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February 7, 2020

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Department of Building and Safety

CASE NO. ZA 2017-4745-ZAI
ZONING ADMINISTRATOR'S
INTERPRETATION

Sections 12.03, 12.21.1-A,5 and 12.21-G,2(a), 12.21-G,2(b)(2) of the Los Angeles Municipal Code - Floor Area Ratio and Common Open Space (Covered Open Space and Balconies)

Project Address: 1045 Olive Street
(1033-1057 Olive Street)
Related Cases: VTT-74531-CN,
CPC-2017-3251-TDR-MCUP-SPR
Environmental Case: ENV-2016-4630-EIR
(SCH. No. 2017121047)

Building cut-outs functioning as outdoor common open space for the proposed high-rise development located at 1045 Olive Street shall: (1) not create floor area as defined in Section 12.03 of the Los Angeles Municipal Code (LAMC) and (2) shall count as common open space as defined in Section 12.21-G,2(a) of the LAMC. In addition, this serves to clarify that the corners of wrap-around balconies shall not create floor area as defined in Section 12.03 of the LAMC.

AUTHORITY OF THE ZONING ADMINISTRATOR TO INTERPRET ZONING REGULATIONS

Section 12.21-A,2 of the Code provides, in pertinent part, as follows:

"2. Other Use and Yard Determinations by the Zoning Administrator. (Amended by Ord. No. 177,103, Eff. 12/18/05.) The Zoning Administrator shall have authority to determine other uses, in addition to those specifically listed in this article, which may be permitted in each of the various zones, when in his or her judgment, the other uses are similar to and no more objectionable to the public welfare than those listed. The Zoning Administrator shall also have authority to interpret zoning regulations when the meaning of the regulation is not clear, either in general or as it applies to a specific property or situation.

These provisions have also been interpreted to permit resolution of conflicts between disparate sections of the Code and to provide clarity where ambiguity exists.

BACKGROUND

Project Summary

An application for a proposed development at 1045 South Olive Street has been filed with the Department of City Planning. The 1045 Olive Project (Project) involves the construction and operation of a 70-story mixed-use high-rise development, with up to 794 residential units, ground-floor commercial uses, and residential open space amenities on a site within the downtown center of the City of Los Angeles. To meet the Los Angeles Municipal Code requirements for residential open space, the Project has incorporated open space amenities throughout the residential tower. These amenities include private balconies, outdoor common open spaces within building cut-outs, podium and rooftop amenities, as well as interior common open spaces. A portion of the residential amenities are provided on the 53rd through 55th floors of the tower, within 20-foot to 40-foot tall building cut-outs, which are designed as covered open-air areas. In addition, wrap-around private balconies for residential units are located on the 5th through 70th floors, stacked above each other, and also are designed as covered open-air areas. The Project Applicant has requested a Zoning Administrator's Interpretation to determine whether these covered open-air building cut-out areas are exempt from being considered "floor area" and whether they may be considered as Code-required "common open space". In addition, the Applicant seeks clarification as to whether wrap-around balconies are similarly exempt from being considered "floor area" and considered as "private open space".

Covered Common Open Space

The open space requirements of the Code were adopted in 1997¹ in order to "establish reasonable and uniform regulations to provide usable open space" and as a means to fulfill a number of objectives, including objectives relating to outdoor living and recreation, to provide safer play areas for children, to create a more desirable living environment, as well as to provide relief to building massing through reduced lot coverage. These objectives are all in furtherance of Goal 3C of the General Plan Framework: "Multi-family neighborhoods that enhance the quality of life for the City's existing and future residents."

As such, the Code sets standards for open space and differentiates between "private open space" and "common open space". The definition of "common open space", set forth in Section 12.21-G,2(a) of the Code, states that common open space areas must be uncovered and open to the sky:

COMMON OPEN SPACE: Common open space shall meet each of the following requirements:

- (1) Be open to the sky and have no structures that project into the common open space area, except as provided in Section 12.22 C.20(b).
- (2) Be readily accessible to all the residents of the site,
- (3) Have a minimum area of 400 sq. ft. with no horizontal dimension less than 15 feet when measured perpendicular from any point on each of the boundaries of the open space area,
- (4) Constitute at least 50% of the total required usable open space in developments built at an R3, RAS3, R4, RAS4, and/or R5 density regardless of the underlying zone.

