

I. **ACTIONS REQUESTED**

1045 Olive, LLC ("the Applicant") requests the following discretionary approvals to construct an approximately 751,777 square foot mixed-use high-rise building containing a maximum of 794 residential condominium units and 12,504 square feet of commercial located at the ground and mezzanine levels.

- 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 a maximum of 794 residential condominium units and up to 12,504 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 1.1 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.
- 2) Pursuant to **L.A.M.C. Section 14.5.6**, the Applicant requests approval of a **Transfer of Floor Area Rights** (TFAR) for a Transit Area Mixed-Use Project, from the Los Angeles Convention Center (Donor Site) at 1201 S. Figueroa Street, a City-owned property, to the Project Site (Receiver Site) for the approximate amount of 404,803 square feet of floor area.
- 3) Pursuant to **L.A.M.C. Section 12.24 W.1**, the Applicant requests approval of **Master Conditional Use Permit** (MCUP) for the sale of a full-line of alcoholic beverages for on-site consumption only within up to ten premises.
- 4) Pursuant to **L.A.M.C. Section 16.05**, the Applicant requests **Site Plan Review**.

Note: Pursuant to various sections of the LAMC, the Applicant will request administrative approvals and permits from the Building and Safety Department and other municipal agencies for Project construction actions, including but not limited to the following: demolition, excavation, shoring, grading, foundation, building, haul route, street tree removal, and tenant improvements.

II. PROJECT DESCRIPTION

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 794 residential condominium units and approximately 12,504 square feet of commercial located at the ground and mezzanine levels (the "Project"). The Project would achieve a maximum height of 810 feet above grade (approximately 810 to top of building) and approximately 70 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 6 subterranean levels and 8 levels above grade. The Project would provide up to 891 parking spaces, with approximately 878 spaces dedicated to residential parking and 13 spaces provided for commercial uses. Residential parking would be provided at a ratio of 1.10 spaces per dwelling unit. Bicycle parking would also be provided consistent with the requirements of the Los Angeles Municipal Code (LAMC), with approximately 794 long-term spaces provided within the parking garage on ground level, mezzanine and one level below grade. An additional maximum of 86 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 11th & Olive Streets. Vehicle access (ingress/egress) would be provided from one entrance along Olive Street, near the northern property line and two entrances on the alley. An on-site loading and move-in/out service area would also be accessed from the alley near the center of the property. Residential units are proposed to wrap the podium along 11th 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. Levels 53-55 would contain mid-tower amenity spaces. Residential units are proposed to be located on levels 5 through 51, and 56 through 70 while Level 52 would contain mechanical equipment.

The Applicant proposes the merger and re-subdivision 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 11th Street. The proposed 12,504 square feet of restaurant uses along the ground and mezzanine levels would attract pedestrian activity which would help to activate the streets in the surrounding area.

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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, 11th Street and the alley is approximately 57,829 square feet.

Floor Area and Density

The Project would consist of approximately 12,504 square feet of commercial floor area and a maximum of 794 residential units within up to 739,273 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 Height District 4D, which permits an FAR of up to 13 times the Buildable Area of the lot through a TFAR. 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. The Project is also located in the Greater Downtown Housing Incentive Area which has no density limit.

Open Space

The Project would be required to provide 92,100 square feet of open space for the Project's maximum 794 units (478 units with less than 3 habitable rooms, 220 units with 3 habitable rooms, 96 with more than three habitable rooms). As currently designed, the Project would incorporate 100,652 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. Based on the requirements, the Project would require approximately 891 vehicular spaces, which is consistent with the parking proposed. The Project would provide up to 873 residential and 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. This policy is directed for low density suburban environments which exist on larger lot areas, not the high density Downtown area. 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 (approximately 1,200 feet) from the Pico Station, located at 12th and Flower Streets, which contains the Expo and Blue Lines and links directly to the 7th & 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 Westside. The Project is located in the 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 11th 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.

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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 11th Street.

Alley – Adjoining the property to the west is an Alley with an existing width of approximately 17.5-feet and a half width of approximately 7.5-feet along the Project site. Alleys are required to maintain a width of 20-feet.

SURROUNDING PROPERTIES

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

South: Surface parking lot south of 11th street., zoned C2-4D-O.

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

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

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III. 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 794 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 794 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.

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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 794 new residential units, creating an increase in housing for a range of workers within the City. With a maximum possible density of 794 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 12,504 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)

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The Project would provide a maximum of 794 for sale residential condominium units which could also be rented as apartments. 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 11th 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 7th 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. 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

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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 794 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 11th 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 7th 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, such as the Figueroa Corridor Streetscape project (MyFigueroa) along 11th Street, 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 Olympic Blvd. and 11th Street a primary pedestrian area incorporating a range of ground floor retail uses.

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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 1.1 spaces per unit for the residential uses and approximately 1 space per unit for the proposed approximately 12,504 square feet of commercial units. Therefore, the Project would provide 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 12th Street and Grand Avenue, the 274-unit Grand Avenue Lofts project located 11th 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 Olympic Blvd. to the north, 11th Street to the south, Olive Street to the east and Grand Avenue to the west. The site is physically accessible from 11th 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 70-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

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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 Greater Downtown Housing Incentive Area 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 794 residential condominium units within an approximately 70-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 11th 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 Greater Downtown Housing Incentive Area Ordinance 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 District of downtown Los Angeles. The development of up to 794 residential units and approximately 12,504 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.

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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 Metro station 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:

- Ten50 Grand (25-stories)
 - 151 Residential Units
 - 191,683 square feet of Floor Area
- 1133 S. Hope (28-stories)
 - 200 Residential Units
 - 221,322 square feet of Floor Area
- 1212 Flower (40 stories, 31 stories)
 - 730 Residential Units
 - 716,000 square feet of Floor Area
- Oceanwide Plaza (49, 40 and 40 stories)
 - 504 Residential Units
- Circa (twin 36-story towers)
 - 648 Residential Units
- Luxe Center Site (32 Stories)
 - 650 Residential Units
- Evo Lofts (24 Stories)
 - 311 Residential Units
- Elleven Lofts (13 Stories)
 - 176 Residential Units
- Luma Lofts (19 Stories)
 - 236 Residential Units
- Watermarke Tower (35 Stories)
 - 214 Residential Units
- Mack Urban Tower (38 Stories)
 - 512 Residential Units

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 11th 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, 11th 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.

