

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL CASE:	COUNCIL DISTRICT:
CPC-2017-505-TDR-ZV-SPPA-DD-SPR-1A	ENV-2017-506-EIR; SCH No. 2019050010	14 – de León
RELATED CASE NOS.		COUNCIL FILE NO:
VTT-74876-CN-2A; ZA-2021-7053-ZAI-1A		<input checked="" type="checkbox"/> N/A
PROJECT ADDRESS / LOCATION:		
754 South Hope Street; 609 - 625 West 8 th Street		
APPLICANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Stuart Morkun MFA 8th Grand and Hope LLC,	(213) 321-3493	smorkun@mfamerica.com
APPLICANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Edgar Khalatian, Mayer Brown, LLP	(213) 229-9548	EKhalatian@mayerbrown.com
APPELLANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
1. Coalition for Responsible Equitable Economic Development (CREED LA)	1. (877) 810-7473	1. jeff@creedla.com
2. Richard Becher, Digital Realty	2. (415) 652-4213	2. rbecher@digitalrealty.com
APPELLANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
1. c/o Aidan P. Marshall Adams, Broadwell, Joseph & Cardozo	1. (650) 589-1660	1. amarchall@adamsbroadwell.com
2. N/A	2. N/A	2. N/A
PLANNER CONTACT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Polonia Majas	(213) 847-3625	polonia.majas@lacity.org
ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):		
1. Transfer of Floor Area over 50,000 square feet within the Central City Redevelopment Area. 2. Zone Variances (ZV); Project Permit Adjustments (SPPA); Director's Determination (DD); Site Plan Review (SPR)		
FINAL ENTITLMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION: (UNAPPEALED OR NON-APPEALABLE ITEMS)		
<input checked="" type="checkbox"/> N/A		
ITEMS APPEALED:		
Zone Variances (ZV); Project Permit Adjustments (SPPA); Director's Determination (DD); Site Plan Review (SPR)		

ATTACHMENTS:	REVISED:	ENVIRONMENTAL DOCUMENT:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination <input checked="" type="checkbox"/> Findings of Fact <input checked="" type="checkbox"/> Staff Recommendation Report <input checked="" type="checkbox"/> Conditions of Approval <input type="checkbox"/> T Conditions <input type="checkbox"/> Proposed Ordinance <input type="checkbox"/> Zone Change Map and Ordinance <input type="checkbox"/> GPA Resolution <input type="checkbox"/> Land Use Map <input checked="" type="checkbox"/> Exhibit A – Plans <input checked="" type="checkbox"/> Mailing List <input checked="" type="checkbox"/> Interested Parties List <input checked="" type="checkbox"/> Appeals (2) <input type="checkbox"/> Development Agreement <input type="checkbox"/> Site Photographs <input checked="" type="checkbox"/> Other: TFAR	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Categorical Exemption (CE) (Notice of Exemption) <input type="checkbox"/> Statutory Exemption (SE) (Notice of Exemption) <input type="checkbox"/> Negative Declaration (ND) <input type="checkbox"/> Mitigated Negative Declaration (MND) <input checked="" type="checkbox"/> Environmental Impact Report (EIR) <input checked="" type="checkbox"/> Mitigation Monitoring Program (MMP) <input type="checkbox"/> Sustainable Communities Project Exemption (SCPE) <input type="checkbox"/> Sustainable Communities Environmental Assessment (SCEA) <input type="checkbox"/> Sustainable Communities Environmental Impact Report (SCEIR) <input type="checkbox"/> Appendices <input type="checkbox"/> Other:	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
NOTES / INSTRUCTIONS:			
This transmittal is for TFAR and an appeal filed for Case No. CPC-2017-505-TDR-ZV-SPPA-DD-SPR The Environmental Impact Report (Case No. ENV-2017-506-EIR) is accessible here: https://planning.lacity.org/development-services/eir/8th-grand-and-hope-project-1 <input type="checkbox"/> N/A			
FISCAL IMPACT STATEMENT:			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No *If determination states administrative costs are recovered through fees, indicate "Yes."			
PLANNING COMMISSION:			
<input checked="" type="checkbox"/> City Planning Commission (CPC) <input type="checkbox"/> Cultural Heritage Commission (CHC) <input type="checkbox"/> Central Area Planning Commission <input type="checkbox"/> East LA Area Planning Commission <input type="checkbox"/> Harbor Area Planning Commission		<input type="checkbox"/> North Valley Area Planning Commission <input type="checkbox"/> South LA Area Planning Commission <input type="checkbox"/> South Valley Area Planning Commission <input type="checkbox"/> West LA Area Planning Commission	
PLANNING COMMISSION HEARING DATE:		COMMISSION VOTE:	
July 13, 2023		7 – 0 – 1	
LAST DAY TO APPEAL:		DATE APPEALED:	
October 11, 2023		Yes, October 6, 2023	
TRANSMITTED BY:		TRANSMITTAL DATE:	
Cecilia Lamas Commission Executive Assistant II		October 18, 2023	



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: **SEP 26 2023**

Case No. CPC-2017-505-TDR-ZV-SPPA-DD-SPR

Council District: 14 – de León

CEQA: ENV-2017-506-EIR (SCH. No. 2019050010)

Plan Area: Central City

Related Cases: VTT-74864-CN-1A; ZA-2021-7053-ZAI-1A

Project Site: 754 South Hope Street; 609 – 625 West 8th Street

Applicant: MFA 8th Grand and Hope LLC
Representative: Edgar Khalatian, Mayer Brown LLP

At its meeting of **July 13, 2023**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following Project:

Construction of a 50-story, mixed-use development comprised of 580 residential dwelling units and up to 7,499 square feet of ground floor commercial uses on a 34,679 square-foot site. The Project would provide vehicular parking in three subterranean levels and eight above-grade levels. The building would have a maximum height of 592 feet, and a Floor Area Ratio (FAR) of 9.25:1 (554,927 square feet) and would require the export of approximately 89,750 cubic yards of soil. To accommodate the Project, an existing surface parking lot and four-story parking structure would be demolished.