¹ Ord. No. 171,753 took effect on November 17, 1997.

In addition, the Code states that projects can meet these common open space requirements by offering indoor recreation rooms (not to exceed 25% of the total required usable open space) or providing roof decks in higher residential densities (e.g. R3, RA3, R4, RAS4, and/or R5 densities).

At the time that these residential open space standards of the Code were created, the preponderance of residential structures were wood frame apartment and condominium buildings of six floors or less, and low-density and mid-rise building development was considerably more prevalent in the City than high-rise development. The requirement that “common open space” areas be open to the sky was intended to meet a number of objectives, such as: reducing lot coverage, providing massing relief, providing building residents access to light and air, and ensuring adequate on-site outdoor areas and amenities. In addition, requiring common open space to be “open to the sky” was also partially intended to prevent the potential illegal conversion of covered open space areas into habitable floor area or additional units, if they were to be enclosed with vertical walls extending from the coverings.

As required by Code, outdoor “common open space” areas for low-density buildings are located at the ground-floor level and have typically been located within the required rear yard setback or within building courtyards. At higher scales and densities, “common open space” areas may additionally be offered on top of stepped-back upper levels of buildings or on building rooftops. While these regulations and design solutions have been appropriate for low-rise and mid-rise developments, the implications of this requirement on high-rise development in the dense urban core has been much more problematic. Due to limited lot sizes and the high density of development, most high-rise towers do not have setback areas or courtyards where open spaces can be provided. Instead, to meet this requirement, outdoor “common open space” areas for high-rise buildings are typically only feasible on podium or tower rooftops. However, uncovered rooftop open spaces are limited to a maximum of the project lot size minus required areas for mechanical equipment and other Code-required spaces, such as areas for solar installation or formerly required helipads for building emergencies. In certain instances, high-density developments which utilize all feasible rooftop areas for open space purposes still do not have sufficient uncovered area to meet the “common open space” minimum size. Therefore, at times, the restriction for requiring that common open space areas be fully uncovered has consequently dictated and limited the allowable density of housing development on downtown or regional center sites. This, in turn, ultimately conflicts with the City’s goals for housing production, smart growth, and sustainability.

Covered Private Open Space

On September 21, 2007, the Chief Zoning Administrator issued a Citywide interpretation (ZA-2007-3430-ZAI) (attached) whose topic was a consideration of covered and uncovered balconies as private open space and addressing the definition of Floor Area. A key purpose of the memorandum was to clarify when these open space areas should be counted as floor area for the purpose of computing a building’s floor area ratio. The calculation of a building’s floor area ratio is guided, in part, by the definitions of Building and Floor Area as set forth in Section 12.03 of the Code:

BUILDING. Any structure having a roof supported by columns or walls, for the housing, shelter or enclosure of persons, animals, chattels or property of any kind.

FLOOR AREA. The area in square feet confined within the exterior walls of a building, but not including the area of the following: exterior walls, stairways, shafts, rooms housing

building-operating equipment or machinery, parking areas with associated driveways and ramps, space for the landing and storage of helicopters, and basement storage areas.

In addition, Sections 12.21.1-A.5 and -A.6 of Code, which are the applicable height district and floor area standards for a Project, further clarify:

5. In computing the total floor area within a building, the gross area confined within the exterior walls within a building shall be considered as the floor area of that building, except for the space devoted to bicycle parking, stairways, elevator shafts, light courts, rooms housing mechanical equipment incidental to the operation of buildings, and outdoor eating area of ground floor restaurants

As stated in ZA-2007-3430-ZAI Policy Regarding Open Space and Floor Area:

“Regardless of its size or shape any balcony or deck or portion thereof, covered or uncovered, shall not also create floor area as defined in Section 12.03 of the Los Angeles Municipal Code, or be included in the computation of a building’s floor area ratio pursuant to Section 12.21.1-A,5 of the Code, so long as it: (1) is not recessed but projects beyond the perimeter of the building; (2) remains unenclosed except for the guard rails required by the Building Code; and (3) qualifies as private open space pursuant to Section 12.21-G,2,(b)(2) of the Code.²”

The ZAI further states that:

“A deck or balcony that is not recessed but projects beyond the perimeter of a building is exposed to the elements, and so therefore is not habitable space that intensifies a building's use in the same way that an extra bedroom, bathroom or other habitable room would. A balcony or deck is accessory to the main dwelling unit. In a multi-family residential project it takes the place of a front or back yard. The developer of a multi-family project complying in good faith with the Code's open space provisions should not be penalized for this compliance by having these types of balconies or decks counted against the project's floor area cap. (ZA-2007-3430-ZAI, at p. 3.)

