

**ATTACHMENT A**  
**VESTING TENTATIVE TRACT MAP**  
**Site Address: 1033-1057 S. Olive Street, Los Angeles, CA 90015**  
**Applicant: 1045 Olive, LLC**

The Applicant, 1045 Olive, LLC, is seeking approval of the following entitlement requests:

- 1) Pursuant to **L.A.M.C. Section 17.01 and Section 17.15**, the Applicant requests approval of **Vesting Tentative Tract Map 74531**, to create one master ground lot and to subdivide the site into 17 airspace lots for a high density urban mixed use project containing up to 800 residential condominiums and approximately 15,000 square feet of commercial space.
  - a. The Applicant requests permission to deviate from the number of parking space defined in the Advisory Agency policy memo AA-2000-1. This memo requires 2.25 parking spaces per condominium unit. The Applicant requests permission to provide residential parking consistent with LAMC Section 12.21.A.4.p for a ratio of approximately 1.01 parking space per residential dwelling unit in consideration of its proximity to jobs, services, and public transit.
  - b. The Applicant requests approval of a haul route in conjunction with the Vesting Tentative Tract Map approval

Pursuant to various sections of the Los Angeles Municipal Code, the Applicant will request approvals and permits from the Department of Building and Safety (and other municipal agencies) for Project construction activities including, but not limited to, the following: excavation, shoring, grading, foundation, haul route, removal of existing street trees, building and tenant improvements.

## THE PROJECT

1045 Olive, LLC (the "Applicant") proposes to remove four existing commercial buildings and construct an approximately 751,777 square foot mixed-use high-rise building containing a maximum of 800 residential condominium units and 15,000 square feet of commercial located at the ground and mezzanine levels (the "project"). The project would achieve a maximum height of 714 feet and approximately 50 stories. Vehicle parking would be provided consistent with the Central City Parking Exception and Downtown Business District parking requirements and is proposed to be located within 5 subterranean levels and 9 levels above grade. The project would provide up to 817 parking spaces, with 802 spaces dedicated to residential parking and 15 spaces provided for commercial uses. Bicycle parking would also be provided consistent with the requirements of the Los Angeles Municipal Code (LAMC), with approximately 808 long-term spaces provided within the parking garage on ground level, mezzanine and one level below grade. An additional maximum of 88 short-term bicycle parking spaces would be provided consistent with LAMC Section 12.21.A.16.

The project would provide neighborhood serving commercial uses and residential lobby to front along 11<sup>th</sup> & Olive Streets. Vehicle access (ingress/egress) would be provided from one entrance along Olive Street, near the northern property line, one entrance on 11<sup>th</sup> Street, near the west property line and one entrance on the alley, near the south property line. An on-site loading and move-in/out service area would also be accessed from the alley closer to the north property line. Residential units are proposed to wrap the podium along 11<sup>th</sup> Street and Olive Street on levels five through nine. The podium level (tenth floor) would contain residential amenities such as a fitness center and swimming pool. Level 27 would contain mid-tower amenity spaces, while levels 48 and 49 would have residential amenity areas and a roof deck, and a second roof deck would be located on level 50. Residential units are proposed to be located on levels 11 through 46, while Levels 47, through 50 would contain mechanical equipment in addition to residential amenities.

The Applicant proposes the merger and resubdivision of the site into a single ground lot and seventeen (17) airspace lots. The proposed uses within each airspace lot would be the following: Airspace Lots 1, 2, 7 and 8 would be parking, Airspace Lot 3 would be core, Airspace Lot 4 would be residential units and core, Airspace Lot 5 would be commercial, Airspace Lot 6 would be the mezzanine, Airspace Lots 9, 11, 12, 15, and 16 would be

Amenity, Airspace Lots 10 and 13 would be residential, and Airspace Lots 14 and 17 would be mechanical.

