

# Holland & Knight

400 South Hope Street, 8th Floor | Los Angeles, CA 90071 | T 213.896.2400 | F 213.896.2450  
Holland & Knight LLP | [www.hklaw.com](http://www.hklaw.com)

Ryan M. Leaderman  
+1 213-896-2405  
[Ryan.Leaderman@hklaw.com](mailto:Ryan.Leaderman@hklaw.com)

January 17, 2020

## VIA E-MAIL

Deputy Advisory Agency  
Los Angeles Department of City Planning  
c/o Milena Zasadzien  
221 N. Figueroa Street, Suite 1350  
Los Angeles, CA 90012

**Re: Case No.: VTT-74531-CN Request for Modifications/ENV-2016-4630-EIR/1045  
S. Olive Street, Los Angeles, California**

Dear Milena:

On behalf of 1045 Olive, LLC (the “Applicant”) thank you for assisting with the processing of the entitlements for the 1045 Olive project (the “Project”). As you probably know, the Applicant submitted its first revisions to VTT-74531 (the “Tract Map”) to the City of Los Angeles (the “City”) on November 28, 2017.<sup>1</sup> Notwithstanding the complete and total absence of any written comments from the Bureau of Engineering (“BOE”) on the Tract Map submitted to the City on November 28, 2017, in light of Wednesday’s new verbal comments from BOE on the Tract Map, the Applicant has expeditiously made changes to the Tract Map as follows:

1. Added corner cut and limited height/depth information, also shown on the isometric;
2. Adjusted the Olive Street existing centerline distance from property line to 45 feet;
3. Adjusted the Olive Street subsurface merger of the five foot wide area to nine feet below grade;
4. Added limited height request information for two foot dedication on 11<sup>th</sup> Street;

---

<sup>1</sup> See City date stamp “November 28, 2017” on the Tract Map at <https://planning.lacity.org/pdiscaseinfo/Home/GetDocument/OTFmNWM3YjktZDU5Zi00MjkzLWE0MDU0OWUwYTZmMmRlMTMw0> accessed January 17, 2020.

5. Clarified the two foot merger on 11th Street and two foot merger on Olive Street to between 40 feet and 92 feet above grade for Levels five to nine (wrap unit balconies); and
6. Revised the date on the Tract Map.

These changes are responsive to the recent verbal feedback from BOE, as well as other comments at the hearing, and therefore supersedes this office's correspondence from earlier this week. As such, the Applicant respectfully requests modifications to the draft Tract Map conditions of approval. With this letter, in addition to a soft copy of the Tract Map, please also find attached an updated haul route application.<sup>2</sup>

#### I. REQUESTED MODIFICATIONS TO DECISION LETTER CONDITIONS

Please see below the requests for modifications to the language of the decision letter conditions for VTT-74531. Please note that text appearing in a ~~strikethrough~~ format is requested for deletion and text appearing in a **bolded, underlined** format is requested to be added.

- Condition 1 currently states:

1. That a 2-foot wide strip of land be dedicated along 11<sup>th</sup> Street adjoining the tract to complete a 32-foot wide half right-of-way in accordance with Modified Collector Standards of the LA Mobility Plan. In addition, a 20-foot radius property line return or 15-foot by 15-foot property line cut corner be dedicated at the intersection of 11<sup>th</sup> Street and Olive Street.

*11<sup>th</sup> Street and Olive Street are both one way streets where cars can never go southbound on Olive Street since Olive Street is one-way northbound street adjacent to the Project. The corner cut is unnecessary for visibility concerns since cars will never travel southbound on Olive Street and be able to make a right turn onto westbound 11<sup>th</sup> Street. However, the Applicant wishes to provide the required corner cut at street level should it be needed in the future. Providing the corner cut at street level will also ensure adequate public sidewalk for ADA path of travel behind the curb return and ADA ramps. Additionally, in order for the Project to be feasible, parts of the Project above a certain elevation will encroach into the required two foot dedication on 11<sup>th</sup> Street. However, the Applicant wishes to provide the required two foot dedication at street level and below grade. The two foot dedication and dedication of the 15-foot by 15-foot property line corner cut at street level will satisfy the intent of the dedication and meet the needs of the Project. We respectfully request the language to be modified as follows:*

---

<sup>2</sup> The Civil Engineer, DEA, will deliver hard copies of the Tract Map to your office.

1. That a 2-foot wide strip of land be dedicated along 11<sup>th</sup> Street adjoining the tract to complete a 32-foot wide half right-of-way **limited to an upper elevation of 40-feet** in accordance with Modified Collector Standards of the LA Mobility Plan. In addition, a 20-foot radius property line return or 15-foot by 15-foot property line cut corner be dedicated at the intersection of 11<sup>th</sup> Street and Olive Street **limited to an upper elevation 40-feet above the sidewalk surface and a depth of 9-feet below the sidewalk surface.**

- Condition 2 currently states:

2. That a 3-foot sidewalk easement be provided along 11<sup>th</sup> Street adjoining the dedication stated above in accordance with Downtown Street Design Guide. Also, the proposed below and above the grade encroachments into the proposed sidewalk easement shall be approved by the Planning Department.