In summary, the policy rationale underlying ZA-2007-3430-ZAI allows development projects to maximize recreational open space by not subjecting such covered private open space areas, with unenclosed perimeters, to Code limitations on Floor Area.

DISCUSSION

Covered Common Open Space in the 1045 Olive Project is not Considered Floor Area and is Credited as Common Open Space

The Applicant requests a Zoning Administrator Interpretation of the LAMC to clarify that covered exterior open space areas provided within the building cut-outs of the 1045 Olive Project are not considered “floor area” regardless of whether they meet the definition of “common open space” due to being covered. In this instance, the Project is required by Section 12.21-G,2 of the Code to provide a minimum of 92,100 square feet of residential open space. The Project proposes to provide a considerable amount of indoor and outdoor residential amenity spaces throughout the

² Section 12.21-G,2(b)(2) of the Code allows private open space to be provided above the first habitable room level “in developments built at an R3, RAS3, R4, RAS4, and/or R5 density regardless of the underlying zone”.

development. However, due to the Code's limits for interior open spaces, private balconies, and covered open spaces, the Project's calculated open space falls short of the 92,100 square foot requirement. For example, only 23,025 square feet of the Project's 39,246 square feet of interior recreation rooms may count towards the open space requirement, since the Code states that interior open space may only account for a maximum of 25 percent of the total required open space. Similarly, only 39,700 square feet out of the more than 140,000 square feet of private balcony areas may count towards meeting the open space requirement, since the Code sets a limit that a maximum of 50 square feet of any balcony space may be counted. While receiving the maximum allowable credit for interior recreation rooms and private balconies, the Project must therefore provide the remaining 29,375 square foot balance of required open space as "common open space" areas. The Project includes 29,072 square feet of exterior "common open space" on the podium and tower rooftops, and an additional 8,855 square feet of covered open-air areas within building cut-outs located at the mid-level of the tower. If these open-air spaces within the building cut-outs were to not qualify as "common open space" due to being covered, then the Project would be deficient in meeting its Code obligations for open space.

The Code defines "common open space" as "open to the sky". Given that the Project's lot size is 37,172 square feet after dedication, uncovered "common open space" areas would have to cover 80% of the lot and rooftop areas to meet Code requirements, which is physically infeasible due to competing requirements for mechanical equipment areas, sidewalk easements, and private balconies. The Project is then either left with reducing the total number of residential units in the Project or reducing the number of bedrooms in each unit. These density reductions would be required only in order to meet the "common open space" requirements, despite the fact that higher residential densities are permitted by the site's zoning and incentivized by the Greater Downtown Housing Incentive Area ordinance. As previously mentioned, the implications of this definition of "common open space" has therefore resulted in unintended consequences on high-rise development, acting as a disincentive for higher residential densities in the Downtown center. These disincentives were likely not previously considered when the definition was established during a period of low-rise development in Los Angeles.

Therefore, the 1045 Olive Project's open space areas have been uniquely designed in response to the limited lot area and vertical constraints of high-rise development in the downtown urban core. In general, the building has been designed to provide ample amenity spaces for residents and on multiple levels in the tower, including common outdoor open space areas on the rooftop levels of the parking podium and the tower rooftop wherever feasible. In order to enhance the tower's building design and to provide adequate open space amenities to residents, several additional common open space areas have been included in the mid-level floors of the building. These spaces would be located between the 53rd and 55th floors, within building cut-outs ranging from 20- to 40-feet in height. Each of these exterior open-air cut-out areas would be unenclosed on two sides, and would allow for residents to recreate and lounge outdoors with covered overhead protections, as shown in Figures 1, 2, 3:

