the Apex II tract map. It can be fairly argued that the analysis lacks substantial evidence to support the traffic determination that the revised project does not have additional significant traffic impacts. Without updating the traffic counts and cumulative database it is impossible to determine the current 2015 level of service at the nine study intersections and make the determination that no new significant traffic impacts would occur.

Please call me if you have questions.

Sincerely,


Jerry Overland

Attachments

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE700 W. 9th St
DOT Case No. CEN 14-42408

Date: October 3, 2014

To: Karen Hoo, City Planner
Department of City PlanningFrom: Tomas Carranza, Senior Transportation Engineer
Department of TransportationSubject: **SUPPLEMENTAL TRAFFIC ANALYSIS FOR APEX PHASE II (9TH & FIGUEROA)
PROJECT**

The Department of Transportation (DOT) has reviewed the supplemental traffic analysis, dated September 23, 2014, and prepared by The Mobility Group, for the Apex Phase II project located at the southeast corner of 9th Street and Figueroa Street. The original scope for this project was the subject of a traffic study prepared in March 2005 and of a DOT report dated May 27, 2005. The Vesting Tentative Tract Map (No. 62367) for this project was approved on July 5, 2005 entitling the applicant to construct 629 condominium units and 27,000 square feet of retail space. Since that time, the project has constructed 348 dwelling units and 11,276 square feet of commercial space. The project proposal has been revised and the applicant now proposes to construct a total of 689 residential units and 22,963 square-feet of retail use. This reflects an increase in residential units and a decrease in retail space from the approved project.

The supplemental analysis estimated the trip generation for the revised project proposal and included a revised level-of-service analysis of the original nine intersections selected for detailed evaluation. The analysis (attached for reference) indicates that the change in the project's scope would not result in any new significant traffic impacts and that DOT's original findings are still valid. The revised project scope is estimated to increase the amount of trips generated by the project as follows: 74 more daily trips, 14 more a.m. peak hour trips and 6 more p.m. peak hour trips. For the purpose of this comparison, trip generation from the Institute of Transportation (ITE) Engineers Trip Generation Manual (7th Edition) were used for both project scenarios. The latest edition of this manual was published in 2012 and included updated trip generation rates based on increased data sets and surveys. When comparing the two project scenarios using rates from the 9th Edition, the revised project is actually estimated to result in less trips for the three compared time periods.

The revised project is estimated to generate 2,698 net new daily trips, 197 net new trips in the a.m. peak hour and 244 net new trips in the p.m. peak hour. The revised analysis evaluated the original nine study intersections and determined that, as in the previous study, the same two study intersections would be significantly impacted by project related traffic. Therefore, DOT concurs with the findings of the supplemental traffic analysis that the changes to the project scope would not result in any new significant traffic impacts.

If you have any questions, please contact Wes Pringle of my staff at (213) 972-8482.

s:\letters\CEN14-42408_700 9th St_rev proj.wpd

Attachment (Technical Memorandum from The Mobility Group dated September 23, 2014)

c: Tanner Blackman, Council District 14
Taimour Tanavoli, Citywide Planning Coordination Section, DOT
Mike Bates, The Mobility Group

Memorandum

To: Tomas Carranza, LADOT
From: Matthew Simons, The Mobility Group
Subject: Traffic Review for Apex Phase II (9th & Figueroa) Project
Date: September 23, 2014

The Mobility Group (TMG) initially submitted a Traffic Study for this project, which is located immediately south of 9th Street between Figueroa Street and Flower Street, on March 25, 2005. At that time, the Project Description comprised 629 condominiums and 27,000 sq. ft. of retail space. The analysis contained in that report showed that the proposed project was not expected to generate any significant traffic impacts after mitigation. LADOT agreed with the findings of that report and drafted an Approval Letter (Attachment A) dated May 27, 2005 (DOT Case No. CEN 04-1591). The Vesting Tentative Tract Map (No. 62367) was approved on July 5, 2005, and the Zone Variance and Site Plan Review (ZA 2005-1673(ZV)(ZAA)(SPR) was approved on September 26, 2005.

Since that time, a large part of the Project has been constructed. This has included 348 dwelling units and 11,276 sq. ft. of commercial retail space. The Applicant is now proceeding with construction of the third part of the Project, and wishes to make some minor changes to the Project Description.

Original 2005 Project and Traffic Study Report

The original 2005 report was based on a Project Description of 629 residential condominiums and 27,000 sq. ft. of retail space. The report identified that the Project would generate 2,624 daily trips, 183 AM peak hour trips and 238 PM peak hour trips (Attachment A, Original 2005 Approval Letter, Page 1).

Revised 2014 Project and Analysis

The Applicant has revised the Project Description to include a total of 689 apartment units and 22,963 sq. ft. of retail space. TMG prepared trip generation estimates for the revised Project

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The Mobility Group

Transportation Strategies & Solutions

Description using trip rates from the 7th Edition (Attachment B, Table B.1) of the Institute of Transportation Engineers (ITE) *Trip Generation* for consistency with the earlier Traffic Study. As for the earlier study, for a conservative analysis and to provide the Project more flexibility, the revised Project trip generation was based on condominium land use (with a slightly higher trip rate than apartment land use).

When the trip generation estimates from the Original 2005 Traffic Study were compared to those calculated for the Revised 2014 Project Description, it was determined that the daily trips are expected to increase from 2,624 trips to 2,698 trips. The AM peak hour trips are expected to increase from 183 trips to 197 trips and PM peak hour trips are expected to increase from 238 trips to 244 trips. Revised level of service analyses were conducted at the study intersections identified in the 2005 Traffic Study using the trip generation estimates calculated for the Revised 2014 Project. The LOS calculations were updated to account for all existing and planned bike lanes that are to be implemented in the study area. The increase in vehicle trips generated by the Revised 2014 Project is not expected to create any new significant impacts at any of the study intersections (Attachment B, Tables B.2 and B.3).

TMG also calculated the trip generation estimates using the trips rates from the 9th Edition (Attachment B, Table B.4) of ITE's *Trip Generation* and compared the results to those calculated using the 7th Edition trip rates. The number of trips in both the AM and PM peak hours is lower when calculated using the 9th Edition trip rates than those calculated using the 7th Edition trip rates. This further supports our conclusion that using the results calculated using the 7th Edition trip rates is the most conservative method of analysis and shows there would not be any new significant impacts.

Conclusion

The proposed change in the Project Description is expected to result in a slight increase in the overall number of vehicle trips the Project is expected to generate. Two significant impacts and acceptable mitigation measures were identified in the Original 2005 Traffic Study. The increase in vehicle trips as a result of the change from the 2005 Project Description to the 2014 Project Description is not expected to create any new significant impacts.

We therefore conclude that the change in Project Description will not create any new significant impacts and that a new traffic study is not necessary.

We respectfully request your concurrence with the above conclusion. If necessary, the Applicant requests a supplemental LADOT letter, describing the changes in the Project Description - and confirming the results of the trip generation analysis and that there would still be no significant impacts at any of the study intersections. They would like to move forward as quickly as possible, so if necessary they are requesting the supplemental letter at your earliest convenience.

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The Mobility Group

Transportation Strategies & Solutions

We appreciate your assistance on this project. You may call me at (949)-474-1591 x15 or e-mail me at msimons@mobilitygrp.com, if you have any questions.

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131.6153777

Exhibit "6"

Ramboll Letter

Mr. Sonny Astani
GTS 900F LLC c/o Astani Enterprises
9595 Wilshire Boulevard
Penthouse 1010
Beverly Hills, California 90212

**REVIEW OF THE AIR QUALITY AND GREENHOUSE GAS
SECTIONS OF THE APEX ADDENDUM FOR THE PROJECT
LOCATED AT 9TH AND FIGUEROA, LOS ANGELES, CALIFORNIA**

Dear Mr. Astani:

Date June 5, 2015

Per your request, Ramboll Environ US Corporation (Ramboll Environ) has reviewed the Air Quality (AQ) and Greenhouse Gas (GHG) Sections of the Apex Addendum for the Project located at 9th and Figueroa in Los Angeles, California. Ramboll Environ's comment letter includes our findings identified in our review of the Addendum. Our findings reflect the conclusions reached given the time available for our review and information provided. To the extent that additional information or time is provided, our findings may change.

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**Overall Comments
Section III (Air Quality)**

1. Page 11-13. The Addendum does not adequately address the potential air quality impacts associated with the Proposed Project.
 - a. The Addendum does not report how the Proposed Project's emissions will compare to the South Coast Air Quality Management District's (SCAQMD's) Localized Significance Thresholds (LSTs). The SCAQMD's LSTs "represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard, and are developed based on the ambient concentrations of that pollutant for each source receptor area and distance to the nearest

sensitive receptor.”¹ According to the SCAQMD significance thresholds, the ambient air quality concentrations should be evaluated.² This is also required as stated in the Addendum air quality criteria asking would the project “[v]iolate any air quality standard or contribute substantially to an existing or projected air quality violation?”

The Proposed Project’s reported maximum construction emissions of PM₁₀ and PM_{2.5} (i.e., 5.87 lb PM₁₀/day and 4.32 lb PM_{2.5}/day for on-site emissions during grading as shown in the CalEEMod output files included in Appendix A of the Addendum)³ are greater than the LSTs applicable for this Proposed Project (i.e., LSTs of 5 lb PM₁₀/day and 3 lb PM_{2.5}/day for a 1-acre project site for “Central LA”) based on a receptor distance of 25 meters or less.⁴ The LSTs for a 1-acre project site were used based on the CalEEMod output files included in the Addendum, which shows the lot acreage size as 0.9 acres. The LSTs for a receptor distance of 25 meters or less were used because of the residents located in Phase I as well as the sensitive receptors across the street from the Proposed Project. As estimated in the Addendum, emissions of PM₁₀ and PM_{2.5} during construction of the Proposed Project would be a significant air quality impact.

- b. The Addendum does not adequately address the air quality criteria as stated in the Addendum asking would the project “Expose sensitive receptors to substantial pollutant concentrations?” There does not appear to be any analysis in regards to this criteria. Given that Phase I of the original Proposed Project has been completed (i.e., construction of Tower I and the Loft Building has been completed), the residents in these buildings are considered sensitive receptors. Since these sensitive receptors are located immediately adjacent to the Proposed Project’s construction area, this criteria should be assessed.
- i. The Addendum also does not appear to include any discussion regarding the potential health risk impacts from the Proposed Project on nearby sensitive receptors. In this regard, the Office of Human Health Hazard Assessment (OEHHA) has recently approved revised Health Risk Assessment (HRA) guidelines. The revised HRA Guidance Manual may lead to changes in residential excess lifetime cancer risk estimate compared to the risk results calculated from methodologies recommended in the 2003 version of the guidance. The impacts from construction projects, which have shorter exposure durations but more conservative assumptions regarding the application of age-sensitive factors, may be as much as ~30 times higher on residents and ~1.5 times higher on workers based on the

¹ Available at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>. Accessed: May, 2015.

² Available at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf?sfvrsn=2>. Accessed: May, 2015.