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IV. FINDINGS FOR TRANSFER OF FLOOR AREA RIGHTS (TFAR) OF MORE THAN 50,000 SQUARE FEET PURSUANT TO L.A.M.C. SECTION 14.5.7

A. THE INCREASE IN FLOOR AREA GENERATED BY THE PROPOSED TRANSFER IS APPROPRIATE WITH RESPECT TO LOCATION AND ACCESS TO PUBLIC TRANSIT AND OTHER MODES OF TRANSPORTATION, COMPATIBLE WITH OTHER EXISTING AND PROPOSED DEVELOPMENTS AND THE CITY'S SUPPORTING INFRASTRUCTURE, OR OTHERWISE DETERMINED TO BE APPROPRIATE FOR THE LONG-TERM DEVELOPMENT OF THE CENTRAL CITY

The Applicant proposes to construct a mixed-use high-rise tower consisting of a maximum of 794 residential units and approximately 12,504 square feet of ground-floor commercial space. The proposed Project will develop the pre-dedicated 41,603 square foot lot, removing low density commercial buildings. The Applicant proposes a maximum 70-story Residential Tower with a maximum of 794 residential units on the corner of Olive and 11th Street. The Project proposes approximately 739,273 square feet of residential uses, and 12,504 square feet of ground floor commercial uses.

While Height District 4 permits a Floor Area Ratio (FAR) of 13 times the buildable area for the lot, the maximum permitted floor area of the Project site is restricted by the "D" limitation, which restricts FAR to 6 times the buildable area of the lot (per Ordinance 164,307). An FAR of 6 to 1 permits a total floor area of approximately 346,974 square feet. Based on the Transit Area Mixed-Use Project definition of buildable area of the lot, which goes to the centerline of surrounding streets. This area is 57,829 square feet, thereby allowing 346,974 square feet of floor area at a 6:1 floor area ratio. The Applicant proposes to request a Transfer of Floor Area (TFAR) in order to exceed the 6:1 floor area imposed by the "D" limitation as stated above.

Under LAMC for projects in the Greater Downtown Housing Incentive Area, the Applicant is allowed to use the total lot area prior to any required dedications for calculating floor area. Therefore, the buildable area is the same as the lot area used to calculate FAR. As noted above, the project would utilize Transit Area Mixed-Use Project definition. The maximum FAR is 6:1 under the "D" Limitation. However, under the Community Plan, an FAR of up to 13:1 is allowed with the transfer of surplus floor area obtained from another site.

The [Q] Condition on the site further restricts the floor area for any commercial use permitted in the C4 Zone to an FAR of not to exceed 2 to 1 for such commercial use. The proposed Project, at 13:1 FAR (including an additional 404,803 square feet increase via TFAR), will not exceed the 13:1 FAR as permitted in Height District No. 4.

The Project is appropriate with respect to location and access to public transit and other modes of transportation, as it will be an asset to the community by providing: an aesthetically pleasing Project; new residents and employees who would activate the street; market rate housing; community serving retail; and bicycle amenities for residents, guests, employees and customers, among many other assets and benefits.

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The proposed Project is very close to many bus transit lines, MTA rail lines and DASH service. It is also located less than half of a mile to the Pico Metro transit station that provides connections to the Red Line to North Hollywood and Hollywood, the Blue Line connection to Long Beach, the Purple Line connection to Koreatown, and the Expo Line connection to Downtown Santa Monica, 7th Metro Center and the Union Station Terminal. The location of the Project Site in relation to jobs, transit and entertainment creates less of a need for future residents of the Project to drive their vehicles and thereby creating less of a need for parking spaces.

The Project is in proper relation to adjacent uses and the development of the community. The Project site currently consists of low density single-story commercial buildings. The proposed Project would help improve this section of Olive and 11th Streets, with a high-density infill Project that can take advantage of the proximity to major transit, jobs and entertainment.

Additionally, the Project would continue the revitalization the Central City and help develop it as the central Metropolitan area of Los Angeles. Complimentary uses and good design ensure that the Project would integrate in a positive manner with the existing character of development in the immediate neighborhood. The design of the Project would ensure that it is in appropriate in relation to the existing adjacent uses and the development of the community since Downtown Los Angeles is planned for greater height and density development than the rest of the City.

The immediate vicinity also has been the scene for many high-density residential projects. Some examples include:

- Ten50 Grand (25-stories)
 - 151 Residential Units
 - 191,683 square feet of Floor Area
- 1133 S. Hope (28-stories)
 - 200 Residential Units
 - 221,322 square feet of Floor Area
- 1212 Flower (40 stories, 31 stories)
 - 730 Residential Units
 - 716,000 square feet of Floor Area
- Oceanwide Plaza (49, 40 and 40 stories)
 - 504 Residential Units
- Circa (twin 36-story towers)
 - 648 Residential Units
- Luxe Center Site (32 Stories)
 - 650 Residential Units
- Evo Lofts (24 Stories)
 - 311 Residential Units
- Elleven Lofts (13 Stories)
 - 176 Residential Units
- Luma Lofts (19 Stories)
 - 236 Residential Units
- Watermarke Tower (35 Stories)
 - 214 Residential Units
- Mack Urban Tower (38 Stories)
 - 512 Residential Units

The design of the Project would ensure that it is in proper relation to the existing adjacent uses and the development of the community since Downtown Los Angeles is planned for greater height and density development than the rest of the City. This Project takes advantage of the opportunity to build at a scale appropriate for the site.

For these reasons, the Project is in proper relation to adjacent uses and the development of the community.

B. THE PROJECT IS CONSISTENT WITH THE PURPOSES AND OBJECTIVES OF THE REDEVELOPMENT PLAN.

The Project is located in the City Center Redevelopment Project Area, established in May 2012 by the Community Redevelopment Agency of Los Angeles (CRA/LA), which is now a Designated Local Authority. The Project is in conformance with the purposes and objectives of the City Center Redevelopment Plan. The site is subject to the Downtown Design Guidelines, which are referenced in the Central City Redevelopment Project Area of the Community Redevelopment Agency, as well as the Central City Community Plan (text amended to include Guidelines on April 29, 2009). The Downtown Design Guidelines encourages Downtown Los Angeles to develop as a more sustainable community with an emphasis on walkability and the making of great streets, districts and neighborhoods. The focus of the Design Guidelines is the relationship of the buildings to the street, including sidewalk treatment, the character of the building as it adjoins the sidewalk and connections to transit.

The Redevelopment Plan contains the following objectives (Section 105) which the Project has been designed to be consistent with:

1. *To eliminate and prevent the spread of blight and deterioration and to rehabilitate and redevelop the project area in accordance with this plan.*

The Project would remove several existing single-story commercial buildings and develop an aesthetically pleasing Project, consistent with the Downtown Design Guidelines, supporting new residents and employees who would activate the street. The proposed Project will provide much needed market rate housing, community serving retail, and bicycle amenities for residents, guests, employees and customers, among many other assets and benefits. Further, the Project would provide streetscape and landscape improvements. Altogether, these improvements would help to eliminate and prevent the spread of blight and deterioration and to rehabilitate and redevelop the Project Area in accordance with the Redevelopment Plan.

2. *To further the development of Downtown as the Major Center of Los Angeles Metropolitan Region, within the context of the Los Angeles General Plan as envisioned by the General Plan Framework, Concept Plan, City-Wide Plan Portions, the Central City Community Plan, and the Downtown Strategic Plan.*

The Project would provide a mixed-use, high-density development in Downtown close to public transit, entertainment, and employment opportunities, furthering the development of Downtown as the major center of the Los Angeles metropolitan region.