**Figure 1 – Floor Plans for Covered Exterior Open Space Areas
(exterior open spaces in green)**

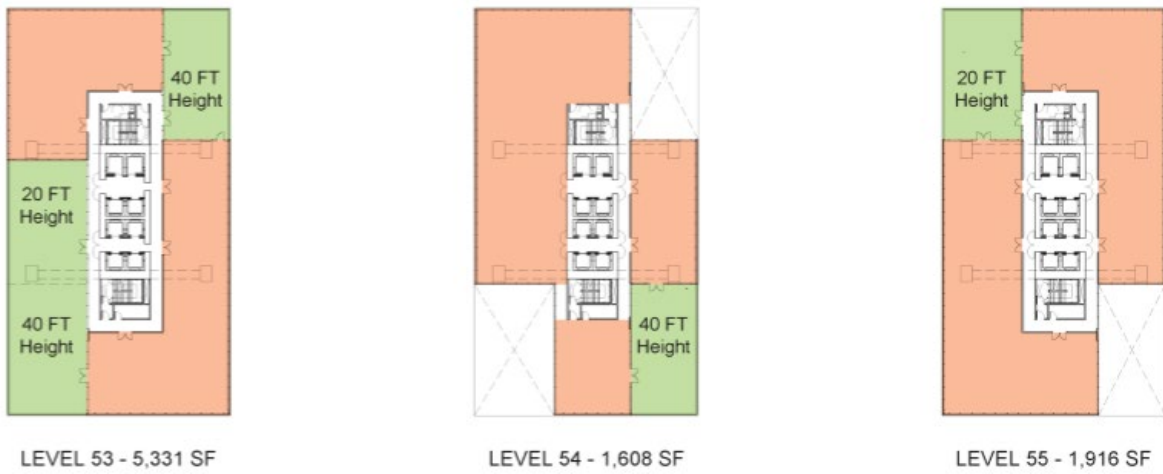


Figure 2 – Section View of Covered Exterior Open Space Areas and Balconies

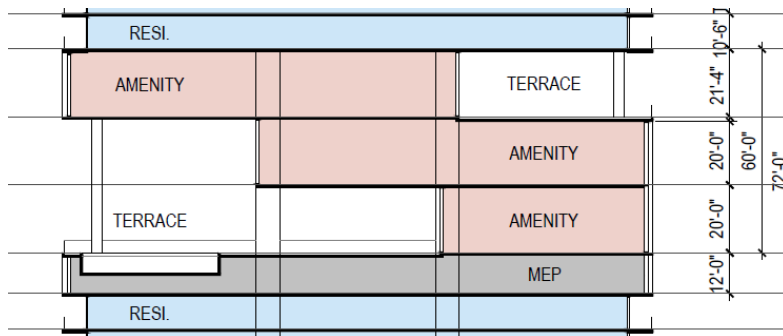


Figure 3 – Rendering of Covered Exterior Open Space Areas and Balconies



In projects where opportunities for outdoor space are limited, particularly for infill and high rise/high density development projects such as the subject Project, open space may need to be provided within the footprint of a building, either as partially covered open space or, as with the Project, on rooftops areas and as building cut-outs. Moreover, in many high rise and other large scale projects like the subject Project, out of design decisions or necessity, architectural features are often designed directly over open space areas. In addition to being practical, such features can provide iconic architecture and visual design variation while meeting the purpose of the open space requirements of Code Section 12.21-G.1 by “afford[ing] occupants of multiple residential dwelling units opportunities for outdoor living and recreation,” “improve[ing] the aesthetic quality... by providing relief to the massing of building”, and “provid[ing] a more desirable living environment... by increasing natural light and ventilation”.

As a result of being fully or partially covered, the City has at times taken the position that such open space is excluded from the definition of “common open space” due to not being “open to the sky,” and therefore that such areas should also be considered “floor area”.