³ Table 3 on page 12 of the Addendum reports 7.14 lb PM₁₀/day and 4.81 lb PM_{2.5}/day. These values represent the total on- and off-site PM emissions based on the CalEEMod output files. Only on-site emissions are compared to the LSTs.

⁴ Available at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/appendix-c-mass-rate-lst-look-up-tables.pdf> Accessed: May 2015.

new OEHHA methodologies. What is the health risk impact from the Proposed Project on nearby sensitive receptors?

- ii. The Addendum does not appear to include any discussion regarding the potential "health effects" impacts from the Proposed Project on nearby sensitive receptors. There is a large body of epidemiology and toxicology studies examining the relationship between exposure to PM and increased illness (morbidity) or increased death rates (mortality) in people. A number of these studies demonstrate that short-term exposure to elevated PM increases acute mortality in people with pre-existing cardiovascular disease or respiratory conditions, especially elderly people with such diseases⁵. Other epidemiology studies suggest that exposure to elevated PM may affect pregnant women and their fetuses and infants, including effects such as increased incidence of low birth weight, premature infants, or increased risk of infant or child mortality. Studies exposing animals, bred to mimic certain human cardiac and pulmonary conditions, to air containing concentrated PM support the linkage between exposures to PM and disease. The Addendum should discuss the issue of potential "health effects" from the Proposed Project on nearby sensitive receptors.
2. Page 12, Table 3. The Addendum appears to report inconsistent construction emissions for the Proposed Project compared to the CalEEMod output files in Appendix A. The emissions reported in Table 3 on page 12 of the Addendum do not appear to correlate to the CalEEMod output files included in Appendix A. What is the basis for the results reported in Table 3 on page 12? What are the assumptions used for those results?
 - a. The Addendum also concludes without basis that the construction emissions for the Proposed Project would be less than those reported in the 2005 MND. Because the 2005 MND relied upon a completely different emission estimation model (i.e., URBEMIS 2002), there is no basis to compare the results from the Addendum which were calculated using CalEEMod v 2013.2.2. These are two different models which inherently yield different emissions.
3. The Addendum has not addressed the City of Los Angeles Planning Commission Advisory Notice 2427 (which was released after 2005) to evaluate the siting of potential sensitive receptors near freeways. The Planning Commission released an Advisory Notice on November 8, 2012, that provided measures to be taken under advisement for certain projects, including residential projects, sited near a freeways to study the increased health impacts for people living near freeways or to take steps to reduce potential air pollutant exposure. The Advisory Notice is applicable to projects located within a 1,000 feet of a freeway. One measure in the Advisory Notice is the preparation of a Health Risk Assessment. According to information obtained from Zimas, the Proposed

⁵ US Environmental Protection Agency. Integrated Science Assessment for Particulate Matter (Final Report). 2009. US Environmental Protection Agency, Washington, DC, EPA/600/R-08/139F. Available at: <http://cfpub.epa.gov/ncea/cfm/recordisplay.cfm?deid=216546>.

Project is subject to the Advisory Notice (ZI 2427).⁶ The Proposed Project should assess how it satisfies the City of Los Angeles Planning Commission Advisory Notice the siting of potential sensitive receptors near freeways.

Section VII (Greenhouse Gases)

4. Page 17-21. The Addendum does not adequately evaluate the GHG emissions inventory to evaluate the potential significance of the Proposed Project. The Addendum includes an evaluation of a "Project without GHG Reduction Measures" and "Project with GHG Reduction Measures" which yields a reduction of 13%. However, the Addendum does not establish what the significance threshold is and thus it is not substantiated why a 13% reduction from this "Project without GHG Reduction Measures" scenario is less than significant. What is the basis for the significance conclusion and how does it correspond to the emission inventories estimated?
 - a. It is not clear what assumptions were incorporated into the two scenarios: "Project without GHG Reduction Measures" and "Project with GHG Reduction Measures". The Addendum states on page 17-20 that the Proposed Project's emissions were estimated for a "base project without the enhanced energy conservation measures mandated by the CALGREEN Code (i.e., pre-2005 Title energy efficiency standards) and with the mandatory efficiency standards." However, there is not enough information in the text or CalEEMod output files to substantiate the analysis. What are the assumptions that form the basis for the "Project with GHG Reduction Measures" GHG emissions inventory? What is the substantial evidence that it is appropriate to assume those reductions? And what are the corresponding project design features and mitigation measures to ensure that these are monitored and enforced?
5. Page 21. The Addendum does not adequately assess if the Proposed Project would "Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?" The Addendum states that "the project design would exhibit the applicable strategies and goals outlined in the 2006 CAT Report Strategies and ARB's Scoping Plan Recommended Measures for a project of this type and size." There is insufficient discussion and evidence to substantiate how the Proposed Project is consistent with these plans.

Section XVIII (Mandatory Findings of Significance)

6. The addendum does not adequately address if the Proposed Project may have a cumulatively considerable contribution to air quality impacts. Given that the Proposed Project will exceed applicable LSTs for construction (as discussed above), it appears that the Proposed Project's contribution of construction-related emissions will be cumulatively considerable.

⁶ <http://zimas.lacity.org/>.

We appreciate the opportunity to perform this review. Please feel free to call Eric Lu at (949) 798-3650 if you have any comments or questions.

Very truly yours,


Eric C. Lu, MS, PE
Principal

D +1 949 798 3650

2008/10/10 10:00 AM

Exhibit “7”

TAHA Letter



May 21, 2015

Sonny Astani
Astani Enterprises
9595 Wilshire Boulevard, Penthouse 1010
Beverly Hills, CA 90212

Re: Air Quality Review of the 9th and Figueroa Mixed-Use Project

Dear Mr. Astani:

Terry A. Hayes Associates Inc. (TAHA) has reviewed the Modification of Vesting Tentative Tract Map No. 62367, Initial Study/Mitigated Negative Declaration (2005 MND), and the Related Addendum to Mitigated Negative Declaration (ENV-2005-1674-MND-REC). The 2005 MND is outdated and, in our view, the Addendum does not adequately inform the public and decision makers as to the potential impacts under current air quality guidance. Accordingly, the California Environmental Quality Act (CEQA) process should be revisited, and a new air quality analysis should be prepared for the revised project.

LOCALIZED CONSTRUCTION EMISSIONS

The South Coast Air Quality Management District (SCAQMD) has established localized significance thresholds (LST) for assessing potential air quality impacts to sensitive receptors near construction areas. The LST methodology was adopted by the SCAQMD Governing Board in October 2003 and was an optional analysis in CEQA documents at the time. The 2005 MND did not include an LST analysis although many CEQA documents did include the analysis beginning in 2003. The SCAQMD adopted LSTs for particulate matter in 2006, and the analysis became a mandatory CEQA assessment in approximately the same year. The LST analysis is critical to protecting public health and relevant to the proposed project given the adjacent residences that were constructed during earlier phases of the proposed project. A greenhouse gas (GHG) analysis was included in the Addendum based on regulatory changes since publication of the 2005 MND. Similarly, an LST analysis should have been included in the Addendum.

The SCAQMD has published a Mass Rate LST Look-Up Table for determining the appropriate LSTs based on project location, site size, and distance to sensitive receptors. The LSTs relevant to the proposed project are for a one-acre project site and a 25-meter receptor distance. The particulate matter ten microns or less in diameter (PM₁₀) LST in downtown Los Angeles is 5 pounds per day (ppd) for PM₁₀ and 3 ppd for PM_{2.5}. Construction emissions are shown on page 143 of the Addendum Document (Air Quality Appendix). The mitigated on-site emissions during the 2015 grading phase are shown as 5.9 ppd for PM₁₀ and 4.3 ppd for PM_{2.5}. These emissions would exceed the LST. The public should be made aware of this potential air quality impact in a new air quality analysis.



TERRY A. HAYES ASSOCIATES INC.
9595 Wilshire Boulevard, Penthouse 1010
Beverly Hills, CA 90212
(310) 839-1200 Fax (310) 839-1201
www.taaha.com

OPERATIONAL EMISSIONS

The Addendum provides a qualitative analysis of operational emissions based on the 74 additional trips. As stated on page 12 of the Addendum, "construction and operational air quality emissions in the 2005 MND were analyzed using the URBEMIS air quality model, which was industry standard at that time. The air quality emissions for the proposed project are based on the CalEEMod software model, which is now recommended by the California Air Resource Board (CARB) as a successor program to URBEMIS." CalEEMod includes updated vehicle emission rates and, importantly, updated reactive organic gas (ROG) emission rates for household consumer products (e.g., cleaning supplies). It is not uncommon for large residential projects to exceed the SCAQMD regional significance threshold for operational ROG emissions, which are an important contributor to ozone formation. Similar to the construction analysis presented on page 12 of the Addendum, a quantitative emissions update should be provided for operational emissions.

AIR QUALITY MITIGATION

The Addendum includes a new operational Mitigation Measure III-10 on page 13 related to air filtration. The Addendum does not include a discussion of this mitigation measure, or what impact is being mitigated. A new unmitigated impact would be a substantial change in the analysis that would require a Subsequent or Supplemental MND, or possibly an Environmental Impact Report. In addition, the mitigation measure does not specify the type of filter, quantify the benefit, or ensure that the filters will be regularly maintained.

GREENHOUSE GAS EMISSIONS

The GHG analysis includes a 13-percent reduction in emissions associated with the proposed project being located in a High Quality Transit Priority Area. Projects located in transit areas generate fewer daily trips than projects located outside transit areas. However, many traffic studies for residential developments account for transit-related trip reductions in the trip generation studies. Taking an additional 13-percent trip reduction for being located in a High Quality Transit Priority Area may be double-counting trip reductions if this were already accounted for in the traffic analysis. The Addendum does not clearly identify the trip generation and relevant reductions.

SUMMARY

In our view, the magnitude of technical omissions, lack of detail, and miscalculations related to air quality described above render this discussion in the Addendum inadequate as an informational document and as the basis for any decisions or conclusions to be drawn by the community or decision makers. For these reasons, the air quality assessment should be updated in accordance with CEQA and the requirements of the SCAQMD.

Sincerely,



Sam Silverman
Senior Associate/Senior Environmental Scientist

Exhibit 9

Appeal No. 3

**Alessi Appeal of
DIR-2015-97-SPR**

ORIGINAL



Application:

APPEAL APPLICATION

This application is to be used for any appeals authorized by the Los Angeles Municipal Code (LAMC) for discretionary actions administered by the Department of City Planning.

1. APPELLANT BODY/CASE INFORMATION

Appellant Body:

☐ Area Planning Commission ☐ City Planning Commission ☐ City Council ☒ Director of Planning

Regarding Case Number: DIR-2015-97-SPR

Project Address: 901 S Flower Street & 700 West 9th Street

Final Date to Appeal: 11/17/2015

Type of Appeal:

- ☐ Appeal by Applicant
☒ Appeal by a person, other than the applicant, claiming to be aggrieved
☐ Appeal from a determination made by the Department of Building and Safety

2. APPELLANT INFORMATION

Appellant's name (print): Richard and Megan Alessi

Company: N/A

Mailing Address: 901 S Flower Street, Unit 305

City: Los Angeles

State: CA

Zip: 90015

Telephone: (419) 306-1763

E-mail: meggephart@gmail.com

- Is the appeal being filed on your behalf or on behalf of another party, organization or company?