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

The Project provides density appropriate to reinforce the Central City as the center of the Los Angeles Metropolitan Region. The employment and residential dwelling unit opportunities support a fair share of regional growth and development.

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

The Project furthers the development and rehabilitation of economic enterprises in Downtown. It would provide retail and commercial opportunities. The Project is located less than a mile away from L.A. Live, Staples Center, Nokia Theater and the rest of the Los Angeles Sports and Entertainment District (LASED). The new residents would shop, eat, entertain and work at local business establishments and would enhance employment opportunities and the area's tax base.

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

The Project site is underutilized with several single-story commercial buildings. The proposed Project would replace the current uses with a vibrant mixed-use, high-density development that would activate the streetscape and provide new residents to shop, eat and work at various neighborhood establishments.

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

The Project would provide a maximum of 794 apartments, approximately 12,504 square feet of neighborhood-serving commercial uses and would further an efficient and balanced urban environment for people, including a full range of around-the-clock activities and uses in close proximity to all of Downtown LA's amenities.

7. *To create a symbol of pride and identity which gives the Central City a strong image as the major center of the Los Angeles region.*

The Project provides an attractive new structure with density appropriate for the Central City and helps to reinforce Downtown as the major center of the Los Angeles region.

8. *To facilitate the development of an integrated transportation system which will allow for the efficient movement of people and goods into, through and out of the Central City.*

The Project is located within a half mile of the Pico rail station (Metro Blue and Expo Lines) and adjacent to stops for a significant number of bus lines. The Project's proximity to mass transit, as well as easy freeway and major highway access helps to facilitate and encourage the development of an integrated transportation system which will allow for the efficient movement of people and goods into, through and out of the Central City.

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

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There are neither key landmarks nor any structures on-site of architectural, historic or cultural merit that could be adaptively reused.

10. *To provide a full range of employment opportunities for persons of all income levels.*

In addition to temporary construction opportunities for skilled trades, the Project would provide new neighborhood-serving commercial space that would provide job opportunities for the local community.

11. *To provide high and medium density housing close to employment and available to all ethnic, social and economic groups, and to make an appropriate share of the City's low- and moderate-income housing available to residents of the area.*

The proposed Project would provide a maximum of 794 residential dwelling units close to employment, including on-site employment opportunities, and available to all ethnic, social and economic groups. As many of the units would be smaller in size than typical suburban type of developments, the Project would provide housing opportunities for a wide and diverse array of income groups.

12. *To provide the public and social services and facilities necessary to address the needs of the various social, medical and economic problems of Central City residents and to minimize the overconcentration or exclusive concentration of such services within the Project Area.*

The Project is supportive of the City, County and State addressing the needs of the various social, medical and economic problems of Central City residents. To this end, the Project would provide Public Benefit Payment in full compliance with the TFAR ordinance. The Public Benefit Payment would cause public benefits to be provided to the community in proximity to the Project Site. Furthermore, the increase in property and sales taxes will benefit the local and greater community.

13. *To establish an atmosphere of cooperation among residents, workers, developers, business, special interest groups and public agencies in the implementation of this Plan.*

Through the environmental and entitlement review processes, projects such as the one proposed are products of an atmosphere of cooperation among various interest groups in the Downtown area.

The Project is consistent with the Plan's applicable goals and objectives, especially with regard to the goals to create a modern, efficient, and balanced urban environment.

C. THE TRANSFER SERVES THE PUBLIC INTEREST BY COMPLYING WITH THE REQUIREMENTS OF SECTION 14.5.9 OF THIS CODE.

The Public Benefit Payment proposed by the Applicant in the Transfer Plan will result in Public Benefits with an economic value consistent with the sum of the Public Benefit Payment set forth in LAMC Section 14.5.9, approximately \$11,060,000. LAMC Section 14.5.9 requires that a Public Benefit Payment be provided as part of an approved Transfer Plan and shall serve a public purpose. The Project will provide substantial sums

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of revenue for a Public Benefit Payment which will serve the public interest by complying with the requirements of section 14.5.9 of this code.

D. **THE TRANSFER IS IN CONFORMANCE WITH THE COMMUNITY PLAN AND ANY OTHER RELEVANT POLICY DOCUMENTS PREVIOUSLY ADOPTED BY THE COMMISSION OR THE CITY COUNCIL.**

The Project (Receiver Site) is located within the Central City Community Plan and has a High Density Residential land use designation. The Central City Community plan describes the Transfer of Floor Area Ratio (TFAR) as follows:

"The transfer of floor area between and among sites is an important tool for Downtown to direct growth to areas that can best accommodate increased density and from sites that contain special uses worth preserving or encouraging."

The transfer is in conformance with the Central City Community Plan (Land Use Element), Mobility Element and Housing Element and other relevant policy documents. The maximum floor area ratio is 6:1 under the "D" limitations on the Project site. However, under the Community Plan a FAR of up to 13:1 is allowed with the transfer of surplus floor area obtained from another site.

Central City Community Plan

The transfer allows for the Project to help further a number of specific objectives and policies contained in the Central City Community Plan, including:

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 uses.

Program: The Central City Community Plan designates much of South Park and Bunker Hill as High Density Residential with corresponding residential zoning.

Program: Implement new housing ordinances and policies as appropriate that encourage multiple family residential development and promote transit-oriented, mixed-income and mixed-use neighborhoods downtown, including the proposed residential/Accessory Services Zone and the ordinances that would eliminate the habitable room requirements in calculating density.

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

With the development of up to 794 residential units in a high-density area, the proposed Project fulfills the primary residential land use objective of the Community Plan. It designates much of the South Park area as High Density Residential with corresponding residential zoning due to its proximity to jobs, housing and transit options. The Community Plan's Policy 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." A program of this policy seeks to "designate the Land Use

for South Park for residential in all future redevelopment plans.” Another program seeks to implement policies as appropriate that “encourage residential development and promote transit-oriented, mixed-income and mixed-use neighborhoods downtown...” The Plan also seeks to increase the range of housing choices available to Downtown employees and residents. The proposed 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 oriented nearby to public transit and mixed-use projects.

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

Policy 2-4.1: Promote night life activity by encouraging restaurants, pubs, night clubs, small theaters, and other specialty uses to reinforce existing pockets of activity.

The proposed Transfer would help support an active, 24-hour community downtown by enabling the Project to provide a dense mix of complimentary uses for residents, visitors and workers around the clock. The Receiver Site is well-located to accommodate the increased density due to its proximity to a wide-range of transit options, including being within a half mile of the Pico transit rail station for the Metro Blue and Expo lines. The Project would utilize the Transfer of Floor Area provision of the Los Angeles Municipal Code to achieve a floor area ratio of 13:1, which would allow an underutilized site to be converted to a high-density, high-rise development that serves a variety of goals and objectives in the Central City Community Plan.

The Community Plan also incorporates the urban design criteria described in the Downtown Design Guide. The “Design Principles for Creating a Livable Downtown,” include the following:

“Employment Opportunities. Maintain and enhance the concentration of jobs, in both the public and private sectors that provides the foundation of a sustainable Downtown.”