However, just because an open space area is covered does not mean the covered open space should automatically be defined as “floor area”. As with balconies, the Project’s open space cut-outs are still “exposed to the elements” in that they are open to the sky on two sides, are of significant height, and are certainly “not habitable space that intensifies a building’s use in the same way that an extra bedroom, bathroom or other habitable room would.” (ZA-2007-3430-ZAI, at p.3.) The Project’s open space cut-outs would also be accessory to the Project’s main dwelling units, and would provide permanent recreational areas for the Project’s residents and guests in line with General Plan open space policy. As with ZA-2007-3430-ZAI’s determination regarding why balconies should not be counted as floor area, the “developer of a multi-family project complying in good faith with the Code’s open space provisions should not be penalized for this compliance” by having valid non-habitable open space “counted against the project’s floor area cap.” (ZA-2007-3430-ZAI, at p. 3.) Moreover, where open space cut-outs are outside of a building’s exterior walls, as the case with the Project because the open space cut-outs occupy multiple floors and are walled off, they should not be determined to meet the Code definition of “floor area” (LAMC Section 12.03).

The fact that the Project’s open space cut-outs are partially covered does not detract from their character as open space or render the areas as habitable floor area. Partial coverings enable the utilization of common open space for recreational purposes in the rain and provide shade during hot weather or for those susceptible to skin problems from exposure to the sun. Coverings do not reduce the usable common open space area. Rather, they create more opportunities to use the common open space under different conditions. Therefore, excluding the Project’s building cut-outs from its floor area calculation and giving common open space credit to covered open space areas which are open to the sky on two sides is in conformance with the intent of the General Plan and Zoning Code to promote the maximization of open space, particularly for an infill Project where opportunities for providing recreational open space are extremely limited.

In addition, the Downtown Design Guide states that determinations of open space and floor area should be implemented in a manner that maximizes opportunities for resident and public-serving open space, such as on rooftops, balconies, and building cut-out areas, taking into account limitations on developable space that constrain many downtown development projects (Downtown Design Guide, at p.7.) Moreover, conditions of approval related to the Site Plan Review for the Project could ensure that the Project’s covered open space cut-out areas are maintained as open space for the building’s residents through the recordation of an appropriate

"Covenant and Agreement Regarding Maintenance of Building" and conditions relating to the height of wall enclosures at the building's edge.

There is no strong justification for the exclusion of building cut-outs from being credited as "common open space" since such areas satisfy recreational and outdoor living needs while offering protection from the sun and inclement weather. This interpretation would be in line with General Plan policy promoting the creation of ample open space for residents and would not penalize, but would rather credit the Project for a creative solution to providing recreational open space to meet the open space requirement within the limited footprint of the Project Site.

Clarification that Wrap-Around Balconies are not Floor Area pursuant to ZA-2007-3430-ZAI

As stated above, ZA-2007-3430-ZAI interprets the LAMC to exclude balcony space from Floor Area if the balcony space meets certain criteria. ZA-2007-3430-ZAI mandates that the entirety of any: balcony or deck, covered or uncovered, regardless of size or shape, and cantilevered or supported by beams, shall not create Floor Area for Floor Area Ratio (FAR) purposes so long as it:

- (1) is not recessed but projects beyond the perimeter of the building;
- (2) remains unenclosed except for the guard rails required by the Building Code; and
- (3) qualifies as private open space pursuant to Section 12.21-G,2,(b)(2) of the Code

The ZAI also includes Diagrams "A" and "B" which depict various configurations of balcony and deck areas, and the proper application of the floor area interpretation. However, the Diagrams do not explicitly show examples of wrap-around balconies which extend around the corners of buildings. Therefore, the Applicant requests clarification that the Project's wrap-around balconies do not create Floor Area under the criteria established under ZA-2007-3430-ZAI.

The Project's proposed full building perimeter wrap-around balconies meet these criteria and should thus not count as Floor Area for the following reasons:

Criterion (1) - The Project's wrap around balconies project beyond the perimeter of the building because they extend outside of the perimeter of the building's roof and walls (Figures 2 and 3) and are supported by beams cantilevered from the building wall and not vertical columns. Buildings are defined by the LAMC as "[a]ny structure having a roof supported by columns or walls, for the housing, shelter or enclosure of persons, animals, chattels or property of any kind." This interpretation verifies that the Project's balcony guard rails and support beams are not walls and therefore, the entirety of the wrap-around balconies meet this criterion.

Criterion (2) - The Project's wrap-around balconies are unenclosed except for guard rails.