☒ Self

☐ Other: _____

- Is the appeal being filed to support the original applicant's position?

☐ Yes

☒ No

3. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____

State: _____

Zip: _____

Telephone: _____

E-mail: _____

4. JUSTIFICATION/REASON FOR APPEAL

Is the entire decision, or only parts of it being appealed?

☐ Entire

☒ Part

Are specific conditions of approval being appealed?

☐ Yes

☒ No

If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- The reason for the appeal
- How you are aggrieved by the decision
- Specifically the points at issue
- Why you believe the decision-maker erred or abused their discretion

5. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: _____

Date: 11/16/15

6. FILING REQUIREMENTS/ADDITIONAL INFORMATION

- Eight (8) sets of the following documents are required for each appeal filed (1 original and 7 duplicates):
 - Appeal Application (form CP-7769)
 - Justification/Reason for Appeal
 - Copies of Original Determination Letter
- A Filing Fee must be paid at the time of filing the appeal per LAMC Section 19.01 B.
 - Original applicants must provide a copy of the original application receipt(s) (required to calculate their 85% appeal filing fee).
- Original Applicants must pay mailing fees to BTC and submit a copy of receipt.
- Appellants filing an appeal from a determination made by the Department of Building and Safety per LAMC 12.26 K are considered original applicants and must provide noticing per LAMC 12.26 K.7.
- A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.
- Appeals of Density Bonus cases can only be filed by adjacent owners or tenants (must have documentation).
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (ZA, APC, CPC, etc.) makes a determination for a project that is not further appealable. (CA Public Resources Code § 21151 (c)). CEQA Section 21151 (c) appeals must be filed within the next 5 meeting days of the City Council.

This Section for City Planning Staff Use Only		
Base Fee: <u>\$89.00</u>	Reviewed & Accepted by (DSC Planner): <u>C. van der Zweep</u>	Date: <u>11/17/2015</u>
Receipt No: <u>20849</u>	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

Richard and Megan Alessi – Justification / Reason for Appeal from Case No. DIR-2015-97-SPR

We appeal from the conditional approval of Case No. DIR-2015-97-SPR for the following reasons:

- No exclusive use storage described in the Site Plan: Pursuant to our title to our property we are entitled to an exclusive use storage space that is to be built in connection with this phase of construction (this storage space is specifically described as Parcel 4 in our title). We have attached the Legal Description of our condominium which includes a description of Parcel 4 for your reference (see page 3). Parcel 4 must be built for our exclusive use as we hold title to that property. If Parcel 4 is not built the value of our condominium will be reduced and property that is ours according to our title will have been taken without consideration. We believe that the decision-maker has erred in conditionally approving the Site Plan without confirming that the exclusive use storage space will be built pursuant to the terms of our title.
- Number of anticipated units in the Site Plan materially exceeds those in the original plan: The proposed project will include 341 units, a 60-unit increase from the original approval. The 60-unit increase materially impacts (1) our ability to enjoy the amenities that we paid for in connection with the purchase of our condominium; (2) reduces the value of our condominium by diluting our interest in the amenities. The addition of 60 extra units will add hundreds of additional users of the shared amenities. It is our understanding that no new or expanded pool or weight room will be built in connection with this development phase. Today, there is generally no seating available after 11 AM on nice days. The 60-unit increase will exasperate this problem. We believe that the decision-maker erred or abused discretion in conditionally approving the site plan that provides for the 60-unit increase because it dilutes our interest in the amenities that we purchased in connection with the purchase of our condominium.
- Site Plan description of amenities misleading: It is our understanding that no new or expanded pool, BBQ, or weight room areas will be built in connection with the proposed project. Notwithstanding, the Site Plan states as follows: [t]he project will also include on-site amenities such as a pool area with chaise lounges and cabanas and a rooftop with case-style and family-style seating, a banquette, bar area, outdoor kitchen with barbeque and wall-mounted TV for residents of Phases 1 and 2." The use of the word "project" implies to current residents that these are added and not existing benefits. We believe that many in the building may be under the impression that the pool area (which as previously described is over-crowded) is being expanded or that a new pool is being built. We are aggrieved by the misleading phrasing of the amenities because we believe that more residents would appeal if they understood that no new or expanded pool was being built. We believe that the decision-maker erred in approving the Site Plan because the Site Plan is misleading in its use of the word "project".



Fidelity National Title Company

5000 Van Nuys Blvd., Suite 500, Sherman Oaks, CA 91403

Phone: (818) 881-7800 • Fax: (818) 776-8528

Issuing Policies of Fidelity National Title Insurance Company

ORDER NO.: 00098548-994-VNO-JC1

LOAN NO.:

Escrow Officer: Van Nuys Title Only EO

Title Officer: Jill Culver

Phone: (818) 758-5755

Fax: (818) 774-1814

Email: jmculver@fnf.com

Keller Williams Realty

700 S Flower St, Ste 2450

Los Angeles, CA 90017

ATTN: Michael Fukushima

YOUR REF: 901 S. Flower St., #

PROPERTY: 901 South Flower Street, 305, Los Angeles, CA

AMENDED PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein, Fidelity National Title Company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Fidelity National Title Insurance Company, a California Corporation.

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

Countersigned by:

Authorized Signature



Fidelity National Title Company

5000 Van Nuys Blvd., Suite 500, Sherman Oaks, CA 91403

Phone: (818) 881-7800 • Fax: (818) 776-8528

AMENDED PRELIMINARY REPORT

EFFECTIVE DATE: June 2, 2015 at 7:30 a.m., Amended: June 16, 2015, Amendment No. 1

ORDER NO.: 00098548-994-VNO-JC1

The form of policy or policies of title insurance contemplated by this report is:

ALTA Homeowner's Policy of Title Insurance (12-2-13)

ALTA Extended Loan Policy (6-17-06)

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A CONDOMINIUM, as defined in Sections 783 and 1351(f) of the California Civil Code, in fee

2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

Jihong Park, a married man as his sole and separate property

3. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:

See Exhibit A attached hereto and made a part hereof.

EXHIBIT A
LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

CONDOMINIUM COMPRISED OF:

PARCEL 1:

AN UNDIVIDED ONE SEVENTY-SEVENTH (1/77TH) FEE SIMPLE INTEREST AS TENANT-IN-COMMON IN THE RESIDENTIAL COMMON AREA OF MODULE B ON LOT 1 OF TRACT NO. 62367-01, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1357 PAGES 5 AND 6 OF MAPS, AS FURTHER AS SHOWN AND DESCRIBED IN THAT CERTAIN CONDOMINIUM PLAN FOR CONCERTO, WHICH CONDOMINIUM PLAN WAS RECORDED ON OCTOBER 1, 2009, AS INSTRUMENT NO. 2009-1489868 ("CONDOMINIUM PLAN"), OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND ALL AMENDMENTS THERETO.

PARCEL 2:

UNIT NO. 6 OF MODULE B ON LOT 1 OF TRACT NO. 62367-01 AS SHOWN AND DESCRIBED IN SAID CONDOMINIUM PLAN.

PARCEL 3:

THAT CERTAIN EXCLUSIVE USE MASTER ASSOCIATION PROPERTY PARKING SPACE(S) DESIGNATED "P-230", AS SHOWN, DESCRIBED AND DEFINED IN MODULE A IN THE CONDOMINIUM PLAN. SAID EXCLUSIVE USE MASTER ASSOCIATION PROPERTY PARKING SPACE(S) CONSIST OF EXCLUSIVE EASEMENTS APPURTENANT TO PARCELS 1 AND 2 ABOVE, AS DEFINED AND DESCRIBED IN THE MASTER DECLARATION OF ESTABLISHMENT OF CONDITIONS, COVENANTS AND RESTRICTIONS FOR CONCERTO, RECORDED ON OCTOBER 1, 2009, AS INSTRUMENT NO. 2009-1489867 OF THE OFFICIAL RECORDS OF LOS ANGELES COUNTY, CALIFORNIA ("MASTER DECLARATION"), AND ANY AMENDMENTS OR SUPPLEMENTS THERETO.

PARCEL 4:

THAT CERTAIN EXCLUSIVE USE MASTER ASSOCIATION PROPERTY STORAGE SPACE(S) DESIGNATED "S NA", AS SHOWN AND DESCRIBED IN MODULE A IN THE CONDOMINIUM PLAN. SAID EXCLUSIVE USE MASTER ASSOCIATION PROPERTY STORAGE SPACE(S) CONSISTS OF EXCLUSIVE EASEMENTS APPURTENANT TO PARCELS 1 AND 2 ABOVE, AS DEFINED AND DESCRIBED IN THE MASTER DECLARATION, AND ANY AMENDMENTS OR SUPPLEMENTS THERETO.

PARCEL 5:

NONEXCLUSIVE EASEMENTS FOR ACCESS, INGRESS, EGRESS, USE, ENJOYMENT, DRAINAGE, ENCROACHMENT, SUPPORT, MAINTENANCE, REPAIRS, AND FOR OTHER PURPOSES, ALL AS DESCRIBED IN THE DECLARATION.

APN: 5138-017-025

EXCEPTIONS

AT THE DATE HEREOF, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

1. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2015-2016.
2. The lien of supplemental or escaped assessments of property taxes, if any, made pursuant to the provisions of Chapter 3.5 (commencing with Section 75) or Part 2, Chapter 3, Articles 3 and 4, respectively, of the Revenue and Taxation Code of the State of California as a result of the transfer of title to the vestee named in Schedule A or as a result of changes in ownership or new construction occurring prior to Date of Policy.

Note: If said supplementals (if any) are not posted prior to the date of closing, this company assumes no liability for payment thereof.

3. Water rights, claims or title to water, whether or not disclosed by the public records.
4. A notice that said Land is included within a project area of the Redevelopment Agency shown below, and that proceedings for the redevelopment of said project have been instituted under the Redevelopment Law (such redevelopment to proceed only after the adoption of the redevelopment plan) as disclosed by a document

Recording Date: July 30, 1975
Recording No.: 1975-3868 in Book M-5077, Page 558, Official Records
Redevelopment Agency: Central Business District Redevelopment Project Area

5. An instrument entitled A Covenant and Agreement

Executed by: Sonny Astani
In favor of: City of Los Angeles
Recording Date: February 1, 2006
Recording No.: 2006-244121, Official Records

Which among other things provides: As described therein

Reference is hereby made to said document for full particulars.

This covenant and agreement provides that it shall be binding upon any future owners, encumbrancers, their successors or assigns, and shall continue in effect until the advisory agency approves termination.

6. An instrument entitled A Covenant and Agreement

Executed by: GTS 900 F, LLC
In favor of: City of Los Angeles
Recording Date: February 24, 2006
Recording No.: 2006-414896, Official Records

Which among other things provides: As described therein

Reference is hereby made to said document for full particulars.

This covenant and agreement provides that it shall be binding upon any future owners, encumbrancers, their successors or assigns, and shall continue in effect until the advisory agency approves termination.