“Transportation Choices. Enable people to move around easily on foot, by bicycle, transit, and auto. Accommodate cars but fewer than in the suburbs and allow people to live easily without one.”

“Recognize individual projects are the ‘building blocks’ of great streets and neighborhoods. This requires particular attention to the way the building meets the sidewalk, providing transition to pedestrian scale and elements that activate the street.”

Housing Element

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

Objective 1.1: Plan the capacity and develop incentives for the production of an adequate supply of rental and ownership housing for households of all income levels and needs.

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

G. Infill Opportunities – Downtown Center: Encourage development of additional housing in the Downtown Center through incentives and identification of infill opportunities and through appropriate rezoning and General Plan changes. Through the Transfer of Floor Area Rights (TFAR) incentive, enable the transfer of unutilized floor area to desired development sites

and collect public benefit fees to support the development of community amenities and affordable housing.

Objective 2.3: Promote sustainable buildings, which minimize adverse effects on the environment and minimize the use of non-renewable resources.

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.

The City's Housing Element (adopted by the City Council on December 14, 2013) states that the population of Los Angeles will grow by over 140,000 persons from 2013 to 2021 (City of Los Angeles Housing Element Chapter 1, Pg. 4). The amount of housing needed to accommodate citywide growth for the current Regional Housing Needs Assessment (RHNA) cycle of 2014-2021 was determined to be 412,721 dwelling units (City of Los Angeles Housing Element Chapter 1, Pg. 78).

The proposed Project would provide current and future downtown employees with housing at a premium location. The proposed Project will add up to 794 dwelling units to the City's downtown housing stock. The Project would be part of an emerging pedestrian-oriented district encouraging the use of mass transit.

Framework Element

The Framework Element for the General Plan (Framework Element) provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding issues including land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services.

The proposed development is consistent with the following Framework Element Downtown Center goals, objectives and policies:

Goal 3G: A Downtown Center as the primary economic, governmental, and social focal point of the region with an enhanced residential community.

Objective 3.11: Provide for the continuation and expansion of government, business, cultural, entertainment, visitor serving, housing, industries, transportation, supporting uses and similar functions at a scale and intensity that distinguishes and uniquely defines the Downtown Center.

Policy 3.11.1: Encourage the development of land uses and implement urban design improvements guided by the Downtown Strategic Plan.

Goal 3K: Transit stations to function as a primary focal point of the City's development.

Objective 3.15: Focus mixed commercial/residential uses, neighborhood-oriented retail, employment opportunities and civic and quasi-public uses around urban transit stations while protecting and preserving surrounding low-density neighborhoods from the encroachment of incompatible land uses.

Policy 3.15.3: Increase the density generally within one quarter mile of transit stations determining appropriate locations based on consideration of the surrounding land use

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characteristics to improve their viability as new transit routes and stations are funded in accordance with Policy 3.1.6.

The project site is currently developed with under-utilized commercial buildings in disrepair. By enabling the construction of a high-density housing project in close proximity to major employment centers, neighborhood services, entertainment uses and transit, including various bus lines and the Metro Expo and Blue Lines at Pico Station, the development is consistent with the above-outlined goals and policies of the Framework Element.

Mobility Element 2035

The five goals outlined in the Mobility Element 2035 are as follows:

1. Safety First,
2. Access for All Angelenos,
3. World Class Infrastructure,
4. Collaboration, Communication and Informed Choices, and
5. Clean Environments and Healthy Communities.

The Mobility Element includes Policy 3.3, "Land Use Access and Mix", which aims to "Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services (Mobility Element 2035, Pg. 85). By providing high density residential and commercial space within the South Park Neighborhood the Project has been designed with this policy in mind.

The Project proposes a pedestrian-oriented environment by locating high density residential and retail uses in proximity to public transit and the jobs rich environment of Downtown. With new residents most likely to work downtown and utilize the recreational and cultural opportunities of the area, the need for automobile transportation is greatly reduced, because residents will either walk or use one of the many forms of public transportation available in the area. This is encouraged by the Mobility Element 2035 which states, "it makes sense for land uses situated near major transit stops to be of the intensity and type that they attract a high number of transit riders." It continues, "The greatest benefits of transit accrue when the greatest number of potential riders can be located within easy access of the transit service" (Mobility Element 2035, Pg. 85). The Project makes the best use of the land by providing high density residential within close proximity to various forms of transit, including Light Rail and several bus stops.

As identified above, the proposed Project is desirable to the public convenience and welfare, proper in relation to adjacent uses of the development in the community and not detrimental to the character of development in the immediate neighborhood and is in harmony with the various elements and objectives of the General Plan, including the Mobility Element 2035.

Downtown Design Guide

The Downtown Design Guide was originally approved by City Planning Commission on May 13, 2010. City Council adopted Ordinance No. 181,557 on February 3, 2011, which added the Downtown Design Guide Project Area to the Los Angeles Municipal Code. On June 8, 2017, the City Planning Commission approved

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updates to the Downtown Design Guide to accommodate flexibility and creativity in building design, emphasize transit-oriented and pedestrian oriented development, and achieve consistency with other related City initiatives (See CPC-2017-2107- MSC Staff Report, p. 1).

The Downtown Design Guide contains standards and guidelines for sustainable design, sidewalks and setbacks, ground floor treatment, parking and access, massing and street wall, on-site open space, architectural detail, streetscape improvements specifically for the Downtown Neighborhood Districts.

As described in LAMC Section 12.22.A.30(a), the purposes of the Downtown Design Guide include implementing:

" ... the standards and guidelines in the Downtown Design Guide (the "Design Guide"), adopted by the City Planning Commission and incorporated as part of the Central City Community Plan, an element of the General Plan of the City of Los Angeles. Given the importance of Downtown Los Angeles as the civic, cultural, institutional, governmental, social and economic center of the region, the 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 Project was designed with the awareness that Downtown Los Angeles is the civic, cultural, institutional, governmental, social and economic center of the region. The contemporary high-rise would create new housing opportunities and services on an underutilized lot to enliven the Downtown Center with 24-hour active uses. The addition of new housing opportunities increases the range of housing choices available Downtown and offers opportunities to live close to Downtown employment and other civic, cultural and recreational uses.

This strategic location also offers housing opportunities in proximity to restaurants, retail, and the growing entertainment district at LA Live and the Staples Center. The Project's location is in proximity to many transit options and allows for residents to use mass transit to access the vast transportation network that operate throughout the greater Los Angeles. By locating near alternative modes of travel such as biking, and transit, the Project promotes street level activity.

At the street level, the Project would preserve the existing sidewalk and enhance it with new street trees and bicycle parking spaces along Olive St. and 11th St. The Project also seeks to activate the pedestrian activity within the Development Site by creating a 2,728 square feet ground level plaza with attractive public art at the corner of Olive and 11th. This Plaza will provide an attractive entry to the proposed 12,504 square feet of restaurant space within the ground level. The Project will also provide a separate residential lobby for residents along Olive Street.