Criterion (3) - The Project's wrap-around balconies qualify as private open space under LAMC Section 12.21-G,2 because they are each accessible from a single dwelling unit and include dividers and other screening to separate different units' private open space, and meet the size, dimension and clearance requirements under that provision.

Under ZA-2007-3430-ZAI, the entirety of balconies do not count as Floor Area, even for portions that may not count as Open Space: "While sub-subparagraph (i) further limits to 50 square feet per dwelling unit the amount of private open space that may count toward a project's total open space requirement, all qualifying private open space that a project provides shall benefit from this interpretation". (ZA-2007-3430-ZAI, at p. 4.) Based on this language, all parts of the Project's

wrap-around balconies, including corner areas, are not considered Floor Area under LAMC Section 12.03, even if portions of such areas do not count toward meeting the Project's Open Space requirement.

In line with General Plan policy, the entirety of the Project's wrap-around balconies, including corner areas, would be exposed to the elements, are accessory to dwelling units, are not maintained as habitable space, and do not intensify the use of the Project. Rather, as with other types of balconies, the Project's wrap-around balconies would provide usable exterior private outdoor space for its residential dwelling units within a high-rise building. Moreover, the entirety of the Project's wrap around balconies would be outside of and cantilevered from the building's exterior walls, and therefore would not meet the LAMC definition of Floor Area, which only applies to areas within a building's walls.

Based on ZA-2007-3430-ZAI and the General Plan policy, the entire square footage of the Project's wrap-around balconies should thus not be counted as Floor Area, including corner areas. To account for the Project's wrap-around balconies, the City may require a condition of approval and/or to record a covenant and agreement to ensure that the entirety of wrap-around balcony space is maintained as open space, and may not be enclosed by any wall not part of the building's perimeter walls. The covenant and agreement should explicitly allow dividers or other screening that would separate Project balconies for individual units.

DETERMINATION

The requested Zoning Administrator Interpretations are needed to ensure that the 1045 Olive Project's building cut-outs and wrap-around balconies are not counted toward the Project's floor area limitation and that common open space credit may be received for building cut-out areas. Such interpretations are in line with General Plan policy and prior ZAIs. In addition, they promote open space solutions for a downtown high rise which are in line with existing City precedent, while at the same time supporting innovative design that will enable a striking new addition to the downtown skyline.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City of Los Angeles (the "City"), as Lead Agency, has evaluated the environmental impacts of the 1045 Olive Project by preparing an environmental impact report (EIR) (Case Number ENV-2016-4630-EIR / SCH No. 2017121047). The EIR was prepared in compliance with the California Environmental Quality Act of 1970, Public Resources Code Section 21000 et seq. (CEQA) and the California Code of Regulations Title 14, Division 6, Chapter 3 (the "CEQA Guidelines").

The 1045 Olive Project EIR, consisting of the Draft EIR and Final EIR, is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and impacts of the 1045 Olive Project (Project), located at 1033-1057 South Olive Street (Site or Project Site). The Project involves the construction and operation of a 70-story mixed-use high-rise residential development with ground floor commercial uses on a 0.96-acre site. The Project would include up to 794 residential units, 12,504 square feet of ground-floor commercial (restaurant/retail) uses, a ground-floor public plaza, subterranean and above-ground parking, and residential open space amenities. The Project is a certified Environmental Leadership Development Project (ELDP).

The Draft EIR was circulated for a 48-day public comment period beginning on September 26, 2019, and ending on November 12, 2019. The Final EIR was then distributed on December 18,

2019, and an Erratum was released on February 6, 2020. The Advisory Agency certified the EIR on February 7, 2020 ("Certified EIR") in conjunction with the approval of the Project (VTT-74531-CN). In connection with the certification of the EIR, the Advisory Agency adopted CEQA findings and a mitigation monitoring program. The Advisory Agency adopted the mitigation monitoring program in the EIR as a condition of approval. All mitigation measures in the previously adopted Mitigation Monitoring Program are imposed on the project through Conditions of Approval of VTT-74531-CN, to mitigate or avoid significant effects of the proposed Project on the environment and to ensure compliance during Project implementation.