EXCEPTIONS
(Continued)

7. Matters contained in that certain document

Entitled: Acceptance of Agency Conditions
Dated: June 29, 2006
Executed by: GTS 900F, LLC, a California limited liability company for the benefit of the Community
Redevelopment Agency of the City of Los Angeles, California, a public body corporate
and politic
Recording Date: July 14, 2006
Recording No.: 2006-1560606, Official Records

Reference is hereby made to said document for full particulars

8. An instrument entitled A Covenant and Agreement

Executed by: Sonny Astani
In favor of: City of Los Angeles
Recording Date: August 18, 2006
Recording No.: 2006-1839723, Official Records

Which among other things provides: As described therein

Reference is hereby made to said document for full particulars.

This covenant and agreement provides that it shall be binding upon any future owners, encumbrancers, their successors or assigns, and shall continue in effect until the advisory agency approves termination.

9. An instrument entitled A Covenant and Agreement

Executed by: Sonny Astani
In favor of: City of Los Angeles
Recording Date: January 16, 2007
Recording No.: 2007-81083, Official Records

Which among other things provides: As described therein

Reference is hereby made to said document for full particulars.

This covenant and agreement provides that it shall be binding upon any future owners, encumbrancers, their successors or assigns, and shall continue in effect until the advisory agency approves termination.

10. An instrument entitled A Covenant and Agreement

Executed by: GTS 900 F, LLC
In favor of: City of Los Angeles
Recording Date: August 17, 2009
Recording No.: 2009-1261115, Official Records
Which among other things provides: As described therein

Reference is hereby made to said document for full particulars.

This covenant and agreement provides that it shall be binding upon any future owners, encumbrancers, their successors or assigns, and shall continue in effect until the advisory agency approves termination.

EXCEPTIONS
(Continued)

11. The matters set forth in the document shown below which, among other things, contains or provides for: certain easements; liens and the subordination thereof; provisions relating to partition; restrictions on severability of component parts; and covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including, but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.

Entitled: Covenants, Conditions and Restrictions
Recording Date: October 1, 2009
Recording No.: 2009-1489867, Official Records

Said covenants, conditions and restrictions provide that a violation thereof shall not defeat the lien of any mortgage or deed of trust made in good faith and for value.

Said instrument also provides for the levy of assessments, the lien of which is stated to be subordinate to the lien of a first mortgage or first deed of trust made in good faith and for value.

The effect of Document entitled "Notice of Assignment of Declarant's Rights", recorded on March 5, 2013 as Instrument No. 2013-331629, of Official Records

The effect of Document entitled "Notice of Assignment of Declarant's Rights", recorded on May 19, 2014 as Instrument No. 2014-515687, of Official Records

12. The matters set forth in the document shown below which, among other things, contains or provides for: certain easements; liens and the subordination thereof; provisions relating to partition; restrictions on severability of component parts; and covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including, but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.

Entitled: Covenants, Conditions and Restrictions
Recording Date: October 1, 2009
Recording No.: 2009-1489869, Official Records

Said covenants, conditions and restrictions provide that a violation thereof shall not defeat the lien of any mortgage or deed of trust made in good faith and for value.

Said instrument also provides for the levy of assessments, the lien of which is stated to be subordinate to the lien of a first mortgage or first deed of trust made in good faith and for value.

Liens and charges for upkeep and maintenance as set forth in the above-mentioned declaration, payable to Concerto Lofts.

13. Non-exclusive easements over and through the common area for ingress, egress, public utility, enjoyment, support and repair of the common area and each unit, as provided in the above mentioned declaration and as disclosed by various deeds of record.

Affects: Common Area

EXCEPTIONS
(Continued)

14. Matters contained in that certain document

Entitled: Notice of Non-Adversarial Procedure under Civil Code Section 912(0"
Executed by: GTS 900 F, LLC
Recording Date: October 1, 2009
Recording No.: 2009-1489870, Official Records

Reference is hereby made to said document for full particulars

15. This company assumes no liability for the disclosure of specific parking spaces noted in the legal description herein. No determination can be made as to the individuals actually in possession of said parking spaces.

16. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$230,000.00
Dated: November 10, 2012
Trustor/Grantor: Jihong Park, a married man as his sole and separate property
Trustee: First American Title Company
Beneficiary: Mortgage Electronic Registration Systems, Inc. (MERS), solely as nominee for Lenderfi, Inc, a California Corporation
Loan No.: 8528954000
Recording Date: November 21, 2012
Recording No.: 2012-1777522, Official Records

17. Matters contained in that certain document

Entitled: Concerto Reciprocal Easement and Joint Use Agreement
Dated: May 22, 2013
Executed by: 900 Figueroa Street Marketing, LLC, a Delaware limited liability company, Concerto Master Association, a California nonprofit mutual benefit corporation and Concerto Lofts Condominium Association, a California nonprofit mutual benefit corporation
Recording Date: February 20, 2014
Recording No.: 2014-180649, Official Records

Reference is hereby made to said document for full particulars

The effect of Document entitled "First Amendment To Concerto Reciprocal Easement And Joint Use Agreement, recorded on May 19, 2014 as Instrument No. 2014-515680, of Official Records

PLEASE REFER TO THE "INFORMATIONAL NOTES" AND "REQUIREMENTS" SECTIONS WHICH FOLLOW FOR INFORMATION NECESSARY TO COMPLETE THIS TRANSACTION.

END OF EXCEPTIONS

REQUIREMENTS SECTION

1. In order to complete this report, the Company requires a Statement of Information to be completed by the following party(s),

Party(s): All Parties

The Company reserves the right to add additional items or make further requirements after review of the requested Statement of Information.

NOTE: The Statement of Information is necessary to complete the search and examination of title under this order. Any title search includes matters that are indexed by name only, and having a completed Statement of Information assists the Company in the elimination of certain matters which appear to involve the parties but in fact affect another party with the same or similar name. Be assured that the Statement of Information is essential and will be kept strictly confidential to this file.

2. Your application for title insurance was placed by reference to only a street address or tax identification number. Based on our records, we believe that the legal description in this report covers the parcel(s) of Land that you requested. If the legal description is incorrect, the seller/borrower must notify the Company and/or the settlement company in order to prevent errors and to be certain that the correct parcel(s) of Land will appear on any documents to be recorded in connection with this transaction and on the policy of title insurance

END OF REQUIREMENTS

INFORMATIONAL NOTES SECTION

1. None of the items shown in this report will cause the Company to decline to attach CLTA Endorsement Form 100 to an Extended Coverage Loan Policy, when issued.
2. Note: The Company is not aware of any matters which would cause it to decline to attach CLTA Endorsement Form 116.2 indicating that the Land includes a Condominium designated as Unit 6 and known as 901 South Flower Street, 305, Los Angeles, State of California to an Extended Coverage Loan Policy.
3. Note: The policy of title insurance will include an arbitration provision. The Company or the insured may demand arbitration provision. Arbitrable matters may include, but are not limited to any controversy or claim between the Company and the insured arising out of or relating to this policy, any service of the Company in connection with its issuance or the breach of a policy provision or other obligation. Please ask your escrow or title officer for a sample copy of the policy to be issued if you wish to review the arbitration provisions and any other provisions pertaining to your Title Insurance Coverage.
4. Note: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.
5. Note: Property taxes for the fiscal year shown below are PAID. For proration purposes the amounts were:

Tax Identification No.:	5138-017-025
Fiscal Year:	2014-2015
1st Installment:	\$2,274.69
2nd installment:	\$2,274.67
Exemption:	\$0.00
Land:	\$136,676.00
Improvements:	\$205,016.00
Code Area:	13264
Personal Property:	\$0.00

6. Unless this company is in receipt of WRITTEN instructions authorizing a particular policy, Fidelity Title will AUTOMATICALLY issue the American Land Title Association Homeowner's Policy (02/03/10) for all qualifying residential 1-4 properties/transactions to insure the buyer at the close of escrow.
7. If a county recorder, title insurance company, escrow company, real estate broker, real estate agent or association provides a copy of a declaration, governing document or deed to any person, California law requires that the document provided shall include a statement regarding any unlawful restrictions. Said statement is to be in at least 14-point bold face type and may be stamped on the first page of any document provided or included as a cover page attached to the requested document. Should a party to this transaction request a copy of any document reported herein that fits this category, the statement is to be included in the manner described.
8. Any documents being executed in conjunction with this transaction must be signed in the presence of an authorized Company employee, an authorized employee of an agent, an authorized employee of the insured lender, or by using Bancserv or other approved third party service. If the above requirements cannot be met, please call the Company at the number provided in this report
9. Amended Civil Code Section 2941, which becomes effective on January 1, 2002, sets the fee for the processing and recordation of the reconveyance of each Deed of Trust being paid off through this transaction at \$45.00. The reconveyance fee must be clearly set forth in the Beneficiary's Payoff Demand Statement ("Demand"). In addition, an assignment or authorized release of that fee, from the Beneficiary to the Trustee of record, must be included. An example of the required language is as follows:

The Beneficiary identified above hereby assigns, releases or transfers to the Trustee of record, the sum of \$45.00, included herein as 'Reconveyance Fees', for the processing and recordation of the Reconveyance of the Deed of Trust securing the indebtedness covered hereby, and the escrow company or title company processing this pay-off is authorized to deduct the Reconveyance Fee from this Demand and forward said fee to the Trustee of record or the successor Trustee under the Trust Deed to be paid off in full.

INFORMATIONAL NOTES
(Continued)

In the event that the reconveyance fee and the assignment, release or transfer are not included within the demand statement, then Fidelity National Title Insurance Company and its Underwritten Agent may decline to process the reconveyance and will be forced to return all documentation directly to the Beneficiary for compliance with the requirements of the revised statute.

10. Note: Part of the RESPA Rule to simplify and Improve the Process of Obtaining Mortgages and Reduce Consumer Settlement Costs requires the settlement agent to disclose the agent and underwriter split of title premiums, including endorsements as follows:

Line 1107 is used to record the amount of the total title insurance premium, including endorsements, that is retained by the title agent. Fidelity National Title Company retains 88% of the total premium and endorsements.

Line 1108 used to record the amount of the total title insurance premium, including endorsements, that is retained by the title underwriter. Fidelity National Title Insurance Company retains 12% of the total premium and endorsements.

END OF INFORMATIONAL NOTES

Jill Culver/pal

FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Fidelity National Financial, Inc. and its majority-owned subsidiary companies providing real estate- and loan-related services (collectively, "FNF", "our" or "we") respect and are committed to protecting your privacy. This Privacy Notice lets you know how and for what purposes your Personal Information (as defined herein) is being collected, processed and used by FNF. We pledge that we will take reasonable steps to ensure that your Personal Information will only be used in ways that are in compliance with this Privacy Notice. The provision of this Privacy Notice to you does not create any express or implied relationship, or create any express or implied duty or other obligation, between Fidelity National Financial, Inc. and you. See also **No Representations or Warranties** below.