*In order for the Project to be feasible, parts of the Project above a certain elevation will encroach into the sidewalk easement. Thus, we ask that the sidewalk easement be limited in height. We respectfully request the language to be modified as follows:*

2. That a 3-foot sidewalk easement be provided along 11<sup>th</sup> Street adjoining the dedication stated above in accordance with Downtown Street Design Guide **limited from the sidewalk surface to 40-feet above the finished sidewalk surface.** ~~Also, the proposed below and above the grade encroachments into the proposed sidewalk easement shall be approved by the Planning Department.~~

- Request for addition of new BOE Condition:

*In order for the Project to be feasible, parts of the Project above and below a certain elevation will encroach into the existing five foot easement along S. Olive Street referenced as Case No. 175,836 recorded January 11, 1929 in Book 7374 Page 205 of Official Records as shown on the Vesting Tentative Tract Map. Thus, we ask that these areas be merged back with the tract while still allowing for the 45-foot half right-of-way at street level along with the requested sidewalk improvements. We respectfully request that the following condition be added:*

**BOE Condition #X. That the following areas be merged back with the tract: the existing 5-foot street easement along Olive Street between 40-feet and 45-feet from the centerline beginning 9-feet below grade and 40-feet above grade.**

- Request for addition of new BOE Condition:

*In order for the Project to be feasible, unenclosed balconies above a certain elevation would encroach into the existing right-of-way between 38-feet and 40-feet from the centerline along S. Olive Street. Thus, the Applicant respectfully requests that these areas be merged with the Tract Map while still allowing for the 45-foot half right-of-way at street level along with the requested sidewalk improvements. The Applicant respectfully requests that the following condition be added:*

**BOE Condition #X. That the following areas be merged with the tract: right-of-way along S. Olive Street between 38-feet and 40-feet from the centerline beginning 40-feet above the sidewalk to approximately 92-feet above grade for unenclosed balconies on Levels 5-9.**

- Request for addition of new BOE Condition:

*In order for the Project to be feasible, unenclosed balconies above a certain elevation would encroach into the existing right-of-way between 28-feet and 30-feet from centerline along 11th Street. Thus, the Applicant asks that these areas be merged back with the Tract Map while still allowing for the 32-foot half right-of-way and three foot sidewalk easement at street level along with the requested sidewalk improvements. The Applicant respectfully requests that the following condition be added:*

**BOE Condition #X. That the following areas be merged with the tract: right-of-way along 11th Street between 28-feet and 30-feet from the centerline beginning 40-feet above the sidewalk to approximately 92-feet above grade for unenclosed balconies on Levels 5-9.**

- Condition 23(r) currently states:

23(r). A total of up to 250 roundtrips (i.e. 125 one-way) truck trips per day will occur over an estimated 157 work days of hauling.

*Because of the earlier start time and in an effort to more precisely capture the overall duration of the hauling period, there can be a reduction in the estimated number of days of construction. We respectfully request the language be modified as follows:*

23(r). A total of up to 250 roundtrips (i.e. 125 one-way) truck trips per day will occur over an estimated ~~157~~ **91** work days of hauling.

- Condition 23(s). Haul vehicles are 14.0 cubic yard capacity double-bottom dump trucks or smaller for the grading and excavation phase. For the site preparation phase, haul vehicles are 20.0 cubic

yard capacity double-bottom dump trucks or smaller. For the demolition phase, haul vehicles are 10.0 cubic yard capacity double-bottom dump trucks or smaller.

*In an effort to simplify the hauling, the Project team would utilize up to 14.0 cubic yard capacity double-bottom dump trucks or smaller. We respectfully request that the language be modified as follows:*

23(s). Haul vehicles are 14.0 cubic yard capacity double-bottom dump trucks or smaller ~~for the grading and excavation phase. For the site preparation phase, haul vehicles are 20.0 cubic yard capacity double-bottom dump trucks or smaller. For the demolition phase, haul vehicles are 10.0 cubic yard capacity double-bottom dump trucks or smaller.~~

- Condition 23(u) currently states:

23(u). Total net export of soil is approximately 80,520 cubic yards. An additional 520 cubic yards of site preparation material and 3,410 cubic yards of demolished materials will also be hauled.

*The Project team has refined the proposed cubic yardage to be included in the hauling activities as outlined in the ERRATA prepared by ESA. The estimated total cubic yardage of haul is expected to be approximately 89,713 cubic yards, inclusive of approximately 85,783 cubic yards of soil. We respectfully request that the language be modified as follows:*

23(u). Total net export of soil is approximately ~~80,520~~ **89,713** cubic yards including site preparation and demolished material to be hauled. ~~An additional 520 cubic yards of site preparation material and 3,410 cubic yards of demolished materials will also be hauled.~~

- Condition 24 is titled: “Tribal Cultural Resource Inadvertent Discovery.”

*Condition 24 is not consistent in several respects with Cultural Resources Mitigation Measure CULT-MM-2 which addresses inadvertent discovery of archaeological resources and tribal resources. For internal consistency and to avoid duplication, we respectfully request that Condition 24 be made to be consistent with CULT-MM-2 or that it be deleted since CULT-MM-2 already addresses archaeological resources and tribal resources.*

Deputy Advisory Agency  
Los Angeles Department of City Planning  
c/o Milena Zasadzien  
January 17, 2020  
Page 6

Thank you for your time and consideration in this matter. If you have any questions or require additional information, please do not hesitate to contact me at 213.896-2405.

Sincerely,

HOLLAND & KNIGHT LLP

A handwritten signature in blue ink, appearing to read "Ryan M. Leaderman".

Ryan M. Leaderman

Attachments