1. **Found**, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the Project was assessed in the previously certified Environmental Impact Report No. ENV-2017-506-EIR, certified on September 26, 2023; and pursuant to CEQA Guidelines, Sections 15162 and 15164, no subsequent EIR, negative declaration, or addendum is required for approval of the Project;
2. **Recommended** that the City Council **approve**, pursuant Section 14.5.6 A of the Los Angeles Municipal Code (LAMC), a Transfer of Floor Area Rights (TFAR) greater than 50,000 square feet of floor area, for the transfer of up to 346,853 square feet of floor area from the Los Angeles Convention Center (Donor Site), located at 1201 South Figueroa Street, to the Project Site (Receiver Site), thereby permitting a maximum 9.25:1 FAR in lieu of the otherwise permitted 6:1 FAR;
3. **Requested** that within six months of the receipt of the Public Benefits Payment by the Public Benefit Trust Fund, the Chief Legislative Analyst convene the Public Benefit Trust Fund Committee, pursuant to LAMC Section 14.5.12;
4. **Dismissed** as not necessary, pursuant to LAMC Section 12.27, a Zone Variance to allow 60 percent of the required residential parking spaces as compact spaces, and to allow the parking of compact spaces in a tandem configuration;
5. **Approved**, pursuant to LAMC Section 12.27, a Zone Variance to allow relief from providing an additional 10-inch clear space to the parking stall widths when adjoined on their longer dimension by an obstruction;
6. **Approved**, pursuant to LAMC Section 12.27, a Zone Variance to allow relief to allow reduced drive aisle widths of 24 feet in lieu of the required drive aisle width;

7. **Approved**, pursuant LAMC Section 11.5.7 E, a Specific Plan Project Permit Adjustment for a Director's Determination for an Alternative Design to allow a deviation from the Ground Floor Treatment regulations in Section 4 of the Downtown Design Guide;
8. **Approved**, pursuant LAMC Section 11.5.7 E, a Specific Plan Project Permit Adjustment to allow a deviation from Section 5 of the Downtown Design Guide to allow building and balcony projections up to nine feet and 25 feet into the sidewalk easements along Hope Street and Grand Avenue respectively, and allow projections to begin at an elevation of 25 feet above grade along Hope Street and Grand Avenue;
9. **Approved**, pursuant to LAMC Section 12.21 G.3, a Director's Decision to allow 79 trees to be planted on-site in lieu of the otherwise required 145 trees, and to allow an in-lieu fee to be paid for the remaining 66 required on-site trees; and
10. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review for a development project which creates an increase of more than 50 dwelling units;
11. **Adopted** the attached Conditions of Approval; and
12. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Noonan
Second: Lawshe
Ayes: Cabildo, Choe, Mack, Millman, Zamora
Recuse: Gold
Absent: Leung

Vote: 7 – 0 – 1



Cecilia Lamas, Commission Executive Assistant II
Los Angeles City Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The decision of the Los Angeles City Planning Commission related to Transfer of Floor Area Rights (TFAR) is appealable to City Council by the Applicant if disapproved in whole or in part. The decision of the Los Angeles City Planning Commission related to the remaining approvals is appealable to City Council within 15 days after the mailing date of this determination letter. Any appeal not filed within the 15-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles, CA 90012; or 6262 Van Nuys Boulevard, Suite 251, Van Nuys, CA 91401.

FINAL APPEAL DATE: OCT 11 2023

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable** and the decision is final.

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.

Attachments: Conditions of Approval, Findings, Appeal Filing Procedures

c: Milena Zasadzien, Principal City Planner
Alan Como, Senior City Planner
Polonia Majas, City Planning Associate

CONDITIONS OF APPROVAL

Entitlement Conditions

1. **Site Development.** The use and development of the property shall be in substantial conformance with the plans submitted with the application, marked Exhibit A, stamp-dated, July 13, 2023, except as may be revised by this action. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning, with each change identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization. The project shall be constructed in a manner consistent with the following project description:
 - a. The Project shall be limited to 580 dwelling units, and 7,499 square feet of ground floor commercial, retail and restaurant uses, totaling up to 554,927 square feet of floor area.
2. **Development Service Center.** Prior to sign-off on building permits by the Department of City Planning's Development Services Center for the project, the Department of City Planning's Major Projects Section shall confirm, via signature, that the project's building plans substantially conform to the conceptual plans stamped as Exhibit "A", as approved by the City Planning Commission.

Note to Development Services Center: The plans presented to, and approved by, the City Planning Commission (CPC) included specific architectural details that were significant to the approval of the project. Plans submitted at plan check for condition clearance shall include a signature and date from Major Projects Section planning staff to ensure plans are consistent with those presented at CPC.