Overall, the Project would fulfil the objectives of the Downtown Design Guide and improve the quality of the built environment. The extent of Downtown Design Guide objectives are incorporated into the Project design:

Sidewalks and Setbacks: The Project would enhance the streetscape and walkability by providing a 17-foot sidewalk along Olive Street and a 15-foot sidewalk along 11th street with an additional three-foot sidewalk easement. The sidewalk widths provided are consistent with the Mobility Plan 2035 and Downtown Street Standards.

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Ground Floor Treatment: The Project would provide active uses at its retail street frontage along 11th Street to the corner at Olive Street. The corner is designed to activate pedestrian activity with the public art plaza. The plaza allows for an attractive entry to the proposed ground floor restaurant uses and provides separation from the public sidewalk. The sidewalks have also been designed to be enhanced with new street trees, parkway landscaping and bicycle parking.

Parking and Access: The off-street parking would be accessed on the ground floor at the north-east edge of the property along Olive Street and from the alley at the rear of the property. This design minimizes unnecessary curb cuts along the building frontage and allows the corner of Olive Street and 11th Street to provide pedestrian activating restaurant and gathering space. The Project would encourage alternative modes of transportation by constructing 794 residential units within close proximity to the Pico Metro station, providing access to Downtown Santa Monica from the Expo Line and Downtown Long Beach from the Blue line as well as access to other all other lines at the 7th/metro station and Union Station, and by providing 886 bicycle parking spaces (86 short term and 800 long term).

Massing and Street Wall: The massing of the building intentionally articulates to facilitate the communal qualities of the residential portion with the surrounding uses. These articulations are strategically located at the street level and at mid-height of the building. The street wall is sculpted to function as an artistic, architectural feature that is engaging at both the street level and vertically. At the corner of 11th and Olive Streets, a large plaza is carved out from the base of the tower and creates an extension of the sidewalk and the public right of way. The plaza functions as an attractive entry way and gathering space that encourages community activities, such as art displays and performances. It conforms with the Downtown Design Guide, which has established guidelines that encourage increased pedestrian activity, by adding green areas and utilizing public art to reinforce retail corridors. At mid-height on the tower, the amenities are grouped together in a single volume, complementing the base of the tower. The carve-outs of the amenities terrace function as outdoor extensions of the indoor common spaces.

Open Space: The Applicant is proposing to provide open space consisting of private balconies connected to many units and common area terraces, patio, pool, sun/roof decks and fitness center located on the podium deck, three levels of amenity space on the 53rd through 55th floors and a rooftop terrace. The common plaza at the corner of Olive Street and 11th Street connects the pedestrian realm to the Project's restaurant and residential uses.

Taken together, the Project would be consistent with the General Plan, including the Community Plan and the Downtown Design Guide.

Overall, the Project would fulfill the objectives of the Downtown Design Guide and improve the quality of the built environment.

DTLA 2040

Though not yet adopted, the City is currently drafting the DTLA 2040 Plan which will update the Central City and Central City North Community Plans. The update will apply new zoning tools developed as part of the City's re:code LA project. As part of this initiative, Downtown will have its own Unified Development Code which will provide new zoning regulations customized for the urban core of Los Angeles. The City is promoting Downtown's role as the convergence point of regional transit lines that connect multiple cities across Los Angeles County through the DTLA 2040 Initiative.

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Current estimates from the City project that DTLA 2040 will be implemented sometime in 2018. Even though the Project is vested due to the VTTM, the proposed Project will be consistent with the proposed updates in the DTLA 2040 plan as they are currently drafted. The current draft shows the Project Site as having a General Plan Land Use Designation of "Transit Core". The proposed Project is consistent with the types of uses encouraged for this area which include, "Regional Mixed-Use, Multi-Family Residential, Entertainment, and Office". The draft DTLA 2040 Plan describes this area as "dense centers of activity built around regional transit that provide easy access for pedestrians, transit users, and cyclists to a variety of experiences and activities".

The Project as proposed will be able to provide the type of density encouraged by the DTLA 2040 Plan by utilizing the TFAR process. The DTLA 2040 Plan establishes a maximum FAR of 13:1 For the Transit Core area, which is consistent with the proposed maximum FAR of the Project.

V. FINDINGS FOR MASTER CONDITIONAL USE PERMIT (MCUP) FOR ALCOHOL SALES PURSUANT TO L.A.M.C. SECTION 12.24 W.1

A. THE PROJECT WILL ENHANCE THE BUILT ENVIRONMENT IN THE SURROUNDING NEIGHBORHOOD OR WILL PERFORM A FUNCTION OR PROVIDE A SERVICE THAT IS ESSENTIAL OR BENEFICIAL TO THE COMMUNITY, CITY OR REGION.

The requested Master Conditional Use Permit to serve alcohol for on-site consumption within the mixed-use development located at 1045 S. Olive Street will enhance the built environment in the surrounding neighborhood and would provide a service that is beneficial to the community, city and region. The proposed mixed-use development would consist of a residential tower with a maximum of 794 residential units and approximately 12,504 square feet of ground floor restaurants. Requests for discretionary approvals for the development of the residential tower and commercial uses are part of this application. The issuance of a Master Conditional Use Permit for the sale of alcoholic beverages will enhance the services that the Project brings to the community by providing new retail/restaurant opportunities.

The Applicant is seeking a Master Conditional Use Permit ("CUB") for the Project site in order to provide the ability to serve alcoholic beverages for on-site and off-site consumption. Although the Applicant has yet to secure tenants, the Project would provide two restaurants with a full line of alcoholic beverages.

It is the Applicant's goal to provide neighborhood serving retail for on-site consumption at bona fide eateries as well as provide for opportunities for off-site consumption for both residents and the community. In addition to the retail aspect, the Applicant would provide limited beer and wine sales to residents only in controlled spaces at the amenity decks.

Securing a Master Conditional Use Permit for the Project is an appropriate way to help further the goals of the Community Plan. The proposed mixed-use development would focus on the needs of residents of South Park. The Project would provide increased opportunities for dining as well as providing retail sales to the community and amenities for the residents. Therefore, the proposed Project will provide a service that is beneficial to the community, city and region.

B. THE PROJECT'S LOCATION, SIZE, HEIGHT, OPERATIONS AND OTHER SIGNIFICANT FEATURES WILL BE COMPATIBLE WITH AND WILL NOT ADVERSLY AFFECT OR FURTHER DEGRADE ADJACENT PROPERTIES, THE SURROUNDING NEIGHBORHOOD, OR THE PUBLIC HEALTH, WELFARE AND SAFETY.

The Applicant proposes ground level commercial and restaurant uses to complement and enhance the surrounding community. Sale of alcohol for restaurants is necessary to compete with other restaurants for patrons who prefer an alcoholic beverage with their meal. The sale of alcohol contributes to the overall financial success of restaurants, and therefore, their viability.

As a result, not only will the sale of alcohol for on-site consumption not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety; it will be advantageous to the immediate neighborhood.