This Privacy Notice is only in effect for any generic information and Personal Information collected and/or owned by FNF, including collection through any FNF website and any online features, services and/or programs offered by FNF (collectively, the "Website"). This Privacy Notice is not applicable to any other web pages, mobile applications, social media sites, email lists, generic information or Personal Information collected and/or owned by any entity other than FNF.

How Information is Collected

The types of personal information FNF collects may include, among other things (collectively, "Personal Information"): (1) contact information (e.g., name, address, phone number, email address); (2) demographic information (e.g., date of birth, gender marital status); (3) Internet protocol (or IP) address or device ID/UDID; (4) social security number (SSN), student ID (SIN), driver's license, passport, and other government ID numbers; (5) financial account information; and (6) information related to offenses or criminal convictions.

In the course of our business, we may collect Personal Information about you from the following sources:

- Applications or other forms we receive from you or your authorized representative;
- Information we receive from you through the Website;
- Information about your transactions with or services performed by us, our affiliates, or others; and
- From consumer or other reporting agencies and public records maintained by governmental entities that we either obtain directly from those entities, or from our affiliates or others.

Additional Ways Information is Collected Through the Website

Browser Log Files. Our servers automatically log each visitor to the Website and collect and record certain information about each visitor. This information may include IP address, browser language, browser type, operating system, domain names, browsing history (including time spent at a domain, time and date of your visit), referring/exit web pages and URLs, and number of clicks. The domain name and IP address reveal nothing personal about the user other than the IP address from which the user has accessed the Website.

Cookies. From time to time, FNF or other third parties may send a "cookie" to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive and that can be re-sent to the serving website on subsequent visits. A cookie, by itself, cannot read other data from your hard disk or read other cookie files already on your computer. A cookie, by itself, does not damage your system. We, our advertisers and other third parties may use cookies to identify and keep track of, among other things, those areas of the Website and third party websites that you have visited in the past in order to enhance your next visit to the Website. You can choose whether or not to accept cookies by changing the settings of your Internet browser, but some functionality of the Website may be impaired or not function as intended. See the **Third Party Opt Out** section below.

Web Beacons. Some of our web pages and electronic communications may contain images, which may or may not be visible to you, known as Web Beacons (sometimes referred to as "clear gifs"). Web Beacons collect only limited information that includes a cookie number; time and date of a page view; and a description of the page on which the Web Beacon resides. We may also carry Web Beacons placed by third party advertisers. These Web Beacons do not carry any Personal Information and are only used to track usage of the Website and activities associated with the Website. See the **Third Party Opt Out** section below.

Unique Identifier. We may assign you a unique internal identifier to help keep track of your future visits. We may use this information to gather aggregate demographic information about our visitors, and we may use it to personalize the information you see on the Website and some of the electronic communications you receive from us. We keep this information for our internal use, and this information is not shared with others.

Third Party Opt Out. Although we do not presently, in the future we may allow third-party companies to serve advertisements and/or collect certain anonymous information when you visit the Website. These companies may use non-personally identifiable information (e.g., click stream information, browser type, time and date, subject of advertisements clicked or scrolled over) during your visits to the Website in order to provide advertisements about products and services likely to be of greater interest to you. These companies typically use a cookie or third party Web Beacon to collect this information, as further described above. Through these technologies, the third party may have access to and use non-personalized information about your online usage activity.

You can opt-out of certain online behavioral services through any one of the ways described below. After you opt-out, you may continue to receive advertisements, but those advertisements will no longer be as relevant to you.

- You can opt-out via the Network Advertising Initiative industry opt-out at <http://www.networkadvertising.org/>.
- You can opt-out via the Consumer Choice Page at <http://www.aboutads.info>.
- For those in the U.K., you can opt-out via the IAB UK's industry opt-out at <http://www.youronlinechoices.com>.
- You can configure your web browser (Chrome, Firefox, Internet Explorer, Safari, etc.) to delete and/or control the use of cookies.

More information can be found in the Help system of your browser. Note: If you opt-out as described above, you should not delete your cookies. If you delete your cookies, you will need to opt-out again.

Use of Personal Information

Information collected by FNF is used for three main purposes:

- To provide products and services to you or one or more third party service providers (collectively, "Third Parties") who are obtaining services on your behalf or in connection with a transaction involving you.
- To improve our products and services that we perform for you or for Third Parties.
- To communicate with you and to inform you about FNF's, FNF's affiliates and third parties' products and services.

When Information Is Disclosed By FNF

We may provide your Personal Information (excluding information we receive from consumer or other credit reporting agencies) to various individuals and companies, as permitted by law, without obtaining your prior authorization. Such laws do not allow consumers to restrict these disclosures. Disclosures may include, without limitation, the following:

- To agents, brokers, representatives, or others to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure in connection with an insurance transaction;
- To third-party contractors or service providers who provide services or perform marketing services or other functions on our behalf;
- To law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoenas or court orders; and/or
- To lenders, lien holders, judgment creditors, or other parties claiming an encumbrance or an interest in title whose claim or interest must be determined, settled, paid or released prior to a title or escrow closing.

In addition to the other times when we might disclose information about you, we might also disclose information when required by law or in the good-faith belief that such disclosure is necessary to: (1) comply with a legal process or applicable laws; (2) enforce this Privacy Notice; (3) respond to claims that any materials, documents, images, graphics, logos, designs, audio, video and any other information provided by you violates the rights of third parties; or (4) protect the rights, property or personal safety of FNF, its users or the public.

We maintain reasonable safeguards to keep the Personal Information that is disclosed to us secure. We provide Personal Information and non-Personal Information to our subsidiaries, affiliated companies, and other businesses or persons for the purposes of processing such information on our behalf and promoting the services of our trusted business partners, some or all of which may store your information on servers outside of the United States. We require that these parties agree to process such information in compliance with our Privacy Notice or in a similar, industry-standard manner, and we use reasonable efforts to limit their use of such information and to use other appropriate confidentiality and security measures. The use of your information by one of our trusted business partners may be subject to that party's own Privacy Notice. We do not, however, disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent, in conformity with applicable law, unless such disclosure is otherwise permitted by law.

We also reserve the right to disclose Personal Information and/or non-Personal Information to take precautions against liability, investigate and defend against any third-party claims or allegations, assist government enforcement agencies, protect the security or integrity of the Website, and protect the rights, property, or personal safety of FNF, our users or others.

We reserve the right to transfer your Personal Information, as well as any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets. We also cannot make any representations regarding the use or transfer of your Personal Information or other information that we may have in the event of our bankruptcy, reorganization, insolvency, receivership or an assignment for the benefit of creditors, and you expressly agree and consent to the use and/or transfer of your Personal Information or other information in connection with a sale or transfer of some or all of our assets in any of the above described proceedings. Furthermore, we cannot and will not be responsible for any breach of security by any third parties or for any actions of any third parties that receive any of the information that is disclosed to us.

Information From Children

We do not collect Personal Information from any person that we know to be under the age of thirteen (13). Specifically, the Website is not intended or designed to attract children under the age of thirteen (13). You affirm that you are either more than 18 years of age, or an emancipated minor, or possess legal parental or guardian consent, and are fully able and competent to enter into the terms, conditions, obligations, affirmations, representations, and warranties set forth in this

Privacy Notice, and to abide by and comply with this Privacy Notice. In any case, you affirm that you are over the age of 13, as **THE WEBSITE IS NOT INTENDED FOR CHILDREN UNDER 13 THAT ARE UNACCOMPANIED BY HIS OR HER PARENT OR LEGAL GUARDIAN.**

Parents should be aware that FNF's Privacy Notice will govern our use of Personal Information, but also that information that is voluntarily given by children – or others – in email exchanges, bulletin boards or the like may be used by other parties to generate unsolicited communications. FNF encourages all parents to instruct their children in the safe and responsible use of their Personal Information while using the Internet.

Privacy Outside the Website

The Website may contain various links to other websites, including links to various third party service providers. FNF is not and cannot be responsible for the privacy practices or the content of any of those other websites. Other than under agreements with certain reputable organizations and companies, and except for third party service providers whose services either we use or you voluntarily elect to utilize, we do not share any of the Personal Information that you provide to us with any of the websites to which the Website links, although we may share aggregate, non-Personal Information with those other third parties. Please check with those websites in order to determine their privacy policies and your rights under them.

European Union Users

If you are a citizen of the European Union, please note that we may transfer your Personal Information outside the European Union for use for any of the purposes described in this Privacy Notice. By providing FNF with your Personal Information, you consent to both our collection and such transfer of your Personal Information in accordance with this Privacy Notice.

Choices With Your Personal Information

Whether you submit Personal Information to FNF is entirely up to you. You may decide not to submit Personal Information, in which case FNF may not be able to provide certain services or products to you.

You may choose to prevent FNF from disclosing or using your Personal Information under certain circumstances ("opt out"). You may opt out of any disclosure or use of your Personal Information for purposes that are incompatible with the purpose(s) for which it was originally collected or for which you subsequently gave authorization by notifying us by one of the methods at the end of this Privacy Notice. Furthermore, even where your Personal Information is to be disclosed and used in accordance with the stated purposes in this Privacy Notice, you may elect to opt out of such disclosure to and use by a third party that is not acting as an agent of FNF. As described above, there are some uses from which you cannot opt-out.

Please note that opting out of the disclosure and use of your Personal Information as a prospective employee may prevent you from being hired as an employee by FNF to the extent that provision of your Personal Information is required to apply for an open position.

If FNF collects Personal Information from you, such information will not be disclosed or used by FNF for purposes that are incompatible with the purpose(s) for which it was originally collected or for which you subsequently gave authorization unless you affirmatively consent to such disclosure and use.

You may opt out of online behavioral advertising by following the instructions set forth above under the above section "Additional Ways That Information Is Collected Through the Website," subsection "Third Party Opt Out."

Access and Correction

To access your Personal Information in the possession of FNF and correct inaccuracies of that information in our records, please contact us in the manner specified at the end of this Privacy Notice. We ask

individuals to identify themselves and the information requested to be accessed and amended before processing such requests, and we may decline to process requests in limited circumstances as permitted by applicable privacy legislation.

Your California Privacy Rights

Under California's "Shine the Light" law, California residents who provide certain personally identifiable information in connection with obtaining products or services for personal, family or household use are entitled to request and obtain from us once a calendar year information about the customer information we shared, if any, with other businesses for their own direct marketing uses. If applicable, this information would include the categories of customer information and the names and addresses of those businesses with which we shared customer information for the immediately prior calendar year (e.g., requests made in 2015 will receive information regarding 2014 sharing activities).

To obtain this information on behalf of FNF, please send an email message to privacy@fnf.com with "Request for California Privacy Information" in the subject line and in the body of your message. We will provide the requested information to you at your email address in response.

Please be aware that not all information sharing is covered by the "Shine the Light" requirements and only information on covered sharing will be included in our response.

Additionally, because we may collect your Personal Information from time to time, California's Online Privacy Protection Act requires us to disclose how we respond to "do not track" requests and other similar mechanisms. Currently, our policy is that we do not recognize "do not track" requests from Internet browsers and similar devices.