3. Transfer of Floor Area Rights

- a. **Floor Area.** The Development shall not exceed a maximum Floor Area Ratio (FAR) of 9.25:1 and a total floor area of 554,927 square feet. The Transfer Payment and Public Benefit Payment shall be pro-rated to the amount of TFAR being acquired in the event the maximum amount of TFAR is not required. The buildable area of a Transit Area Mixed Use Project used to calculate the base floor area shall be 34,679 square feet with a 6:1 FAR. Changes to the Project that result in a 20 percent decrease in floor area, or more, shall require new entitlements. The Department of City Planning reserves the right to confirm the accuracy of the requested floor area, and to verify the calculation of the Transfer Payment and Public Benefit Payment at any time prior to the issuance of the building permit, or 24 months after the final approval of the Transfer and the expiration of any appeals or appeal period, or any extensions permitted by the Director in accordance with Section 14.5.11 of the LAMC.
- b. **TFAR Transfer Payment.** The Project is subject to and shall pay a TFAR Transfer Payment in conformance with Section 14.5.6 through 14.5.12 of the Code. Such payment shall be based on the actual amount of floor area transferred to the Project site.
 - i. The total amount of floor area authorized to be transferred from the Los Angeles Convention Center by this action shall not exceed 346,853 square feet. The total floor area of the Project Site (Receiver Site) shall not exceed 554,927 square feet.
 - ii. The Applicant shall provide a TFAR Transfer Payment consistent with LAMC Section 14.5.10 in the amount of \$5 per square foot, or \$1,734,265.00 for the

transfer of 346,853 square feet from the Los Angeles Convention Center located at 1201 South Figueroa Street (Donor Site) to the Project Site (Receiver Site).

- c. **Public Benefit Payment.** The Project is subject to and shall pay a Public Benefit Payment in conformance with Section 14.5.6 through 14.5.12 of the Code.

- i. The Applicant shall provide a Public Benefit Payment consistent with LAMC Section 14.5.9 in the amount of \$9,828,451.84 provided that at least 50 percent (or \$4,914,225.92) of the Public Benefit Payment consist of cash payment by the Applicant to the Public Benefit Trust Fund. Direct provision payments shall be paid directly to the recipients and not to the City of Los Angeles. Proof shall be provided in the form of a cleared check or bank statement and a letter signed by the Executive Director of each organization. Consistent with the TFAR Ordinance, the Project shall provide 50 percent (or \$4,914,225.92) of the Public Benefit Payment by directly providing the following public benefits:

1. A payment to the Los Angeles City Council District 14's Public Benefits Trust Fund for Affordable Housing in the amount of \$4,914,225.92 (100 percent). The funds shall be utilized for construction and operation of affordable housing developments.

- ii. At the time of issuance of the Certificate of Occupancy for the Project, the Applicant shall provide an update to the file from each recipient of direct provisions detailing how the money has been spent thus far.

- iii. The Applicant shall pay the required Public Benefit Payment, less the cost of the Direct Provision of Public Benefits, in cash to the Public Benefit Trust Fund, pursuant to the terms of Transfer of Floor Area Rights Ordinance No. 181,574, Article 4.5 of the LAMC. The Public Benefit Payment proof of cash payment and direct provision of public benefits is required upon the earliest occurrence of either:

1. The issuance of the building permit for the Project; or
2. Twenty-four months after the final approval of the Transfer and the expiration of any appeals or appeal period; should the Applicant not make the required payments within the specified time, the subject approval shall expire, unless extended by the Director in writing.

Zone Variance Conditions

4. **Reduced Drive Aisle Width.** Vehicular drive aisles shall be allowed at a minimum width of 24 feet.
5. **Parking Stall Design.** Relief shall be provided from the requirement to provide the otherwise required additional 10-inch clear space for parking stall when adjoined on their longer dimension by an obstruction.

Specific Plan Adjustment Conditions

6. **Ground Floor Treatment.** The Project shall provide a minimum of 47 percent street frontage along Hope Street, 35 percent street frontage along Grand Avenue, and 67 percent frontage along 8th Street to accommodate commercial/active residential uses.

7. **Sidewalk Easement Projections.** The following building and balcony projections shall be permitted in the sidewalk easement, consistent with Exhibit A, stamp dated July 13, 2023:
- Grand Avenue. The building shall be allowed to project up to 19 feet into the required sidewalk easement beginning at a height of 25 feet above the sidewalk.
 - Hope Street. The building shall be allowed to project up to 9 feet into the required sidewalk easement beginning at a height of 25 feet above the sidewalk.

Director's Decision Conditions

8. **Landscaping.** Prior to the issuance of a building permit, a landscape and irrigation plan shall be submitted to the Department of City Planning for approval. The landscape plan shall be in substantial conformance with the landscape plan stamped Exhibit A, dated July 13, 2023.
9. **Required Trees.** The Project shall plant 79 trees on-site and shall pay an in-lieu fee for the remaining 66 required on-site trees pursuant to LAMC Section 62.177(d).

Site Plan Review Conditions

10. **Common and Private Open Space.** Common and Private Open Space shall conform to the requirements of the LAMC and shall not be enclosed or be converted into habitable space.
11. **Tree Wells.** The minimum depth of tree wells and planters on the rooftop, any above grade open space, and above a subterranean structure shall be as follows:
- Minimum depth for trees shall be 42 inches.
 - Minimum depth for shrubs shall be 30 inches.
 - Minimum depth for herbaceous plantings and ground cover shall be 18 inches.
 - Minimum depth for an extensive green roof shall be 3 inches.