At the pedestrian level, the project would enhance the streetscape and walkability by providing a 17-foot sidewalk along Olive Street and a 15-foot sidewalk (including a 3-foot sidewalk easement) along 11<sup>th</sup> Street. The proposed 15,000 square feet of neighborhood serving commercial uses along the ground and mezzanine levels would attract pedestrian activity which would help to activate the streets in the surrounding area.

### Project Location and Zoning

Rectangular in shape, the project site is located at 1033, 1035, 1039, 1041, 1045, 1047, 1049, 1053, 1055 and 1057 South Olive Street, within the South Park community of downtown Los Angeles and is comprised of six tax parcels (APNs: 5139-010-001, -002, -008, -010, -011) and six lots (the "project site"). The project site is zoned [Q]R5-4D-O and maintains a General Plan Land Use designation of High Density Residential, as per the Central City Community Plan.

The subject property is also located in the City Center Redevelopment Project area. As the project site is zoned [Q]R5-4D-O, the Height District No. 4 permits a floor area ratio ("FAR") of 13 to 1. However, the "D" limitation limits the floor area to a maximum of 6 to 1 FAR, unless additional floor area is permitted through a Transfer of Floor Area ("TFAR") as identified under the Floor Area and Density discussion below. The "[Q]" Condition allows commercial uses provided the floor area for commercial uses does not exceed a 2 to 1 FAR.

### Lot Area

The project site maintains a pre-dedicated lot area of approximately 41,603 square feet (0.955 acres). The total gross lot area, including up to the centerline of Olive Street, 11<sup>th</sup> Street and the alley is approximately 57,829 square feet.

### Floor Area and Density

The project would consist of approximately 15,000 square feet of commercial floor area and a maximum of 800 residential units within up to 736,777 square feet of residential floor area, for a maximum total of 751,777 square feet of floor area (13:1 FAR). As identified above, the project site is located in the Height District 4D, which permits an FAR of up to 13 times the Buildable Area of the lot through a TFAR application. Pursuant to LAMC Section 14.5 the project site is located within the Central City TFAR area and is considered to be a Transit Area Mixed Use Project, which increases the Buildable Area to

include the area contained within the “lot area plus the area between the exterior lot lines and the centerline of any abutting public right-of-way.” Therefore, the Buildable Area for the project site is 57,829 square feet, which permits a maximum total of 751,777 square feet of floor area.

### Open Space

The Project would be required to provide 86,950 square feet of open space for the Project’s maximum 800 units (618 units with less than 3 habitable rooms, 134 units with 3 habitable rooms, 48 with more than three habitable rooms). As currently designed, the Project would incorporate 86,950 square feet of open space.

### Parking

Pursuant to LAMC Section 12.21.A.4.p residential parking would be provided consistent with the Central City Parking Exception which permits one space for each dwelling unit containing 3 habitable rooms or less and one and a quarter spaces for each dwelling unit containing more than three habitable rooms if more than six such units are provided. Pursuant to LAMC Section 12.21.A.4.i commercial parking would be provided consistent with the Downtown Business District parking requirements which generally requires one space be provided for every 1,000 square feet of commercial floor area proposed. Additionally, pursuant to LAMC Section 12.21.A.4.a, the Bicycle Parking provision permits vehicular parking to be replaced (up to a maximum of 15%) by bicycle parking spaces at a ratio of 4 bicycle parking spaces provided per vehicle space replaced. Based on the requirements and exemptions stated supra, the project as submitted would require approximately 817 vehicular spaces, which is consistent with the parking proposed. The project would provide approximately 802 residential parking spaces and approximately 15 commercial parking spaces.

While the proposed residential parking would comply with the requirements identified by the LAMC, it is less than the 2.25 parking spaces per residential condominium unit required by the Advisory Agency Parking Policy Memo AA-2000-1. In consideration of its proximity to jobs, services, and public transit, the Applicant requests permission from the Deputy Advisory Agency to deviate from the number of parking spaces defined in the Advisory Agency policy memo AA-2000-1.