FNF Compliance with California Online Privacy Protection Act

For some websites which FNF or one of its companies owns, such as the Customer CareNet ("CCN"), FNF is acting as a third party service provider to a mortgage loan servicer. In those instances, we may collect certain information on behalf of that mortgage loan servicer for fulfilling a service to that mortgage loan servicer. For example, you may access CCN to complete a transaction with your mortgage loan servicer. During this transaction, the information which we may collect on behalf of the mortgage loan servicer is as follows:

- First and Last Name
- Property Address
- User Name
- Password
- Loan Number
- Social Security Number - masked upon entry
- Email Address
- Three Security Questions and Answers
- IP Address

The information you submit is then transferred to your mortgage loan servicer by way of CCN.

The mortgage loan servicer is responsible for taking action or making changes to any consumer information submitted through this website. For example, if you believe that your payment or user information is incorrect, you must contact your mortgage loan servicer.

CCN does not share consumer information with third parties, other than those with which the mortgage loan servicer has contracted to interface with the CCN application.

All sections of the FNF Privacy Notice apply to your interaction with CCN, except for the sections titled Choices with Your Personal Information and Access and Correction. If you have questions regarding the choices you have with regard to your personal information or how to access or correct your personal information, you should contact your mortgage loan servicer.

No Representations or Warranties

By providing this Privacy Notice, Fidelity National Financial, Inc. does not make any representations or warranties whatsoever concerning any products or services provided to you by its majority-owned subsidiaries. In addition, you also expressly agree that your use of the Website is at your own risk. Any services provided to you by Fidelity National Financial, Inc. and/or the Website are provided "as is" and "as available" for your use, without representations or warranties of any kind, either express or implied, unless such warranties are legally incapable of exclusion. Fidelity National Financial, Inc. makes no representations or warranties that any services provided to you by it or the Website, or any services offered in connection with the Website are or will remain uninterrupted or error-free, that defects will be corrected, or that the web pages on or accessed through the Website, or the servers used in connection with the Website, are or will remain free from any viruses, worms, time bombs, drop dead devices, Trojan horses or other harmful components. Any liability of Fidelity National Financial, Inc. and your exclusive remedy with respect to the use of any product or service provided by Fidelity National Financial, Inc. including on or accessed through the Website, will be the re-performance of such service found to be inadequate.

Your Consent To This Privacy Notice

By submitting Personal Information to FNF, you consent to the collection and use of information by us as specified above or as we otherwise see fit, in compliance with this Privacy Notice, unless you inform us otherwise by means of the procedure identified below. If we decide to change this Privacy Notice, we will make an effort to post those changes on the Website. Each time we collect information from you following any amendment of this Privacy Notice will signify your assent to and acceptance of its revised terms for all previously collected information and information collected from you in the future. We may use comments, information or feedback that you may submit in any manner that we may choose without notice or compensation to you.

If you have additional questions or comments, please let us know by sending your comments or requests to:

Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, Florida 32204
Attn: Chief Privacy Officer
(888) 934-3354
privacy@fnf.com

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EFFECTIVE AS OF: MAY 1, 2015

Notice of Available Discounts

Pursuant to Section 2355.3 in Title 10 of the California Code of Regulations Fidelity National Financial, Inc. and its subsidiaries ("FNF") must deliver a notice of each discount available under our current rate filing along with the delivery of escrow instructions, a preliminary report or commitment. Please be aware that the provision of this notice does not constitute a waiver of the consumer's right to be charged the field rate. As such, your transaction may not qualify for the below discounts.

You are encouraged to discuss the applicability of one or more of the below discounts with a Company representative. These discounts are generally described below; consult the rate manual for a full description of the terms, conditions and requirements for each discount. These discounts only apply to transaction involving services rendered by the FNF Family of Companies. This notice only applies to transactions involving property improved with a one-to-four family residential dwelling.

FNF Underwritten Title Company

FNTC - Fidelity National Title Company

FNTCCA – Fidelity National Title Company of California

FNF Underwriter

FNTIC - Fidelity National Title Insurance Company

Available Discounts

CREDIT FOR PRELIMINARY REPORTS AND/OR COMMITMENTS ON SUBSEQUENT POLICIES (FNTIC)

Where no major change in the title has occurred since the issuance of the original report or commitment, the order may be reopened within 12 months and all or a portion of the charge previously paid for the report or commitment may be credited on a subsequent policy charge within the following time period from the date of the report.

DISASTER LOANS (FNTIC)

The charge for a lender's Policy (Standard or Extended coverage) covering the financing or refinancing by an owner of record, within 24 months of the date of a declaration of a disaster area by the government of the United States or the State of California on any land located in said area, which was partially or totally destroyed in the disaster, will be 50% of the appropriate title insurance rate.

CHURCHES OR CHARITABLE NON-PROFIT ORGANIZATIONS (FNTIC)

On properties used as a church or for charitable purposes within the scope of the normal activities of such entities, provided said charge is normally the church's obligation the charge for an owner's policy shall be 50% to 70% of the appropriate title insurance rate, depending on the type of coverage selected. The charge for a lender's policy shall be 40% to 50% of the appropriate title insurance rate, depending on the type of coverage selected.

Attachment One (Revised 06-05-14)

**CALIFORNIA LAND TITLE ASSOCIATION
STANDARD COVERAGE POLICY – 1990 (04-08-14)**

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building or zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien, or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate of interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

EXCEPTIONS FROM COVERAGE—SCHEDULE B, PART I

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
- Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
 3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
 4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
 5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
 6. Any lien or right to a lien for services, labor or material not shown by the public records.

**CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (12-02-13)
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE**

EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
 - a. building;
 - b. zoning;

- c. land use;
- d. improvements on the Land;
- e. land division; and
- f. environmental protection.

This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.

2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
4. Risks:
 - a. that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
 - b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;
 - c. that result in no loss to You; or
 - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
5. Failure to pay value for Your Title.
6. Lack of a right:
 - a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - b. in streets, alleys, or waterways that touch the Land.

This Exclusion does not limit the coverage described in Covered Risk 11 or 21.

7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.
8. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
9. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

- For Covered Risk 16, 18, 19, and 21 Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	<u>Your Deductible Amount</u>	<u>Our Maximum Dollar Limit of Liability</u>
	1.00% of Policy Amount Shown in Schedule A or \$2,500.00	
Covered Risk 16:	(whichever is less)	\$10,000.00
	1.00% of Policy Amount Shown in Schedule A or \$5,000.00	
Covered Risk 18:	(whichever is less)	\$25,000.00
	1.00% of Policy Amount Shown in Schedule A or \$5,000.00	
Covered Risk 19:	(whichever is less)	\$25,000.00
	1.00% of Policy Amount Shown in Schedule A or \$2,500.00	
Covered Risk 21:	(whichever is less)	\$5,000.00

2006 ALTA LOAN POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;

- (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13 or 14); or
- (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
- 4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
- 5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
- 6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
- 7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

Except as provided in Schedule B - Part II, this policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees or expenses, that arise by reason of:

PART I

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

- 1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
- 2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
- 3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
- 4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
- 5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
- 6. Any lien or right to a lien for services, labor or material not shown by the Public Records.

PART II

In addition to the matters set forth in Part I of this Schedule, the Title is subject to the following matters, and the Company insures against loss or damage sustained in the event that they are not subordinate to the lien of the Insured Mortgage:

2006 ALTA OWNER'S POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

- 1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
- 2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- 3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.

4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees or expenses, that arise by reason of:

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown in the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and that are not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.
7. Variable exceptions such as taxes, easements, CC&R's, etc. shown here.

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (12-02-13)

EXCLUSIONS FROM COVERAGE

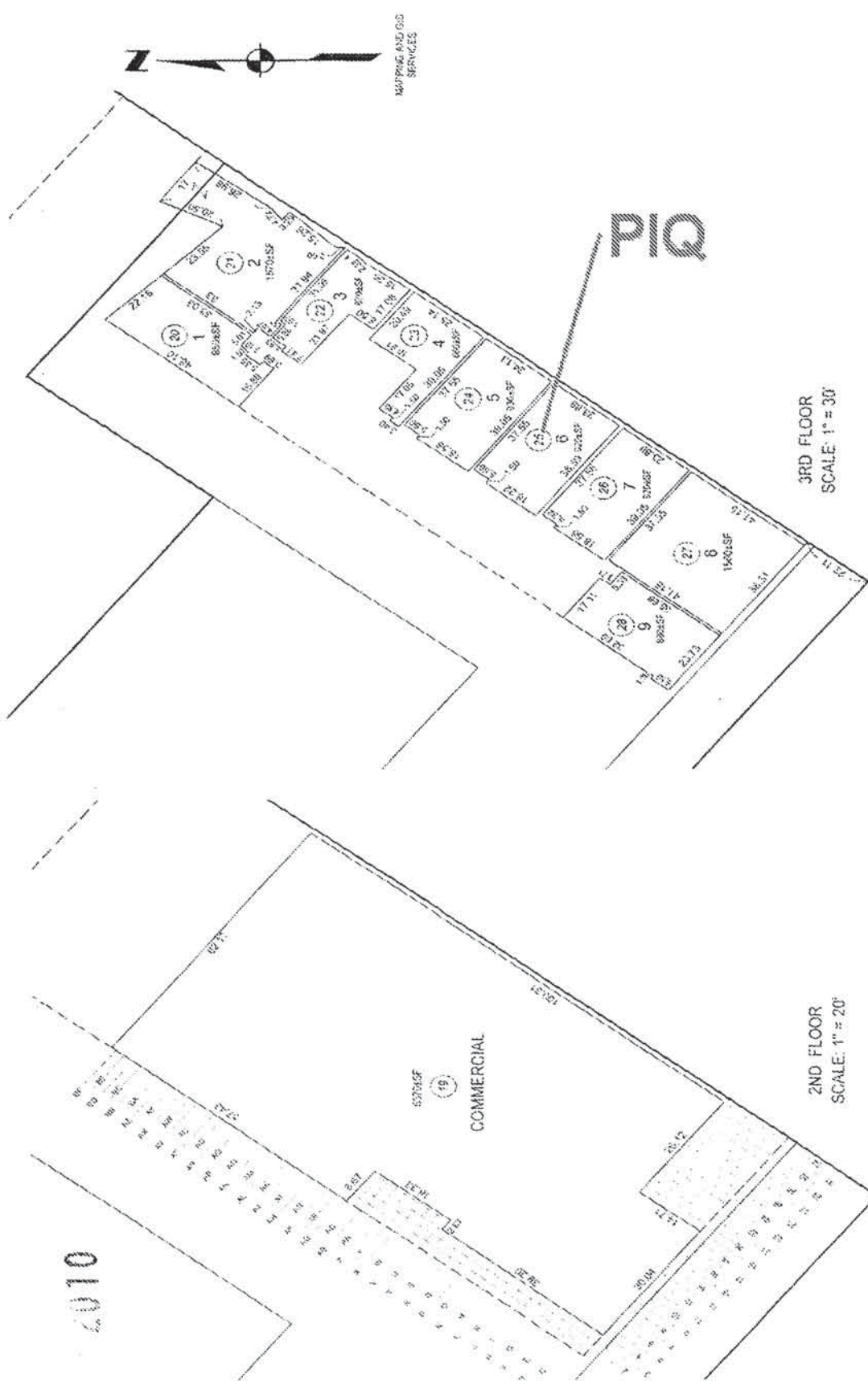
The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.