The minimum amount of soil volume for tree wells on the rooftop or any above grade open spaces shall be based on the size of the tree at maturity:

- 220 cubic feet for a tree 15 – 19 feet tall at maturity.
 - 400 cubic feet for a tree 20 - 24 feet tall at maturity.
 - 620 cubic feet for a medium tree or 25 – 29 feet tall at maturity.
 - 900 cubic feet for a large tree or 30 - 34 feet tall at maturity.
12. **Tree Maintenance.** All newly planted trees must be appropriately sized, staked and tied; provided with a watering moat; and shall be properly watered and maintained.
13. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.
14. **Trash and Recycling.**
- All trash collection and storage areas shall be located on-site and shall not be visible from the public right-of-way.
 - Trash receptacles shall be stored in a fully enclosed building or structure.

c. Trash/recycling containers shall be locked when not in use.

15. **Mechanical Equipment.** Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting properties and the public right-of-way. All screening shall be setback at least five feet from the edge of the building.
16. **Construction Signage.** There shall be no off-site commercial signage on construction fencing during construction.

Environmental Conditions

17. **Implementation.** The Mitigation Monitoring Program (MMP), attached as “Exhibit B” and part of the case file, shall be enforced throughout all phases of the Project. The Applicant shall be responsible for implementing each Project Design Features (PDF) and Mitigation Measure (MM) and shall be obligated to provide certification, as identified below, to the appropriate monitoring and enforcement agencies that each PDF and MM has been implemented. The Applicant shall maintain records demonstrating compliance with each PDF and MM. Such records shall be made available to the City upon request.
18. **Construction Monitor.** During the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant), approved by the Department of City Planning, who shall be responsible for monitoring implementation of PDFs and MMs during construction activities consistent with the monitoring phase and frequency set forth in this MMP.

The Construction Monitor shall also prepare documentation of the Applicant’s compliance with the PDFs and MMs during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be included as part of the Applicant’s Compliance Report. The Construction Monitor shall be obligated to immediately report to the Enforcement Agency any non-compliance with the MMs and PDFs within two businesses days if the Applicant does not correct the non-compliance within a reasonable time of notification to the Applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

19. **Substantial Conformance and Modification.** After review and approval of the final MMP by the Lead Agency, minor changes and modifications to the MMP are permitted, but can only be made subject to City approval. The Lead Agency, in conjunction with any appropriate agencies or departments, will determine the adequacy of any proposed change or modification. This flexibility is necessary in light of the nature of the MMP and the need to protect the environment. No changes will be permitted unless the MMP continues to satisfy the requirements of CEQA, as determined by the Lead Agency

The Project shall be in substantial conformance with the PDFs and MMs contained in this MMP. The enforcing departments or agencies may determine substantial conformance with PDFs and MMs in the MMP in their reasonable discretion. If the department or agency cannot find substantial conformance, a PDF or MM may be modified or deleted as follows: the enforcing department or agency, or the decision maker for a subsequent discretionary project related approval finds that the modification or deletion complies with CEQA, including CEQA Guidelines Sections 15162 and 15164, which could include the preparation of an addendum or subsequent environmental clearance, if necessary, to analyze the impacts from the modifications to or deletion of the PDFs or MMs. Any addendum or subsequent CEQA clearance shall explain why the PDF or MM is no longer needed, not feasible, or the other basis for modifying or deleting the PDF or MM, and that the modification will not result in a

new significant impact consistent with the requirements of CEQA. Under this process, the modification or deletion of a PDF or MM shall not, in and of itself, require a modification to any Project discretionary approval unless the Director of Planning also finds that the change to the PDF or MM results in a substantial change to the Project or the non-environmental conditions of approval.

20. Tribal Cultural Resource Inadvertent Discovery. In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities (Ground disturbance activities shall include the following: excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, pounding posts, augering, backfilling, blasting, stripping topsoil or a similar activity), all such activities shall temporarily cease on the Project Site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

- Upon a discovery of a potential tribal cultural resource, the project Permittee shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning.
- If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Project Permittee and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
- The project Permittee shall implement the tribe's recommendations if a qualified archaeologist, retained by the City and paid for by the project Permittee, reasonably concludes that the tribe's recommendations are reasonable and feasible.
- The project Permittee shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any affected tribes that have been reviewed and determined by the qualified archaeologist to be reasonable and feasible. The project Permittee shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.
- If the project Permittee does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist, the project Permittee may request mediation by a mediator agreed to by the Permittee and the City who has the requisite professional qualifications and experience to mediate such a dispute. The project Permittee shall pay any costs associated with the mediation.
- The project Permittee may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and determined to be reasonable and appropriate.
- Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.

Notwithstanding the above, any information determined to be confidential in nature, by the City Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act, California Public Resources Code, and shall comply with the City's AB 52 Confidentiality Protocols.

Administrative Conditions

21. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
22. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
23. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
24. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
25. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
26. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
27. **Project Plan Modifications.** Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision-making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.
28. **Indemnification and Reimbursement of Litigation Costs.** The Applicant shall do all of the following:
 - (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

FINDINGS

A. ENTITLEMENT FINDINGS

Transfer of Floor Area Rights Findings

1. **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 appropriate for the long-term development of the Central City.**

The Project would involve the construction of a 50-story mixed-use building with a maximum height of 592 feet. The Project's commercial and residential uses would total 554,927 square feet of floor area, consisting of 580 residential units, 7,499 square feet of ground-floor commercial retail and restaurant uses, parking, and residential open space amenities.