Importantly, each of the future restaurants and retail businesses would be required to apply for a Plan Approval with the Los Angeles Department of City Planning. Appropriate findings/justifications, conditions

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and measures would be applied to the individual restaurants through the required Plan Approval process to further ensure that the character of development in the immediate neighborhood is not negatively impacted.

Last, to guarantee that there will not be any deleterious impact to the immediate neighborhood, the City of Los Angeles and State of California Department of Alcoholic Beverage Control independently retain the authority to revoke permits which allow the sale of alcoholic beverages at the site.

C. **THE PROJECT SUBSTANTIALLY CONFORMS WITH THE PURPOSE, INTENT AND PROVISIONS OF THE GENERAL PLAN, THE APPLICABLE COMMUNITY PLAN, AND ANY APPLICABLE SPECIFIC PLAN.**

The proposed Project substantially conforms with the purpose, intent and provisions of the General Plan and is consistent with the several goals of the Central City Community Plan. The subject site is not within any specific plan area.

For example, the Central City Community Plan states that:

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

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

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/Stapes Arena with linkages to other areas of Central City and the Figueroa corridor.

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

Policy 2-4.1: Promote night life activity by encouraging restaurants, pubs, night clubs, small theaters and other specialty uses to reinforce existing pockets of activity.

Although the individual tenants have yet to be identified, the proposed Project requests 12,504 square feet of commercial space on the ground floor. It is anticipated that there will be a mix of retail and restaurant uses but the exact balance is subject to change. The Applicant is also proposing limited sale of beer and wine in controlled spaces within the amenity decks for residents only.

The proposed Project meets the above goals and objectives of the Community Plan. With the development of a maximum of 794 residential units in a high-density area, the proposed Project fulfills the residential land use objective of the Community Plan for the South Park area.

Approval of the requested CUB for alcohol use for the proposed neighborhood-serving restaurants and retail and amenity uses in the building will promote the attractiveness and long-term viability of the mixed-use Project as a whole, and contribute, in turn, to the long-term success of the downtown core's revitalization efforts. The Project will encourage new residents to contribute to developing a neighborhood identity and safety, further fostering a positive downtown image. Also, the presence of neighborhood serving restaurant and retail space when entering from the ground floor of the building will add to the appeal of the site and the area as a whole.

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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 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 Project is located in the Greater Downtown Housing Incentive Area, which has been adopted by City ordinance into the Zoning Code to produce more housing downtown. In addition, the introduction of new dwelling units to the neighborhood, the Project would also provide new ground floor restaurant and retail uses that serve the local community and amenities for residents.

The goals outlined in the Mobility Element 2035 are as follows:

1. Safety First,
2. Access for All Angelenos,
3. World Class Infrastructure,
4. Collaboration, Communication and Informed Choices, and
5. Clean Environments and Healthy Communities.

The Mobility Element includes Policy 3.3, "Land Use Access and Mix" which aims to "Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services (Mobility Element 2035, Pg. 85). By providing high density residential and commercial space within the South Park Neighborhood the Project has been designed with this policy in mind. The proposed Project will be part of an emerging pedestrian-oriented district encouraging the use of mass transit. The proposed Project is located within one half mile of the Pico Metro rail transit station serving the Blue Line and Expo Lines providing service to Santa Monica, Union Station, 7th and Metro Center, and Union Station.

The Project proposes a pedestrian-oriented environment by locating high density residential and retail uses in proximity to public transit and the jobs rich environment of Downtown. With new residents most likely to work downtown and utilize the recreational and cultural opportunities of the area, the need for automobile transportation is greatly reduced, because residents will either walk or use one of the many forms of public transportation available in the area. This is encouraged by the Mobility Element 2035 which states, "it makes sense for land uses situated near major transit stops to be of the intensity and type that they attract a high number of transit riders." It continues, "The greatest benefits of transit accrue when the greatest number of potential riders can be located within easy access of the transit service" (Mobility Element 2035, Pg. 85). The Project makes the best use of the land by providing high density residential within close proximity to various forms of transit, including Light Rail and several bus stops.

The proposed Project supports a pedestrian-oriented environment by locating additional neighborhood-serving restaurants and retail in Downtown. The request for a full-line of alcoholic beverages will help the Applicant provide high-quality neighborhood-serving restaurants, retail and amenities for the occupants of the building and downtown residents and convenient dining locations for professionals and visitors in the surrounding commercial area. The more vibrant, inviting, and varied the dining opportunities are in the area, the greater improvement and lasting transformation of the area.

VI. ADDITIONAL FINDINGS FOR MASTER CONDITIONAL USE PERMIT

A. THE PROPOSED USE WILL NOT ADVERSELY AFFECT THE WELFARE OF THE COMMUNITY.

The area surrounding the Project site is a mix of commercial office buildings, retail and residential uses, and surface parking lots. The request for on-site and off-site alcohol sales will be compatible with the surrounding uses as the development will provide a place for employees, residents, guests and visitors to eat, drink, socialize, do business and shop. The sale of alcoholic beverages is an expected amenity that accompanies most restaurants.

Approval of the Master Conditional Use Permit would contribute to the success and vitality of the proposed Project and help reinvigorate the site and vicinity. It is anticipated that the development would result in a positive contribution to the economic welfare of the community by including high-quality retail and restaurant uses. It would also positively benefit the City through generation of additional sales tax revenue, business licenses and other fees, and by providing additional short-term and long-term employment opportunities to area residents.

B. THE GRANTING OF THE APPLICATION WILL NOT RESULT IN AN UNDUE CONCENTRATION OF SUCH ESTABLISHMENTS.

The development is situated in an area primarily developed with office, commercial, retail and residential uses, with a large working population and a large residential population, both of which demand shopping and dining services. As a result, there is a high concentration of alcohol uses in the immediate area. However, it is not uncommon to have clusters of this nature in urbanized and pedestrian-oriented sections of the City.

According to the local Department of Alcoholic Beverage Control office, in Census Tract No. 2079.00, within which the Project is located, the maximum number of on-sale licenses permitted is three, with 27 existing, and a maximum number of off-sale licenses permitted is two, with seven existing. The proposed licenses will result in a continued population, employment and concentration of alcohol establishments in the area. However, considering the concentration of restaurants in this area, the limit on licenses would not constitute an undue concentration of such establishments.

The specific detail of each establishment will be reviewed pursuant to a Plan Approval. This will allow for a comprehensive review of each request with input from each prospective tenant and the LAPD. Security plans, floor plans, seating limitations and other recommended conditions, as well as the mode and character of the operation, would be addressed and assured through the imposition of site-specific conditions. This extra protection would ensure that no adverse impacts could result due to on-site alcohol sales and consumption.

C. THE PROPOSED USE WILL NOT DETRIMENTALLY AFFECT NEARBY RESIDENTIALLY ZONED PROPERTIES.

The proposed use will not detrimentally affect nearby residentially zoned properties. There are several residentially zoned communities within a 600-foot radius of the Project site. The nearest multi-family residential uses are within the mixed-use development itself. Since the Project is within a residential building

and any detrimental impacts that result from alcohol sales at the site directly impact the profitability and operation of the residential component of the building, detrimental impacts on neighboring residential uses will not be tolerated. No detrimental effects should be expected from approval of this request.