### Transit

The Project is very close to many bus transit lines and DASH services, and is less than a half mile from the Pico Station, which contains the Expo and Blue Lines and links directly

to the 7<sup>th</sup> & Metro Center which serves as the nexus of the majority of the region's rail lines including the Blue Line, Expo Line, Purple Line and Red Line, linking the project to several of the region's job centers including Long Beach, Culver City, Koreatown and the Wilshire Corridor, Hollywood, and North Hollywood, and eventually Santa Monica and the West Side. The project is located in the most densely populated job center of Downtown LA and is within walking distance of thousands of jobs and retail in the downtown area. It is also important to note that the partially funded LA Streetcar would travel along 11<sup>th</sup> Street and provide the ability for future tenants to utilize the stations.

## **STREETS AND CIRCULATION**

**Olive Street** – Adjoining the property on the northeast is a designated Modified Avenue II, with an existing width of approximately 90 feet. This Modified Avenue II is required to be 90 feet wide with a 28-foot half roadway and a 17-foot sidewalk.

**11th Street** – Adjoining the property on the southeast is a designated Modified Collector, with a width of approximately 60 feet. Pursuant to the Downtown Street Standards this Modified Collector is required to be 64 feet wide with a 20-foot half roadway and 12-foot sidewalks, plus a 3-foot sidewalk easement on each side of 11<sup>th</sup> Street.

## **SURROUNDING PROPERTIES**

**North:** 7-story under construction mixed-use project zoned [Q]R5-4D-O.

**South:** Surface parking lot zoned C2-4D-O.

**East:** 7-story mixed-use project zoned [Q]R5-4D-O.

**West:** 25-story under construction mixed-use high-rise building zoned [Q]R5-4D-O

## **FINDINGS FOR SUBDIVISION OF LAND, PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTIONS 66473.1 AND 66474 (Subdivision Map Act) AND LAMC, SECTION 17.00 of ARTICLE 7 (Division of Land)**

**a) The proposed map will be/is consistent with applicable General and Specific Plans.**

The proposed Vesting Tentative Tract Map would be consistent with elements and objectives of the General Plan. The project site is not governed by a Specific Plan.

The following discusses the project's consistency with the elements of the General Plan, including the Central City Community Plan, City Center Redevelopment Plan, the Housing Element and the Mobility Element.

### Central City Community Plan

The following Central City Community Plan residential land use objectives are consistent with the proposed development:

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

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

With the development of up to 800 residential units in a high density area, the project would help fulfill the primary residential land use objective of the Central City Community Plan (the "Community Plan"). The Community Plan designates much of the South Park area as High Density Residential with corresponding residential zoning due to its proximity to jobs and housing. The Community Plan's Policy 1-1.1 (page III-2) in support of this objective seeks to "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 uses." The second program of this policy seeks to, "designate the Land Use for South Park for residential in all future redevelopment plans." The fourth Program of Policy 1-1.1 seeks to implement policies as appropriate that, "encourage multi-family residential development and promote transit-oriented, mixed-income and mixed-use neighborhoods downtown..." (Page III-2 of the Central City Community Plan). The Plan also seeks to increase the range of housing choices available to Downtown employees and residents. The project would offer up to 800 units at varying sizes and provide potential new homeownership opportunities. The project clearly strives to meet the objectives, programs and policies of the Plan by expanding the number of residential units in an area that is already enriched by jobs, public transit and mixed-use projects.

The Community Plan also identifies several significant community residential land use issues that are addressed by the project. These include:

- i. Create a significant increase in housing for all incomes, particularly of middle income households.
- ii. Lack of sufficient housing investment to achieve a "critical mass" in some underserved areas like South Park.

- iii. Lack of neighborhood-oriented businesses to support residential uses.
- iv. Lack of a strong sense of neighborhood identity.