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9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.
10. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
11. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.



SUBDIVISION OF AIRSPACE
CONDOMINIUM TRACTS NO 62367-01 & 62367

FOR COMMON AREA SEE SHEET 1
SEE RECORDED CONDOMINIUM PLAN FOR ELEVATIONS AND COMPLETE DIMENSIONS OF UNITS

Fidelity National Title Company
This plat is for your aid in locating your land with reference
to streets and other parcels. While this plat is believed to be
correct, the Company assumes no liability for any loss
occurring by reason of reliance thereon.

Exhibit 10

**Additional Cumulative
Impact Analysis for
Addendum to
ENV-2005-1674-MND**



January 19, 2016

Mr. Oliver Netburn,
City of Los Angeles
Department of City Planning
200 North Spring Street, Room 721
Los Angeles, CA 90012

**Re: APEX II PROJECT MND CUMULATIVE IMPACT ANALYSIS
(ENV-2005-1674-MND-REC1, VTT No. 62367 M3)**

Dear Oliver,

The following memorandum addresses the cumulative impacts associated with the Apex Project II (Case No. VTT 62367-M3). The Revised Mitigated Negative Declaration (MND) Addendum (dated December 24, 2015), incorporated a revised traffic study that included an updated 2015 related project list to address cumulative impacts. The updated related project list identified 69 related project as compared to the 70 related project that were previously identified in the 2005 MND. A summary of the revised related project list, and how it compares to the 2005 related project list is presented in Table 1, below. While the 2015 Revised MND included a revised impact analysis on a project specific level, it did not incorporate a cumulative analysis for each of the environmental issue areas contained in the 2005 MND. Therefore, the following analysis addresses the cumulative impacts associated with the remainder of the environmental issues evaluated in the MND Reconsideration.

As demonstrated in the analysis presented herein, the Proposed Project's cumulative impacts have been demonstrated to be less than cumulatively considerable for all of the impact issues previously addressed in the MND. Thus, the Revised Addendum to the previously adopted MND is supported by substantial evidence and satisfies the environmental clearance requirements pursuant to the California Environmental Quality Act (CEQA) (P.R.C. 21000-21178), the State CEQA Guidelines (C.C.R. Title 14, Chapter 3, 15000-15387), and the City of Los Angeles' policies for implementing CEQA.

Sincerely,

Shane Parker, President

A handwritten signature in blue ink that reads "Shane E. Parker".

23822 Valencia Boulevard, Suite 301
Santa Clarita, CA 91355
(661) 257-2282 (tel)
(661) 257-2272 (fax)
www.parkerenvironmental.com

Table 1
Summary of the Related Project List

Land Use Type	2005 Adopted MND	2015 Revised MND
Restaurant/Bar/Dance Hall	388,901 sf	315,785 sf
Commercial/Retail	2,143,272 sf	2,257,441 sf
Office	11,104,432 sf	12,413,014 sf
Residential	11,322 du	21,987 du
Hotel	2,550 rooms	3,328 rooms
School	12,273 students	9,000 students
Warehouse	640,000 sf	--
Theatre	12,200 seats	--
Park	10.5 acres	--
Library/Museum/Community Facility	122,500 sf	--
Misc. Public Buildings	2,910 employees	--
Jail	512 beds	--
Courthouse	81 courtrooms	--
<i>Sources: 9th and Figueroa Draft IS/MND (May 2005) and The Mobility Group 2015.</i>		

Aesthetics

The 2005 MND concluded that development of the Proposed Project in conjunction with the related projects would result in an intensification of existing prevailing land uses in the highly urbanized downtown area of the City of Los Angeles. Development of the related projects is expected to occur in accordance with adopted plans and regulations, including the request of any discretionary permits (i.e. signage plans) necessary for projects to proceed. Therefore, cumulative aesthetic impacts related to the development of the Proposed Project would be expected to be less than significant.

Based on a review of the revised 2015 related project list, none of the related projects identified in the 2015 related project list are located in close enough proximity to the Project Site to alter focal views or generate cumulative shade and shadow impacts. The updated related project list reflects the continued intensification of existing prevailing land uses in the highly urbanized downtown area of the City of Los Angeles. No substantial changes to the related project list are identified that would alter the cumulative impact analysis that was presented in the 2005 MND.

Agriculture

The 2005 MND concluded the Project would have no cumulative impact with respect to agricultural resources. The Project Site and the surrounding area do not contain any agricultural uses, are not zoned for agricultural uses, and are not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore, development of the Proposed Project

and related projects would not be expected to result in a significant cumulative impact related to in the conversion of land from agricultural use to non-agricultural use. Similar to the conclusion in the 2005 MND, the updated related project list would have no cumulative impacts upon agricultural resources.

Air Quality

The 2005 MND concluded the Proposed Project's cumulative air quality impacts would be less than significant. The SCAQMD's CEQA Air Quality Handbook (1993) identifies several methods to determine the cumulative significance of land use projects (i.e., whether the contribution of a project is cumulatively considerable). However, the SCAQMD no longer recommends the use of these methodologies. Instead, the SCAQMD recommends that any construction-related emissions and operational emissions from individual development projects that exceed the project-specific regional daily emissions thresholds be considered cumulatively considerable. The SCAQMD neither recommends quantified analyses of the emissions generated by a set of cumulative development projects nor provides thresholds of significance to be used to assess whether a project's emissions be considered cumulatively considerable. The Project's regional construction and regional operational emissions were concluded to be below the SCAQMD's thresholds of significance for regional emissions and thus, were concluded to be less than significant on a project specific basis. Under the SCAQMD's guidance, the project's cumulative air quality impacts would also be considered less than cumulatively considerable and would be less than significant.

With respect to localized emissions, none of the related project area located in close enough proximity to the Project Site to alter or affect the localized significance thresholds analysis for sensitive receptors located within 25 meters (82 feet). For these reasons the project's cumulative air quality impacts would be considered less than significant.

Biological Resources

The 2005 MND concluded the Proposed Project would have no impact upon biological resources. Development of the Proposed Project in conjunction with the related projects would result in an intensification of existing prevailing land uses in an already highly developed area of downtown Los Angeles. Related projects would be evaluated on a case-by-case basis for impacts to biological resources; however, as the downtown Los Angeles area is extensively developed, cumulative development within the downtown area would not likely have the potential to impact biological resources. As such, the Proposed Project would not be expected to have a cumulative impact related to biological resources.

Cultural Resources

The 2005 MND concluded the Proposed Project would have a less than significant impact upon biological resources. The 2005 MND concluded that development of the Proposed Project in conjunction with the related projects would result in an intensification of existing prevailing land uses in an already urbanized downtown area of the City of Los Angeles. The Proposed Project would be expected to have a less-than-significant impact with regard to historic, archaeological, and paleontological resources, as well as human remains. While it is unknown as to whether or not any of the related projects would, on their own, result in significant impacts upon cultural resources, such determinations would be made on a case-by-case basis and, if necessary, the appropriate mitigation measures would be implemented. Therefore, cumulative cultural resource impacts related to the development of the Proposed Project would be expected to be less than significant. Based on a review of the updated related project list, this impact conclusion would not change and cumulative impacts upon cultural resources would remain less than significant.

Geology and Soils

The 2005 MND concluded the Proposed Project would have a less than significant impact upon geology and soil hazards. The 2005 MND concluded that development of the Proposed Project in conjunction with the related projects would result in an intensification of existing prevailing land uses in an already urbanized downtown area of the City of Los Angeles. Geotechnical hazards are generally site-specific and there is little cumulative relationship between development of the Proposed Project and the related projects. As such, construction of the related projects is not anticipated to combine with the Proposed Project to cumulatively expose people or structures to geologic hazards such as landslides and/or unstable soils, or to increase the potential for soil erosion or the loss of topsoil. Full compliance with all applicable federal, state, and local building codes pertaining to related projects would ensure that cumulative geological impacts remained less than significant. Based on a review of the updated related project list, this impact conclusion would not change and cumulative impacts upon geotechnical hazards would remain less than significant.

Hazards and Hazardous Materials

The 2005 MND concluded the Proposed Project would have a less than significant impact upon hazards and hazardous materials. The 2005 MND concluded that development of the Proposed Project in conjunction with the related projects would result in an intensification of existing prevailing land uses in an already urbanized downtown area of the City of Los Angeles. The presence of hazardous substances associated with any of the identified related projects in the vicinity of the Project Site would require evaluation on a case-by-case basis for potential threats



to public safety. It is assumed that all related projects would fully comply with applicable local, State, and federal laws pertaining to hazardous materials. Based on a review of the updated related project list, cumulative impacts related to hazardous materials would remain a less than significant impact.

Hydrology/Water Quality

The 2005 MND concluded the Proposed Project would have a less than significant impact upon hydrology and water quality. The 2005 MND concluded that development of the Proposed Project in conjunction with the related projects would result in an intensification of existing prevailing land uses in an already urbanized downtown area of the City of Los Angeles. Similar to the Proposed Project, runoff from related projects would be directed into the adjacent streets, where it would flow to the nearest existing storm drain. Little, if any, increase in cumulative runoff is expected as this part of the City of Los Angeles is already fully developed with impervious surfaces. Furthermore, similar to the Proposed Project, all of the related projects would be required to adhere to all applicable federal, State, County, and City regulations, including the existing LID Ordinance and implementation of the requisite BMPs. Based on a review of the updated related project list, the cumulative impacts to water quality and stormwater drainage systems would remain less than significant.

Land Use and Planning

The 2005 MND concluded the Proposed Project would have a less than significant impact upon land use and zoning practices. The 2005 MND concluded that development of the Proposed Project in conjunction with the related projects identified would result in an intensification of existing prevailing land uses in an already urbanized downtown area of the City of Los Angeles. Development of the related projects is expected to occur in accordance with adopted plans and regulations, including the request for any discretionary approvals and variances necessary for related projects to proceed. Based on a review of the updated related project list, the cumulative impacts to land use and zoning would remain less than significant.

Mineral Resources

The 2005 MND concluded the Proposed Project would have no impact upon mineral resources. The 2005 MND concluded that development of the Proposed Project in conjunction with the related projects would result in an intensification of existing prevailing land uses in an already urbanized downtown area of the City of Los Angeles. No significant mineral resources are known to exist in the vicinity of the Project Site, including those areas that would be developed with the project vicinity in which the related projects are located. Therefore, similar to the finding of the



2005 MND, implementation of the Proposed Project would not result in a cumulative loss of availability of a locally or regionally-important mineral resource.

Noise

The 2005 MND concluded the Proposed Project would have no impact upon community noise levels. The 2005 MND concluded that development of the Proposed Project in conjunction with the related projects would result in an increase in construction-related and traffic-related noise in an already urbanized downtown area of the City of Los Angeles. However, each of the related projects would be subject to the City of Los Angeles Noise Ordinance No. 144,331, which reduces construction noise impacts to the maximum extent feasible by prohibiting loud, unnecessary, and unusual construction noise within 500 feet from any residential zone, and LAMC Section 41.40, which limits the hours of allowable construction activities. Therefore, similar to the analysis in the 2005 MND, cumulative construction noise impacts related to the development of the Proposed Project would be less than significant.