The Project Site is close to several bus transit lines, rail lines, and local shuttle service. Specifically, the Project Site is located approximately two blocks away from the 7th/Metro Center Metro Rail station, which contains the Metro B, D, A, and L Lines and is considered a hub of the regional rail network, connecting passengers to Pasadena, East Los Angeles, Long Beach, Culver City, Santa Monica, Hollywood, Korea Town, and North Hollywood. Metro bus lines, including local and rapid lines, as well as Los Angeles Department of Transportation's (LADOT's) Commuter Express lines, run south along Grand Avenue, with the nearest stop midblock on Grand Avenue between 7th Street and 8th Street. Metro Lines 66 and 81, as well as LADOT's Commuter Express Lines 419, 431, 437 and 534 and Antelope Valley Transit Authority's (AVTA) Commuter Line 785, run west on 8th Street. LADOT's DASH Lines have stops within one block north on 7th Street and within one block west on Flower Street. Also, within two to three blocks of the Project Site are Silver Lines 910 and 950; Foothill Transit Lines SS, 493, 495, 497, 498, 499 and 699; Santa Monica's Big Blue Bus Line R10; Torrance Transit Line 4X; and Montebello Bus Lines 40 and 50. These bus lines connect passengers to the Project Site from various locations across the City and throughout Los Angeles County. Additionally, the Project Site is within walking distance of various employment opportunities in the Downtown area.

The intensity and mix of the residential and commercial uses are compatible with the current density and mix of uses in the downtown Los Angeles area. The Project Site is located in an area which is developed with low- to high-rise, mixed-use buildings. Immediately to the north of the Project Site are two above-grade parking garages, an eight-story parking structure along Hope Street and a four-story parking structure along Grand Avenue. Across Hope Street to the west is a recently renovated mixed-use development (The Bloc) that encompasses an entire city block and includes a 33-story office tower and a 26-story hotel tower, with a nine-story parking and retail podium. To the east of the Project Site, across Grand Avenue is a 112-foot-tall mixed-use residential and commercial development, which includes a ground floor grocery store. To the south of the Project Site are multiple office/commercial buildings and other residential developments, including a high-rise, residential tower (i.e., 8th+Hope) with a height of 246 feet immediately to the southwest at 801 S. Hope Street, a mixed-use high-rise building at 801 S. Grand Avenue with a height of 310 feet, a mixed-use high-rise building 888 S. Hope Street with a height of 370 feet, and three other high-rise residential towers (i.e., Atelier at 801 S. Olive Street with a height of 358 feet; the approved 29-story 845 S. Olive Street Tower; and the 820 S. Olive/825 S. Hill Street Tower with a height of 637 feet) to the southeast on Olive Street between 8th Street and 9th Street. In the Project vicinity, are other high-rise buildings that include commercial and residential uses.

The increase in floor area generated by the proposed transfer will allow the development of a compatible mixed-use project consisting of 580 residential units with varying unit types, and 7,499 square feet of restaurant and retail uses on the Receiver Site. The Project is considered an infill development within a highly urbanized area of the City, which is designated for high-density residential development by the Community Plan. The Project Site is approximately 34,679 square feet and is permitted a maximum 6:1 FAR (or 208,074 square feet of floor area) as restricted by the D Limitation pursuant to Ordinance 164,307 - Subarea 1910. The Applicant has requested a Transfer of 346,853 square feet of floor area from the Donor Site located at 1201 South Figueroa Street (Los Angeles Convention Center), to permit a maximum 9.25:1 FAR (554,927 square feet) on the Receiver Site. The Transfer is appropriate for the long-term development of Central City because it will enable the Project to include residential, retail, and restaurant uses that would complement the other uses in the Financial Core District which contains numerous high-rise office buildings, a variety of commercial opportunities, and nearby entertainment attractions such as the Staples Center, Los Angeles Convention Center, and L.A. Live. The Transfer would allow more residents to live, work, and shop within the Financial Core District, while promoting access to the different amenities and attractions and contributing more retail and restaurant options within the area for residents and visitors. The Transfer would also contribute to the revitalization and modernization of Downtown Los Angeles including job creation and increased City tax revenue generation, maintaining the strong image of downtown as the major center of the metropolitan region, and serving as a linkage and catalyst for other downtown development.

The Project will be easily accessible via public transit, is consistent with both existing and proposed development in the Financial Core District, will be in close proximity to jobs, housing, and a wide range of uses and public services, can be served by the existing utilities, and will support the development planned for the Central City Community Plan Area. Thus, the proposed Transfer will be appropriate for the Receiver Site.

2. The Transfer serves the public interest.

As part of the Transfer Plan, a Public Benefit Payment is required and must serve a public purpose, such as: providing for affordable housing; public open space; historic preservation; recreational; cultural; community and public facilities; job training and outreach programs; affordable childcare; streetscape improvements; public arts programs; homeless services programs; or public transportation improvements. The transfer serves the public interest by facilitating a project that will contribute to the sustained economic vitality of the Central City area, and by contributing a total Public Benefit Payment of \$9,828,451 (based on a formula that includes the transfer of 346,853 square feet) and a TFAR Transfer Payment of \$1,734,265 (based on the transfer of 346,853 square feet from the Convention Center multiplied by \$5), in accordance with LAMC Section 14.5.10. The Public Benefit Payment consists of a 50 percent cash payment of \$4,914,225 to the Public Benefit Payment Trust Fund, and 50 percent of the payment for public benefits to be directly provided by the Applicant, as indicated in the table below. As such, the Transfer of Floor Area serves the public benefit interest as it complies with the specific requirement for the transfer to occur.