The project would be designed to assist in resolving these issues by providing up to 800 new residential units, creating an increase in housing for a range of workers within the City. With a maximum possible density of 800 units, the project demonstrates a substantial investment in the community that moves the City closer to achieving that “critical mass” of residents.

The project would be designed to achieve a critical mass of residents who can activate the streets and promote the ground floor neighborhood serving commercial uses. The project’s ground floor commercial uses would assist in addressing the lack of neighborhood-oriented businesses by providing up to 15,000 square feet of commercial opportunities serving the residents and community. The development of an underutilized portion of downtown Los Angeles into an integrated high density mixed-use project contributes to the burgeoning identity of the South Park neighborhood.

#### Housing Element

The Project is consistent with the following objectives of the Housing Element of the General Plan:

**Objective 1.1:** *Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.* (Chapter 6, Page 6-6)

**Objective 2.2:** *Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit.* (Chapter 6, Page 6-9)

**Objective 2.3:** *Promote sustainable buildings, which minimize adverse effects on the environment and minimize the use of non-renewable resources.* (Chapter 6, Page 6-9)

**Objective 2.4:** *Promote livable neighborhoods with a mix of housing types, quality design and a scale and character that respects unique residential neighborhoods in the City.* (Chapter 6, Page 6-10)

The project as proposed would provide a maximum of 800 for sale residential condominium units which could also be rented as apartments to the City’s housing stock. The project would therefore provide housing and residential services in furtherance of the foregoing objectives at a site which is currently underutilized as single-story commercial. The project would provide current and future downtown

employees with housing at a premium location. With such programs as the LA Streetcar, which would travel along 11<sup>th</sup> Street for a portion of the proposed route around the downtown area, the project would be part of an emerging pedestrian-oriented district encouraging the use of mass transit. The Project would be developed in close proximity to several MTA bus lines including Rapid lines and the DASH service, in addition to the MTA Pershing Square Station, the 7<sup>th</sup> Metro Center, and the Pico Station, which together provide access to more than half of Los Angeles' regional rail lines.

#### Mobility Plan 2035 ("Mobility Plan")

The Mobility Plan was adopted by the City Council on January 20th, 2016. Relevant objectives and policies of the Mobility Plan are as follows:

- Chapter 3: Access for All Angelenos (Page 100)
  - Ensure that 90% of households have access within one mile to the Transit Enhanced Network by 2035.
  - Ensure that 90% of all households have access within one-half mile to high quality bicycling facilities by 2035.
  - Increase the combined mode split of persons who travel by walking, bicycling or transit to 50% by 2035.
- Policy 3.3: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services. (Chapter 3, Page 104)
- Chapter 5: Clean Environments and Healthy Communities
  - Decrease VMT per capita by 5% every five years, to 20% by 2035. (Chapter 5, Page 143).

The project would provide a pedestrian-oriented environment by locating high density residential and retail uses in proximity to public transit and the jobs rich environment of Downtown. As previously mentioned, the project is located less than a half mile from the Pico Station, which serves as the nexus for the majority of the region's rail network. The project encourages pedestrian activity by activating the street with neighborhood serving commercial and retail uses. With new residents most likely to work downtown and to avail themselves of the recreational and cultural opportunities of the area, the need for automobile transportation is greatly reduced, because residents would either walk, bike or use one of the many forms of public transportation available in the area. Accordingly, the project would encourage residents to walk, bike or take transit, effectively helping reduce VMT by providing residents opportunities for non-vehicular travel options.

**b) The design or improvement of the proposed subdivision is consistent with applicable General and Specific Plans.**

There are no specific plans that affect the development of the Project.