Population and Housing

The 2005 MND concluded the Proposed Project would have a less than significant impact upon population and housing projections. The 2005 MND concluded that of the Proposed Project in conjunction with the related projects would result in an increase in population and housing in an already urbanized downtown area of the City of Los Angeles. The 2005 MND estimated the related projects would contribute approximately 114,227 individuals (both new residents and new employees) to the Central City, which would bring the combined population increase generated by the Proposed Project and the related projects to 115,306 individuals. The MND also concluded that the related projects would create approximately 11,322 new housing units in the Central City and surrounding areas, which would result in a total of 11,951 housing units constructed by the Proposed Project and the related projects.

The Community Plan's expected population growth for the Central City CPA in 2010 was projected to be 27,212 persons. In the past decade there has been substantial redevelopment within the Central City Area with a growing demand for housing in the downtown area. Per the 2010 Census, the population of the Central City CPA was 37,675 persons. The Department of City Planning's current population estimate for the Central City CPA in 2014 is 44,375 persons. With respect to regional growth forecasts, SCAG forecasts the City of Los Angeles would experience a population increase to 4.34 million persons by 2030. As shown in Table 2, SCAG's 2008 RTP Growth Forecast for the City of Los Angeles, below, the forecast from 2008 through 2030 envisions growth of 290,797 additional persons, yielding an approximate 6.7 percent growth rate and an annual growth rate of approximately 9,087 persons per year.

Table 2
SCAG's 2008 RTP Growth Forecast for the City of Los Angeles

Projection Year	Population	Households	Person/Households
2010	4,057,484	1,386,658	2.92
2030	4,348,281	1,578,850	2.75
<i>Net Change from 2010 to 2030</i>			
No. of Population/Households	290,797	192,192	
Percent Change	6.7%	13.2%	
<i>Source: SCAG, 2008 Regional Transportation (RTP) Update, adopted May 8, 2008.</i>			

Based on an estimate from the updated 2015 related projects list, cumulative development in downtown would introduce additional housing units and associated resident population growth within the City of Los Angeles. The updated 2015 related projects list identifies a total of 21,987 multi-family housing units that are either approved, under construction or planned within the downtown area. While this represents an increase to the 2005 related project total of 11,322 cumulative residential units, the Proposed Project, in combination with the related projects would not exceed the revised growth projections of SCAG's RTP for the City of Los Angeles subregion. Furthermore, the Proposed Project and related developments in the downtown area are the type of project encouraged by SCAG and City policies, as the Project would promote and help accommodate growth in urban centers that are close to existing employment centers and mass transit. Because the Proposed Project would not displace any residents, and population growth potentially associated with the Proposed Project has already been anticipated per SCAG projections, the Proposed Project's population growth would not be cumulatively considerable. Therefore, the Proposed Project's cumulative impacts to population and housing would be less than significant.

Public Services

The 2005 MND concluded the Proposed Project would have a less than significant impact upon public services. The 2005 MND concluded that development of the Proposed Project in conjunction with the related projects would result in an increase in the demand for fire, police and library services in an already urbanized downtown area of the City of Los Angeles. Specifically, there would be increased demands for additional LAFD staffing, equipment, and facilities over time. This need would be funded via existing mechanisms (e.g., property taxes, government funding, and developer fees) to which the Proposed Project and related projects would contribute. Similar to the Proposed Project, each of the related projects would be individually subject to LAFD, and LAPD review, and would be required to comply with all applicable fire safety and site planning requirements of the LAFD and LAPD in order to adequately mitigate public safety

impacts. On this basis, the Proposed Project's cumulative impacts on fire protection services, police protection, and library services would be less than significant. Based on a review of the revised related project list, no changes to the 2005 MND cumulative impact analysis for public services would occur. The City's ability to respond to cumulative growth and to allocate resources for police and fire services is assessed on an annual basis in conjunction with the City's annual budget review. Since 2005, the City has demonstrated that it has the ability to provide adequate police, fire, and library services in the downtown area. As such, the Proposed Project's cumulative impacts to public services would be less than significant.

Schools

The 2005 MND concluded that the Proposed Project would have a less than significant impact upon schools. The 2005 MND concluded that similar to the Proposed Project, as mandated by State law, the applicants of the related commercial and residential projects would be required to pay a school fee to the LAUSD to help reduce any impacts the related projects may have on school services. With payment of these fees, cumulative impacts on public schools would be reduced to less-than-significant levels. This impact conclusion would not change based on a review of the 2015 revised related project list.

Parks

The 2005 MND concluded that the Proposed Project would have a less than significant impact upon park services. The 2005 MND concluded that development of the Proposed Project in conjunction with the related projects would result in an increase in the population and therefore the demand for recreation facilities in an urbanized downtown area of the City of Los Angeles. The increase in residential population by the related projects in the vicinity of the Project Site would, in the absence of mitigation, lower the City's existing parkland to population ratio, which is currently below the preferred standard. Cumulative recreational facility impacts associated with the development of the related residential projects would be mitigated to less-than-significant levels through adherence to the Quimby Act, conditions of approval, and environmental review procedures conducted on a case-by-case basis. These fees would apply to the estimated 21,987 multi-family housing units that are either approved, under construction or planned within the downtown area. As such, the provision of park space would be commensurate with the amount of cumulative development anticipated in the downtown area. The Proposed Projects cumulative impact upon park and recreation services would therefore remain less than significant.

Transportation and Traffic

The Revised MND included a revised Traffic Analysis (Traffic Review Memorandum dated September 23, 2014) addressing minor modifications to the Proposed Project. As part of that analysis, The Mobility Group conducted a supplemental evaluation of the 2014 Project with a completely updated traffic analysis including updated 2015 traffic counts, an updated related project list and updated intersection configurations to reflect recently installed and planned bike lanes. The traffic analysis included 2015 traffic counts (conducted in March and May of 2015) at all study intersections. This analysis also took into account updated intersection lane configurations to account for existing and planned bike lanes and roadway improvements in the study area, including the MyFigueroa Project, and included a revised related project list with 69 current projects that are approved but not yet constructed, or proposed within the study area. Trips for the completed Phase 1 portion of the project were included in the new 2015 traffic counts. The analysis of potential new impacts was therefore conducted on the incremental addition of trips from the yet to be completed Phase 2 portion of the project. The updated Traffic Study demonstrates that there would be no new significant traffic impacts from the 2005 Original Project and the 2014 Revised Project (Phase 2), as evaluated with updated 2015 conditions. However, the original two mitigation measures would continue to apply for the overall buildout of the project.

Based on the updated analysis, the Project's cumulative traffic impacts would be mitigated to less than significant levels. Furthermore, similar to the finding in the 2005 MND, mitigation measures for each of the related projects would be implemented individually in coordination with LADOT. The Proposed Project's cumulative traffic impacts would therefore be less than significant.

Utilities and Services

Sewer

The 2005 MND concluded that the Proposed Project would have a less than significant impact upon sewer services. The 2005 MND concluded that development of the Proposed Project in conjunction with the related projects would result in an increase in the demand for sewer service in the Los Angeles Bureau of Sanitation's service area and could result in a decrease in the HTP's daily effluent capacity. As shown in Table 4, below, the Proposed Project and the related projects would generate approximately 6.2 million gallons per day (mgd) of wastewater.

Table 4
Projected Cumulative Wastewater Generation

Land Use Type	Size	Sewage Generation Factors (gpd/unit) ^a	Total Sewage Generated (gpd)
Restaurant/Bar/Dance Hall	315,785 sf	300/1,000 sf ^b	94,736
Commercial/Retail	2,257,441 sf	80/1,000 sf	180,595
Office	12,413,014 sf	150/1,000 sf	1,861,952
Residential	21,987 du	160/du ^c	3,517,920
Hotel	3,328 rooms	130/rm	432,640
School	9,000 students	12/student ^d	108,000
Other	896,769 sf	20/1,000 sf	17,935
Related Projects Total Sewage Generation			6,213,778
Plus Proposed Project Total Sewage Generation			81,367
Total Cumulative Sewage Generation			6,295,145

The Hyperion Treatment Plant (HTP) treats an average daily flow of 362 million gallons per day (mgd), and has capacity to treat 450 mgd.¹ This equals a remaining capacity of 88 mgd of wastewater able to be treated at the HTP. The additional 6.2 mgd would be able to be accommodated within the excess treatment capacity currently available and projected to be available at the HTP. Furthermore, similar to the Proposed Project, each related project would be required to comply with City and State water conservation programs and sewer allocation ordinances. Therefore, cumulative impacts on sewer service would be less than significant.

Water

The 2005 MND concluded that the Proposed Project would have a less than significant impact upon water services. The 2005 MND concluded that development of the Proposed Project in conjunction with the related projects would result in an increase in the demand for water service in LADWP's service area and would further increase the regional demand for water supplies. As shown in Table 5, below, the Proposed Project and the updated 2015 related projects would demand approximately 7.5 mgd of water. The water requirement for any project that is consistent with the City's General Plan has been taken into account in the planned growth in overall water demand. Through the 2010 Urban Water Management Plan, the LADWP has demonstrated that it can provide adequate water supplies for the City through the year 2035. This estimate is based in part on demographic projections obtained for the LADWP service area from the Metropolitan Water District (MWD). The MWD utilizes a land-use based planning tool that allocates

¹ City of Los Angeles Department of Public Works, Bureau of Sanitation, Hyperion Treatment Plant, website: http://www.lasewers.org/treatment_plants/hyperion/index.htm, accessed August 2015.

projected demographic data from SCAG into water service areas for each of MWD's member agencies. MWD's demographic projections use data reported in SCAG's 2008 Regional Transportation Plan (RTP). As discussed previously in this section under the Population and Housing subheading, the Proposed Project's growth is consistent with SCAG's growth projections for the Los Angeles subregion. Furthermore, the Proposed Project is consistent with the underlying allowable uses per the LAMC and would not exceed the allowable density for the Project Site. As such, the additional water demands generated by the Proposed Project, in combination with the related projects, is accounted for in the 2010 Water Management Plan and impacts associated with increased water demand would be less than significant.

Table 5
Projected Cumulative Water Demand

Land Use Type	Size	Water Demand Factors (gpd/unit) ^a	Total Water Demand (gpd)
Restaurant/Bar/Dance Hall	315,785 sf	360/1,000 sf ^b	113,683
Commercial/Retail	2,257,441 sf	96/1,000 sf	216,714
Office	12,413,014 sf	180/1,000 sf	2,234,343
Residential	21,987 du	192/du ^c	4,221,504
Hotel	3,328 rooms	156/rm	519,168
School	9,000 students	14.4/student ^d	129,600
Warehouse	640,000 sf	24/1,000 sf	21,522
Related Projects Total Water Demand			7,456,534
Plus Proposed Project Total Water Demand			107,061
Total Cumulative Water Demand			7,563,595

Attachment: 2015 Related Project Table.