All of the tenants will be part of a quality development and all alcohol service will take place within a carefully controlled environment served by responsible operators. Therefore, this use will not result in detrimental impacts to nearby residentially-zoned properties.

D. QUESTIONS REGARDING THE PHYSICAL DEVELOPMENT OF THE SITE.

- a. What is the total square footage of the building or center the establishment is located in?

The site consists of approximately 41,603 square feet of pre-dedicated lot area, zoned [Q]R5-4D-O. The proposed restaurants and retail space will be on the ground floor of the proposed tower providing up to 794 new residential condominium units and 12,504 square feet of commercial space for a total of 751,777 square feet in the South Park area of Downtown.

- b. What is the square footage of the space the establishment will occupy?

The requested Master Conditional Use Permit is within the maximum 12,504 square feet of approved commercial space and in small areas within the amenity decks. A separate Plan Approval will be required from the Los Angeles Department of City Planning for each future tenant.

- c. What is the total occupancy load of the space as determined by the Fire Department?

Once the restaurant and retail spaces are demised, the occupancy load of all establishments will be determined in accordance with applicable requirements.

- d. What is the total number of seats that will be provided indoors?

This information is not available since restaurant and retail tenants have yet to be identified. This information can be provided when individual restaurants seek their required plan approvals.

- e. If there is an outdoor area, is it on private property or the public right-of-way or both?

The Applicant is proposing to provide outdoor dining areas along the street frontage, ground level of the Project, and may extend into the public right-of-way, while leaving 7 feet clear between curb and dining area.

- f. If an outdoor area is on the public right-of-way, has a revocable permit been obtained?

No, a revocable permit has yet to be obtained. The proposed Master Conditional Use Permit application is general in regard to the specific locations of the outdoor dining areas which extend into the public right-of-way. Separate revocable permits will be pursued by individual tenants seeking to extend their outdoor dining area into the public right-of-way.

g. Are you adding floor area?

Yes.

h. **Parking**

I. How many parking spaces are available on the site?

The commercial parking ratio will be based on the Exception Downtown Business District, according to LAMC Section 12.21-A,4(i)3 which requires at least one parking space per 1,000 square feet for business, commercial or industrial buildings, having a gross floor area of 7,500 square feet or more.

II. Are they shared or designated for the subject use?

The applicant is not pursuing a shared parking agreement. All commercial parking including restaurant and retail would be provided in accordance with the requirements of the Los Angeles Municipal Code.

III. If you are adding floor area, what is the parking requirement as determined by the Department of Building & Safety?

The commercial parking ratio will be based on the Exception Downtown Business District, according to LAMC Section 12.21-A,4(i)3 which requires at least one parking space per 1,000 square feet for business, commercial or industrial buildings, having a gross floor area of 7,500 square feet or more.

IV. Have any arrangements been made to provide parking off-site?

No, all parking is to be provided on-site within the parking garage. The development is parked in accordance with the Los Angeles Municipal Code standards and parking demand is not anticipated to exceed the supply. Street parking is also available.

1. If yes, is the parking secured via a private lease or a covenant/affidavit approved by the Department of Building & Safety?

2. Please provide a map showing the location of the off-site parking and the distance, in feet, for pedestrian travel between the parking area and the use it is to serve.

No off-site parking.

3. Will valet service be available?

Individual restaurant operators may offer valet service.

4. Will the service be for a charge?

To be determined.

- V. Is the site within 1,000 feet of any schools (public, private or nursery schools), churches or parks?

Yes, the site is within 1,000 feet of LA Child Care & Development (1001 S. Hope St.), Children Learning Center (1031 S. Hope St.), and Grand/Hope Park (919 S. Grand Ave.).

E. QUESTIONS REGARDING THE OPERATION OF THE ESTABLISHMENT.

- a. What are the proposed hours of operation and which days of the week will the establishments be open? What are the proposed hours of alcohol sales?

Since individual tenants have yet to be identified the hours of operation are unknown. Hours within which the sale of alcohol is permitted are limited by the California Department of Alcoholic Beverage Control and hours of operation can further be limited within the Plan Approval Process.

- b. Will there be entertainment such as a piano bar, dancing, live entertainment, movies, karaoke, video game machines, etc? Please specify.

(An establishment that allows for dancing needs a conditional use pursuant to 12.24 W. 18.)

Since individual tenants have yet to be identified it is unknown if any will want to pursue entertainment as described above or additional entitlements for dancing or live entertainment.

- c. Will there be a minimum age requirement for entry? If yes, what is the minimum age requirement and how will it be enforced?

Operations of such establishments will be in accordance with the rules and regulations of the ABC. Operators of establishments which impose age restrictions will be required to verify the age and identity of patrons when necessary.

- d. Will there be any accessory retail uses on the site? What will be sold?

Since retail tenants have yet to be identified, it is unknown what they will be selling at this time.

- e. Security

- I. How many employees will you have on site at any given time?

Since all restaurants and retail leaseholders have not yet been identified, the total number of employees is unknown at this time.

- II. Will security guards be provided on-site?

No, the applicant does not currently intend to provide security guards for the facility.

1. If yes, how many and when? N/A

III. Has LAPD issued any citations or violations?

No. There is currently no alcohol on-site nor have any operators been identified, therefore LAPD has not issued any citations or violations related to the serves of alcohol for this development.

f. Alcohol

I. Will there be beer & wine only, or a full-line of alcoholic beverages?

Specific tenants have not committed to lease the space yet, however it is assumed that the uses will wish to have a full-line of alcoholic beverages.

II. Will "fortified" wine (greater than 16% alcohol) be sold?

It's possible that a restaurant may serve "fortified" wine or Sake, however since specific tenants have not committed to lease space, this information is not yet available.

III. Will alcohol be allowed to be consumed on any adjacent property under the control of the applicant?

No.

IV. Will there be signs visible from the exterior that advertise the availability of alcohol?

No. It is anticipated that signage for such establishments will be coordinated and will generally consist of business identification signs which could include language referring to the sale of alcohol (e.g. "Bar and Grill", "Lounge", "Wine Shop"). Because all specific tenants have not yet committed to lease space, signage requirements have not yet been determined.

V. Food

i. Will there be a kitchen on the site?

All restaurant establishments are anticipated to have kitchen facilities on-site.

ii. Will alcohol be sold without a food order?

It is anticipated that some facilities will offer the sale of alcoholic beverages without a food order.

- iii. Will the sale of alcohol exceed the sale of food items on a quarterly basis?

It is anticipated that gross sale of food items at such establishments will exceed the gross sale of alcohol on a quarterly basis.

- iv. Provide a copy of the menu if food is to be served.

Menus will be provided to the Office of Zoning Administration as a condition of approval of Plan Approval for individual restaurant wishing to pursue alcohol sales.