As designed, the proposed Vesting Tentative Tract Map is consistent with the intent and purpose of the governing Central City Community Plan as well as applicable elements of the General Plan for the following reasons:

1. It would assist in the revitalization of the South Park area by providing a vibrant mixed-use community in downtown including a mix of ground-floor neighborhood serving commercial uses and a maximum of 800 residential units.
2. It would provide housing types that appeal to a broad section of the housing market, including singles, small families, and empty-nesters.
3. The project would transform existing single-story commercial buildings into a well-designed highly functional project that aesthetically contributes to the existing urban form.
4. The use of mass transit would be encouraged by providing a high-density residential project within close proximity to a transit and jobs rich environment. With such programs as the LA Streetcar, which would travel along 11<sup>th</sup> Street for a portion of the proposed route around the downtown area, the project would be part of an emerging pedestrian-oriented district encouraging the use of mass transit. The Project would be developed in close proximity to several MTA bus lines including Rapid lines and the DASH service, in addition to the MTA Pershing Square Station, the 7<sup>th</sup> Metro Center, and the Pico Station, which together provide access to more than half of Los Angeles' regional rail lines. Mass transit services include bus service and the Pico Station rail station. Activation of the pedestrian environment would be consistent with the City's planning strategies to promote a walkable city and encourage alternative modes of transit.
5. The surrounding urban street environment would be safer by making Olive Street between 10<sup>th</sup> and 11<sup>th</sup> streets a primary pedestrian area incorporating a range of ground floor retail uses.

During the last decade, this area has been experiencing a trend toward high-density residential and mixed-use projects aimed at a professional demographic. The project's high-density development is consistent with the resurgence of mixed-use projects being

developed within or near the City Center and the community seeing it as a viable alternative to suburban development and dependence on the automobile. The project would provide a parking ratio of approximately 1.01 spaces per unit for the residential uses and approximately 1 space per unit for the proposed approximately 15,000 square feet of commercial units. Therefore, the project proposes a total of approximately 835 total parking spaces. As the project would provide residential spaces at a ratio more conducive to the high-density transit adjacent nature of the downtown project area, the Applicant requests a waiver of the Advisory Agency Parking Policy of 2.25 spaces/dwelling unit which is aimed for more suburban portions of Los Angeles.

Several similar nearby projects show that the area is indeed revitalizing and that the proposed development is consistent and complementary to those that have just been approved and/or constructed. These projects include the "Ten50" project abutting the project to the west, the 712-unit "G12" project, located at 12<sup>th</sup> Street and Grand Avenue, the 274-unit Grand Avenue Lofts project located 11<sup>th</sup> Street and Grand Avenue, and the 201-unit project northerly adjacent to the project site currently under construction.

Based on the above, as designed, the proposed tract map is consistent with the intent and purpose of the applicable General and Specific Plans.

**c) The site is physically suitable for the proposed type of development.**

The Project site is physically suitable for the proposed type of development. As mentioned above, the subject site has a pre-dedicated lot area of 41,603 square feet. It is located on a block bounded by 10<sup>th</sup> Street to the north, 11<sup>th</sup> Street to the south, Olive Street to the east and Grand Avenue to the west. The site is physically accessible from 11<sup>th</sup> Street, Olive Street and an adjacent alley.

The site is located in South Park community of downtown Los Angeles, which is in an area that is seeing a resurgence of predominantly residential development. The project site is a generally level parcel of land, which is physically suitable for the proposed 50-story, mixed-use project. The project is not located in a Hillside area, a Very High Fire Hazard Severity Zone, a Flood Zone, a Hazardous Waste Area, a Landslide Area, nor a Liquefaction Area. However, the site is located in a Methane Buffer Zone.

The project site is also physically suitable for the proposed type of development as it is compatible with the uses in the surrounding area. As the project site is located in the South Park area of downtown, it is a prime location for developing high-density projects, such as this project. As the concept of reaching a jobs-housing balance promotes less travel (i.e., shorter trips) by developing an appropriate mix of uses, one important reason the site is physically suitable for the proposed type of development is the project's

location. The project is proximate to transit and within walking distance of downtown's jobs; transit; restaurants; a burgeoning residential community; parks; and unique entertainment features, all of which further the City's goal of attaining a jobs-housing balance.