Public Benefit Payment Transfer Plan	
Total Public Benefit Payment	\$9,828,451
50% Public Benefit Cash Payment	\$4,914,225
50% Public Benefit Direct Provision	\$4,914,225
Allocation of Public Benefit Direct Provision	

Council District 14 Public Benefits Trust Fund for Affordable Housing	100%	\$4,914,225

3. 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 Receiver Site (Project Site) of the Transfer is located within the Central City Community Plan, and has a land use designation of Regional Commercial and is zoned C2-4D. The Community Plan describes the Transfer of Floor Area Rights (TFAR) as follows (Page III-19): “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 Site is subject to Development D Limitation, contained in Subarea 1910 of Ordinance No. 164,307, which limits the FAR of a building to 6:1, unless a transfer of floor area is approved. The transfer will re-allocate 346,853 square feet of unused, allowable floor area from the Donor Site (Los Angeles Convention Center) and permit a maximum FAR of 9.25:1 on the Receiver Site, which will be consistent with the Community Plan and other relevant policy documents, which provides for a transfer of floor area up to a 13:1 FAR.

The Transfer will permit the development of the Receiver Site with a Project that is consistent with the objectives and policies of the Central City Community Plan, including:

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

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 2-4: 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 Project will provide up to 580 residential units, including three-bedroom units, two-bedroom units, one-bedroom units, and studio units on a site located in the Financial Core District of the Community Plan. In addition, the project would provide 7,499 square feet of ground-floor commercial space, consisting of restaurants and retail stores fronting 8th Street. The Project’s supply of residential units and restaurant and retail uses aligns with the Community Plan’s vision for the Financial Core District, achieving Objective 1-2. The project will bridge the gap between housing and employment by providing homes for the increasing numbers of downtown workers, achieving Objective 2-1 and Objective 2-4.

In addition, the project site is located near the Los Angeles Sports and Entertainment District (LASED) (approximately 0.4 miles to the southwest) and the Convention Center (approximately 0.7 miles southwest) and will be consistent with the Central City Community Plan’s vision for the Financial Core District as a Convention Center/Arena Sphere of Influence

by developing the site with a mix of uses that complement the entertainment and commercial uses within the LASED and the Convention Center. The proximity of the project site to LASED and the Convention Center will locate patrons and residents within walking distance to various businesses, conventions, trade shows, and tourist destinations and provide a linkage to the other surrounding Central City Community Plan Districts.

The project will provide commercial spaces allowing for restaurant and retail uses, helping to create an active, 24-hour downtown that will serve the residents and employees of the Financial Core District, as well as visitors. The addition of new uses, as well as up to 580 residential units in the Financial Core District supports the existing retail base by strengthening current and creating new residential demand for goods and services, as well as creating synergy between different commercial uses in the Central City Community Plan area. The project will also improve the streetscape along 8th Street, Hope Street, and Grand Avenue with street lighting, trees, landscaping, and bicycle parking, enhancing the overall pedestrian environment.

Therefore, the Project is consistent with the applicable Central City Community Plan Objectives and Policies.

Zone Variance Findings

In order for a variance to be granted, all five of the legally mandated findings delineated in City Charter Section 562 and Los Angeles Municipal Code Section 12.27 must be made in the affirmative. Following (highlighted) is a delineation of the findings and the application of the relevant facts of the case to same:

4. That the strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.

The Project site consists of a 34,679 square-foot (0.80-acres) property which fronts 8th Street to the south, Hope Street to the west, Grand Avenue to the east, and a shared lot line on the north side. The Project involves the construction of a 50-story mixed use development comprised of 580 residential dwelling units and up to 7,499 square feet of ground floor commercial uses on a 34,679 square foot site. The Project would provide vehicular parking in three subterranean levels and eight above-grade levels, and a total of 640 parking spaces with a mixture of standard and compact spaces, with code required electrical vehicle charging spaces. The building will have a maximum height of 592 feet, and a floor area ratio of 9.25:1 (554,927 square feet).

The Project has requested a Variance to deviate from the required driveway aisle width of 27 feet, 4 inches for standard parking stalls and 25 feet, 4 inches for compact parking stalls, and to provide a 24 feet drive aisle for all parking areas. Additionally, the Project is requesting a deviation from the requirement to provide a 10-inch clear space from parking stall obstructions. The Project proposes ingress/egress from both Hope Street and Grand Avenue with a circular drop-off area on the ground floor and access to all parking garages and no driveways along 8th Street. The Project was designed with no driveways on 8th Street to promote a high-quality pedestrian environment at street level, with active ground floor uses that wrap around the building's corners. Additionally, the Project has been conditioned to require parking stalls to be designed in compliance with LAMC 12.21 A.

The driveway aisle and 10-inch clear space deviation is imperative to provide the necessary parking for the mixed-use project that would contribute to the supply of market-rate housing

and employment within the Financial Crore District with the Central City Community Plan of the Downtown Area.

The Project as proposed also supports the City's housing goals and provides economic benefits in employment and tax revenue. Therefore, the Project as proposed would not result in practical difficulties of unnecessary hardship inconsistent with the general purposes and intent of the underlining zone.