VI. On-Site

- i. Will a bar or cocktail lounge be maintained incidental to a restaurant?

It's possible that a bar or cocktail lounge will be maintained incidental to a restaurant, however since specific tenants have not committed to lease space, this information is not yet available.

If yes, the floor plans must show the details of the cocktail lounge and the separation between the dining and lounge facilities.

Floor plans detailing any cocktail lounge and separation between the dining and lounge facilities will be provided by restaurant tenants during their individual Plan Approval process.

- ii. Will off-site sales of alcohol be provided accessory to on-site sales ("Take-Out")?

Alcohol sales from restaurants with their own seating or within the amenity areas would be consumed within the premises, including any dedicated outdoor patio area (which may or may not be enclosed).

If yes, a request for off-site sales of alcohol is required as well.

- iii. Will discounted alcoholic drinks ("Happy Hour") be offered at any time?

Because specific tenants have not yet committed to lease spaces, operations of such facilities cannot yet be determined.

F. CALDERA BILL.

- a. Is this application a request for on-site or off-site sales of alcoholic beverages?

On-Site and Off-Site sales of alcoholic beverages are requested.

1. If yes, is the establishment a bona-fide eating place (restaurant) or hotel/motel?

The applicant proposes to provide up to two bona-fide eating places with on-site consumption and two retail places with Off-Site sales.

- b. If ABC has determined that an eligible use is in an area of high crime or undue concentration of licenses, the City Council will need to make the finding that the issuance of the license is required for public convenience or necessity.

According to the State legislation (Caldera Bill, Business and Professions Code Sec. 23979 and 23979.4), applications filed for new on- or off-site alcoholic beverage sales authorizations require a City Council determination, with the exception of "restaurant or hotel/motel use." Consequently, since the proposed Project includes a mix of restaurants retail and amenity space, the City Council will need to make the findings that the issuance of the license is required for public convenience or necessity.

VII. FINDINGS FOR SITE PLAN REVIEW, PURSUANT TO LAMC, SECTION 16.05 OF ARTICLE 6.1 (REVIEW OF DEVELOPMENT PROJECTS)

A. THE PROJECT IS IN SUBSTANTIAL CONFORMANCE WITH THE PURPOSES, INTENT AND PROVISIONS OF THE GENERAL PLAN, APPLICABLE COMMUNITY PLAN, AND ANY APPLICATION SPECIFIC PLAN.

As discussed in Section IV. D. above, the proposed Project complies with all applicable provisions of the Los Angeles Municipal Code, the Central City Community Plan and the Downtown Design Guide, the General Plan Housing and Framework Elements, the Mobility Element 2035, and the draft DTLA 2040 plan.

The Project Site maintains a General Plan Land Use Designation of High Density Residential. The existing [Q]R5-4D-O zoning is consistent with this designation.

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.

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

Policy 1-2. 1: Encourage a cluster neighborhood design comprised of housing and 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.

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

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

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

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/Stapes Arena with linkages to other areas of Central City and the Figueroa corridor.

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

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Policy 2-4.1: Promote night life activity by encouraging restaurants, pubs, night clubs, small theaters and other specialty uses to reinforce existing pockets of activity.

The proposed Project meets the above Policies and Objectives of the Community Plan. With the development of a maximum of 794 residential units in a high-density area, the proposed Project fulfills the residential land use objective of the Community Plan for the South Park area.

The proposes 12,504 square feet of restaurant uses in the building which will promote the attractiveness and long-term viability of the mixed-use Project as a whole, and contribute, in turn, to the long-term success of the downtown core's revitalization efforts. The Project will encourage new residents to contribute to developing a neighborhood identity and safety, further fostering a positive downtown image. Also, the presence of restaurant space when entering from the ground floor of the building through the public art plaza will add to the appeal of the site and the area as a whole.

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 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 Project is located in the Greater Downtown Housing Incentive Area, which has been adopted by City ordinance into the Zoning Code to produce more housing downtown. In addition, with the introduction of new dwelling units to the neighborhood, the Project would also provide new ground floor restaurant uses that serve the local community and provide amenities for residents.

B. 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 ADJACENT PROPERTIES AND NEIGHBORING PROPERTIES.

The proposed Project would create a new mixed-use building with up to 794 residential units, and approximately 12,504 square feet of ground floor restaurant uses. The Project Site 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. 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 several high-density high-rise uses with Floor Area Ratios (FAR) of up to 13:1.

Height/ Bulk

The proposed Project would be 70 stories with a maximum height of approximately 810 feet. The Project would consist of approximately 12,504 square feet of commercial floor area and a maximum of 794 residential units within up to 739,273 square feet of residential floor area, for a maximum total of 751,777 square feet of

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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.

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.

Parking/ Vehicular Access

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. Based on the requirements, the Project would require approximately 891 vehicular spaces, which is consistent with the parking proposed. The Project would allocate 878 residential spaces and 13 commercial 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. This policy is directed for low density suburban environments which exist on larger lot areas, not the high density Downtown area. 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.

Vehicle access (ingress/egress) would be provided from one entrance along Olive Street, near the northern property line and two entrances on the alley. An on-site loading and move-in/out service area would also be accessed from the alley near the center of the property.

Therefore, the parking provided for the Proposed Project will be compatible with the existing and planned future developments in the neighborhood.

Lighting

The proposed Project will provide exterior 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

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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 would be required to provide 92,100 square feet of open space for the Project's maximum 794 units (478 units with less than 3 habitable rooms, 220 units with 3 habitable rooms, 96 with more than three habitable rooms). As currently designed, the Project would incorporate 100,652 square feet of open space.

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.

C. ANY RESIDENTIAL PROJECT PROVIDES RECREATIONAL AND SERVICE AMENITIES TO IMPROVE HABITABILITY FOR ITS RESIDENTS AND MINIMIZE IMPACTS ON NEIGHBORING PROPERTIES.

The proposed Project will provide up to 794 residential units and approximately 12,504 square feet of restaurant uses. The proposed Project would provide approximately 100,652 square feet of open space and would include number of amenities for Residents and Visitors. The Project has been designed to include a ground floor plaza, the podium level (tenth floor) would contain residential amenities such as a fitness center and swimming pool, levels 53-55 would contain mid-tower amenity spaces., and a roof top terrace. As discussed above the Applicant is requesting, as part of the Master Conditional Use Permit, to allow for alcohol sales to Residents only, on each of the amenity decks.

The Project has been designed to provide on-site amenities for residents that will improve habitability and minimize any impacts on neighboring properties, including 12,504 square feet of restaurant space on the ground floor, various levels of amenities throughout the residential portion of the project and enhanced streetscapes with parkway landscaping and bike parking areas. Additionally, vehicular entrances to the project will be limited to Olive Street and through the alley to minimize traffic impacts on the surrounding neighborhood. Additionally, the Project would provide the Code required bicycle parking spaces for the proposed 794 units and 12,504 square feet of commercial floor area for a total of 886 spaces, to encourage residents and visitors to utilize alternative means of transportation, including nearby light rail and bus transit.

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