Jobs, entertainment, services, and public transit system in the area collectively promote a high-density mixed-use project to be provided at this location. This "smart growth" planning orientation has been reinforced with the passage of the Downtown Housing Ordinance, which includes incentives to encourage high-density development in the Central City area. This Ordinance, coupled with the fact the project is located in a Redevelopment Project area (a designation that signifies the high priority the City has placed on redeveloping into an attractive vibrant district), shows there are also regulatory and policy reasons supporting the site's physical suitability for this type of development.

The project would include a maximum of 800 residential condominium units within a 50-story structure, which is compatible with the high-density development in the Downtown area including the South Park area. The residential use is consistent with the increasing number of both residential and mixed-use projects in the downtown area. The ground level commercial components are located along 11<sup>th</sup> Street and Olive Street, so as to activate the streets and maximize pedestrian interaction. This type of project also is consistent with the City's desire to minimize vehicular trips within the downtown and actively encourages people to either walk or use public transportation.

It is clear that the project site's location in the revitalizing Center City area of downtown near jobs, entertainment, and public transit, and with the passage of the Downtown Housing Ordinances that the site is physically suitable for this type of development.

**d) The site is physically suitable for the proposed density of development.**

The project site is located within the Greater Downtown Housing Incentive area which does not restrict density based on lot area. The site is physically suitable for the proposed density due to its size and its surrounding environment. The proposed development of this tract is an infill of the otherwise high-density South Park and Financial districts of downtown Los Angeles. The development of up to 800 residential units and approximately 15,000 square feet of neighborhood serving commercial space is allowable under current land use designation, and with approval of the proposed discretionary actions, the project is allowable under current land use designation.

Additionally, the project site occupies a property that is currently improved with single-story retail. There are no habitable structures or vegetation on-site other than a few street trees that would be replaced in compliance with the City's requirements.

The [Q]R5-4D-O zoning in conjunction with the Downtown Housing Ordinance allows for the highest intensity residential zoning and is consistent with its General Plan land use designation of High Density Residential. Height District 4 allows a 13:1 FAR by right and the "D" limitation allows a 13:1 FAR through the Transfer of Floor Area process. Surrounding properties are similarly zoned and developed with commercial retail, office, multi-family residential, and general parking uses. The Pico Metrostation is located within 1,500 feet of the project site. The project is also within walking distance of thousands of jobs in the downtown area, the Staples Center and LA Live. The City Council has also acknowledged the site's unique proximity to jobs and housing by creating the Central City Parking District for projects in this area.

The residential use is consistent with the increasing number of both residential and mixed-use projects in the downtown area. The site is located in the [Q]R5-4D-O zone, which allows for the highest intensity residential zoning and is consistent with its General Plan land use designation of High Density Residential.

In addition to minimizing vehicular trips within downtown and actively encouraging people to either walk or use public transportation, this project would also lead to a safer urban street environment. As the downtown area becomes increasingly residential, safety on a 24-hour basis not only becomes easier but also more necessary.

Additionally, several similar high-density proximate projects that have recently been approved and/or constructed over the last decade, showing that the area is indeed revitalizing and that the proposed development is consistent with and corresponds with these projects in the area:

- A 37-story, mixed-use development was granted approval on August 22, 2013, (LEVEL Furnished Living) located at 9<sup>th</sup> Street and Olive Street (840 – 888 S. Olive Street) with 282 residential condominium units and 9,680 square feet of commercial (ZA-2013-1013-MCUP-ZV-SPR, VTT-70371).
- A mixed-use project with 1,550 dwelling units and 67,577 square feet of commercial space, "Metropolis" (100 – 1032 E. 8<sup>th</sup> Street), was approved on September 15, 2014 (ZA-2014-2221-ZV-SPR) and Vesting Tentative Tract Map 66352-M4 was approved on December 21, 2015.