5. That there are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.

The Project is an infill development within an urban setting, and is zoned C2. The C2 zone requires a minimum lot size of 5,000 square feet and a minimum lot width of 50 feet. The existing lot dimensions are 107 feet along Hope Street and 100 feet along Grand Avenue, and 336 feet along 8th Street. This is a relatively wide property compared to its depth compared to other existing high-rise, mixed-use projects in the vicinity. In order to achieve an efficient layout of parking spaces and circulation, the building is oriented lengthwise along 8th Street. As a result, the parking garage is narrow, which limits the amount of parking that can be provided on each level, as well as constraining the drive aisle width and turning radii between the parking stalls. The Project is required pursuant to the Downtown Design Guide to provide 75 percent of its ground floor frontage along 8th Street with active uses, and was designed with no driveways on 8th Street in order to enhance the pedestrian realm by eliminating vehicular and pedestrian conflicts. Therefore, site access and vehicular ramps could only be located along the rear property line, with one driveway on Hope Street and one on Grand Avenue. This is an additional circumstance that limits the configuration of vehicular circulation in the garage.

The Downtown Street Standards require a 17-foot-wide sidewalk with a 7-foot-wide average sidewalk easement along Grand Avenue, a 15-foot-wide sidewalk with a 3-foot-wide average sidewalk easement along Hope Street, and a 12-foot-wide sidewalk with a 5-foot-wide sidewalk easement. While sidewalk and easement widths are required for other downtown projects, the subject property has three street frontages which, in combination with the lot configuration and driveway access issues mentioned above, represents special circumstances that do not apply to other properties in the vicinity.

Therefore, the reduced drive aisle width and reduction in clearance space adjacent to an obstruction allow for a building configuration that is suitable for the lot size shape, and internal circulation. As such, there are special circumstances related to the size, shape, and location of the lot that do not generally apply to other properties in the vicinity. Therefore, the variance requests are necessary to develop the subject site in a manner consistent with the general plan, community plan, and nearby development.

6. That the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.

The existing lot dimensions are 107 feet along Hope Street and 100 feet along Grand Avenue, and 336 feet along 8th Street. This is a relatively wide property compared to its narrow depth compared to other existing high-rise, mixed-use projects in the vicinity. In order to achieve an efficient layout of parking spaces and circulation, the building is oriented lengthwise along 8th Street. As a result, the design of the parking garage is narrow, which limits the amount of

parking that can be provided on each level, as well as constraining the drive aisle width and turning radii between the parking stalls. The Project is required pursuant to the Downtown Design Guide to provide 75 percent of its ground floor frontage along 8th Street with active uses, and was designed with no driveways on 8th Street in order to enhance the pedestrian realm by eliminating vehicular and pedestrian conflicts. Therefore, site access and vehicular ramps could only be located along the rear property line, with one driveway on Hope Street and one on Grand Avenue.

The Downtown Street Standards require a 17-foot-wide sidewalk with a 7-foot-wide average sidewalk easement along Grand Avenue, a 15-foot-wide sidewalk with a 3-foot-wide average sidewalk easement along Hope Street, and a 12-foot-wide sidewalk with a 5-foot-wide sidewalk easement. While sidewalk and easement widths are required for other downtown projects, the subject property has three street frontages which, in combination with the lot configuration issues mentioned above, represents an unnecessary hardship. Therefore, the granting of the variance is necessary for the preservation and enjoyment of a substantial property right and use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the subject property.

7. That the granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.

The Project involves the construction of a 50-story mixed use development comprised of 580 residential dwelling units and up to 7,499 square feet of ground floor commercial uses on a 34,679 square foot site. The Project would provide vehicular parking in three subterranean levels and eight above-grade levels, and a total of 640 parking spaces with a mixture of standard and compact spaces. The Project will improve existing site conditions by redeveloping an underutilized lot, and will enhance the public welfare and surrounding neighborhood by providing wider sidewalks and other pedestrian improvements, and by eliminating the existing driveways along 8th Street, consolidating vehicular access to the rear of the site. The variance requests to reduce the drive aisle width and to provide an additional 10-inch clear space to parking stall widths adjacent to an obstruction would be internal to the Project's vehicular parking garage, and therefore, do not constitute an unsafe or hazardous environment for surrounding properties or other properties in the vicinity. The conditions and circumstances which create the need for the variance are unique to the subject property, as is the method of relief from those circumstances. Therefore, the reduced drive aisle width and relief from clearance requirement will not affect other properties or property rights in the vicinity. The Project as conditioned will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone and vicinity in which the property is located.

8. That the granting of the variance will not adversely affect any element of the General Plan.

The Central City Community Plan designates the site for Regional Commercial land uses and allows for a corresponding zone of C2-4D. The Project Site's C2 zone permits an array of land uses including office, hotel, residential and commercial uses. The Project Site's Height District No. 4 has no height limit and permits a FAR of 13:1. However, the "D" limitation restricts the FAR to 6:1 unless a Transfer of Floor Area (TFAR) is approved (Ordinance No. 164,307). The Project includes a TFAR entitlement request which would allow an FAR of 9.25:1. Therefore, the Project's proposed maximum FAR would result in 554,927 square feet of floor area. There is no limit on the maximum number of dwelling units and the Greater Downtown Housing Incentive Area (ZI 2385) allows for zero setbacks along the front, side and rear property lines.