NO SUPPLEMENTAL OR SUBSEQUENT REVIEW IS REQUIRED

CEQA and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Sections 15000-15387) allow the City to rely on the previously certified EIR unless a Subsequent or Supplemental EIR is required. Specifically, CEQA Guidelines Sections 15162 and 15163 require preparation of a Subsequent or Supplemental EIR when an EIR has been previously certified or a negative declaration has previously been adopted and one or more of the following circumstances exist:

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

None of the above changes or factors has arisen since the Project approval. There are no substantial changes to the Project, and the Project is substantially the same as the approved Project. No substantial changes have been identified to the surrounding circumstances, and no new information of substantial importance has been identified since the Project. There is no evidence of new or more severe significant impacts, and no new mitigation measures are required for the project.

Accordingly, there is no basis for changing any of the impact conclusions referenced in the certified EIR's CEQA Findings. Similarly, there is no basis for changing any of the mitigation measures referenced in the certified EIR's CEQA Findings, all of which have been implemented as part of the Project's conditions of approval. There is no basis for finding that mitigation measures or alternatives previously rejected as infeasible are instead feasible. There is also no reason to change the determination that the overriding considerations referenced in the certified EIR's CEQA Findings, and each of them considered independently, continue to override the significant and unavoidable impacts of the Project.

Therefore, as the Project was assessed in the previously certified EIR, and pursuant to CEQA Guidelines Section 15162, no supplement or subsequent EIR or subsequent mitigated negative declaration is required for the Project, as the whole of the administrative record demonstrates that no major revisions to the EIR are necessary due to the involvement of new significant environmental effects or a substantial increase in the severity of a previously identified significant effect resulting from changes to the project, changes to circumstances, or the existence of new information. In addition, no addendum is required, as no changes or additions to the EIR are necessary pursuant to CEQA Guidelines Section 15164.

RECORD OF PROCEEDINGS

The record of proceedings for the decision includes the Record of Proceedings for the original CEQA Findings, including all items included in the case files, as well as all written and oral information submitted at the hearings on this matter. The documents and other materials that constitute the record of proceedings on which the City of Los Angeles' CEQA Findings are based are located at the Department of City Planning, 221 N. Figueroa Street, Suite 1350, Los Angeles, CA 90021. This information is provided in compliance with CEQA Section 21081.6(a)(2).

In addition, copies of the Draft EIR and Final EIR are available on the Department of City Planning's website at <https://planning.lacity.org/development-services/eir> (to locate the documents, search for the environmental case number). The Draft and Final EIR are also available at the following Library Branches:

- Los Angeles Central Library—630 West Fifth Street, Los Angeles, CA 90071
- Little Tokyo Branch Library, 203 South Los Angeles Street, Los Angeles, CA 90012
- Pico Union Branch Library, 1030 S. Alvarado Street, Los Angeles 90006

APPEAL PERIOD - EFFECTIVE DATE

Notwithstanding Section 12.21-A,2 of the Code, any appeals shall be heard by the City Planning Commission, as other 1045 Olive Project entitlements will be heard by the City Planning Commission and not the Area Planning Commission.

The Zoning Administrator's determination in this matter will become effective after FEBRUARY 24, 2020, unless an appeal is filed with the Department of City Planning. For an appeal to be valid to the City Planning Commission, it must be accepted as complete by the Department of City Planning and appeal fees paid, prior to expiration of the above time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Downtown
Figueroa Plaza
201 North Figueroa Street,
4th Floor
Los Angeles, CA 90012
(213) 482-7077

San Fernando Valley
Marvin Braude San Fernando
Valley Constituent Service
Center
6262 Van Nuys Boulevard,
Room 251
Van Nuys, CA 91401
(818) 374-5050

West Los Angeles
West Los Angeles
Development Services
Center
1828 Sawtelle Boulevard,
2nd Floor
Los Angeles, CA 90025
(310) 231-2598

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

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

If you have any questions, please call Development Services Center staff at (213) 482-7077, (818) 374-5050, or (310) 231-2901.



Charles J. Rausch, Jr
Associate Zoning Administrator
Telephone No. (213) 978-1306

CJR:mz

Attachments:

1. **ZAI 3430 – Zoning Administrator Interpretation dated September 21, 2007**