- A mixed-use, 7-story development (8<sup>th</sup> & Grand) project containing 770 residential units, located at 770 S. Grand Avenue, which includes 6 residential stories above retail, including the Whole Foods Market (DIR-2012-899-SPR-MSR and Vesting Tentative Tract No. 73783).
- A 529,083 square foot development with 522 residential units and 4,500 square feet of retail/commercial uses located across from the Project Site on Olive Street (820 S. Olive Street) approved on October 17, 2014 (CPC-2013—4134-TDR-MCUP-ZV-SPR, VTT-72566).
- A 28-story mixed-use building with 341 residential units and 11,687 square feet of ground floor retail located at Flower Street and 9<sup>th</sup> Street (901 S. Flower Street) was approved on November 2, 2015 (DIR-2015-97-SPR, VTT-62367-M3).
- A 23-story condominium development (the Evo building) located on Grand Avenue at 12<sup>th</sup> Street (1137-1149 S. Grand Avenue) with 311 joint live/work units and 7,294 square feet of ground-floor retail/restaurant uses (Case No. ZA-2008-0373-CUB).
- A mixed-use, multi-phase development (the Concerto development) located at the northwest corner of 9<sup>th</sup> and Figueroa Streets with 629 joint live/work condominium units and 25,023 square feet of retail spaces in three buildings (one with 6-stories and two with 28-stories) (Case No. ZA-2005-1673-ZV-ZAA-SPR and Vesting Tract Map No. 62367).

**e) The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat**

The California Environmental Quality Act (“CEQA”) analysis in the project’s Environmental Impact Report (“EIR”) demonstrates that there are no significant environmental impacts after mitigation that would cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The project represents infill development on a highly urbanized site, surrounded by urban uses. The existing site is completely developed and has no pervious surfaces, except for a handful of tree wells and trees along 11<sup>th</sup> Street and Olive Street. As such, it would be impossible to cause any substantial environmental damage. With respect to potential substantial and avoidable injury to fish or wildlife, the Migratory Bird Treaty Act requirements would be satisfied, as listed in the project’s EIR, such that there would not be any substantial and avoidable injury to fish or wildlife or their habitat.

The project site is relatively flat, and is fully developed with single-story commercial uses. There are no water bodies or riparian habitat on the fully developed project site. The project would not result in an increase in runoff due to Best Management Practices ("BMPs") and storm water infiltration that would reduce the amount of runoff as compared to existing conditions. As such, the project would not result in any injury to fish.

The site is located in an urbanized area and is an infill development on the border of the financial and historic centers of downtown Los Angeles. This area has been developed for 100 years with urban uses and while the uses change, the fact that it is developed will not. Currently the property and the surrounding area are developed with either paved parking lots or structures, neither of which provides a natural habitat for either fish or wildlife.

**f) That design of the subdivision or type of improvements is not likely to cause serious public health problems.**

There appear to be no potential public health problems caused by the design of the subdivision or the proposed improvements to the property.

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet State-wide ocean discharge standards. The proposed subdivision and subsequent project improvements would be subject to numerous provisions of the Los Angeles Municipal Code (e.g., the Fire Code, Planning and Zoning Code, Health and Safety Code) and the Building Code. Other health and safety related requirements mandated by law would apply where applicable to protect the public health and welfare (e.g., asbestos abatement, seismic safety, flood hazard management, etc.).

**g) That the design of the subdivision or the type of improvements will not likely conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision.**

The design of the subdivision would not conflict with the existing easements for Public Street Purposes that exist on the site. These easements along the west, south, and east perimeters of the project site, at the alley, 11<sup>th</sup> Street, and Olive Street, respectively, exist for circulation purposes. There are no easements acquired by the public for access through the property. Necessary public access for roads and utilities would be acquired by the City or public utilities, as appropriate, prior to recordation of the proposed tract.

**h) The design of a subdivision for which a tentative map is required pursuant to Section 66426 shall 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 cooling opportunities in the proposed subdivision design, the Applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcels(s) to be subdivided and other design and improvement requirements.

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

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

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