The Downtown Design Guide and Downtown Street Standards regulate street frontage standards, pedestrian walkways, and roadway improvement requirements, among other design regulations.

A stated goal of the Central City Community Plan is the continued economic and social viability of Central City which “depends on the contributions of a stable population and vibrant, cohesive neighborhoods. Therefore, a primary objective of the Central city Plan is to facilitate the expansion of housing choices in order to attract new and economically and ethnically diverse households.” Furthermore, the Community Plan includes the following objectives and policies which the proposed project advances:

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

Objective 1-3: To foster residential development which can accommodate a full range of incomes

Policy 1-3.1: Encourage a cluster neighborhood design comprised of housing and services.

The use of the property for a mixed-use residential and commercial purposes is consistent with the Regional Commercial land use designation and corresponding C2 zone and supports Objective 1-2, Objective 1-3 and Policy 1-3.1 of the Central City Community Plan. The variance requests to reduce the drive aisle widths and to allow relief from 10-inch clear space requirements do not change the allowable uses permitted by the land use designation and zone and are instead necessary to provide parking and internal circulation for the Project. In conjunction with other entitlement requests, the variance requests for the Project would be in substantial conformance with the General Plan and the Central City Community Plan. Granting the variance would not adversely affect any element of the General Plan and granting of the variances will not adversely affect any element of the General Plan.

Project Permit Adjustment (Director’s Determination for Alternative Design) Findings

- 9. There are special circumstances applicable to the project or project site which make the strict application of the urban design regulation(s) impractical.**

Ground Floor Treatment

Pursuant to Section 4 of the Downtown Design Guide, Hope Street and Grand Avenue are designated as Retail Street and requires that at least 75 percent of the Project’s street frontage, excluding access to parking, must be designed to accommodate active uses such as retail, professional office, or live work uses building lobbies, recreation rooms, common areas, gathering or assembly spaces cultural facilities, and courtyards with direct access to each of these uses from the sidewalk. The Downtown Design Guide also requires where retail streets intersect other streets, the ground floor retail space should wrap the corner onto the intersecting streets, excluding driveways used for vehicular ingress and egress.

The Project includes an entitlement request for a Project Permit Adjustment for an alternative design to the ground floor requirements of the Downtown Design Guide along 8th Street, Grand Avenue and Hope Street. Excluding vehicular driveways, the 8th Street building frontage is approximately 320.9 feet, and proposes 216.9 feet, or approximately 67 percent of the frontage length, of active uses (commercial and residential lobby areas) and 104 feet,

33 percent of non-active uses (stairwell and drop off and outdoor lobby area). Grand Avenue's building street frontage is 71.1 feet, and proposes 25 feet, or approximately 35 percent of the frontage length, of active uses (commercial uses) and 46.1 feet of non-active uses (mechanical equipment rooms and stairwell); and Hope Street's building frontage is 69.1 feet, and proposes 32.5 feet, or 47 percent, of active uses (commercial) and 36.6 feet of non-active use (mechanical equipment room)

The Project Site's narrow average lot width of 107.5 feet and the 34,679 square-foot lot size and the need to place required mechanical areas and stairways constrain the Project's ability to meet the 75 percent active street frontage requirement. Nonetheless, to enhance the ground floor facades facing the street and Porte cochere/drop off area along 8th Street, the ground floor mechanical utility rooms and code required stairwell exit areas were design to complement the streetscape façade of the active uses along each street. The building's street facing elevations have been designed to integrate architectural elements such as finished ceramic tile and decorative woven metal screen. These design features complement the building's street facing facade by eliminating blank walls and providing an attractive visual relief to support the pedestrian realm. In addition, retail space would be visible at and wrap around the corners of 8th Street and Grand Avenue and 8th Street and Hope Street, in accordance goals established by the Downtown Design Guide. This would further support the Downtown Design Guide's intent to enhance street level interest and promote pedestrian traffic.

Therefore, the lot width, lot dimension and building constraints discussed above represent special circumstances applicable to the Project site which make the strict application of the urban design regulations of the Downtown Design Guide impractical. The proposed ground floor treatment alternative design of the Project achieves the overall objectives of the Downtown Design Guide requirements to promote design excellence and creative infill development solutions.

Sidewalk Easement Projections.

The Downtown Street Standards requires a 12-foot sidewalk and 5-foot sidewalk easement along 8th Street, a 15-foot sidewalk and 3-foot average sidewalk easement along Hope Street, and a 17-foot sidewalk and 7-foot average sidewalk easement along Grand Avenue. Pursuant to Section 3 of the Downtown Design Guide, buildings may project horizontally up to a maximum of 5 feet over the required sidewalk easement at a minimum vertical height of 40 feet above the sidewalk to accommodate street trees. The Project includes an entitlement request for a Project Permit Adjustment for an alternative design to allow building and balcony projections of up to 9 feet into the 3-foot average sidewalk easement area (variable easement from 1.5 to 9 feet in width along Hope Street), in lieu of a maximum 5 foot projection into a sidewalk easement; to allow building projections of up to 19 feet into the 7-foot average sidewalk easement (variable easement from 3.5 to 21 feet in width) along Grand Avenue, in lieu of a maximum 5-foot projection; and to allow projections to begin at an elevation of 25 feet above the sidewalk along Hope Street and Grand Avenue, in lieu of a minimum of 40 feet above the sidewalk.

The Project would otherwise comply with the Downtown Design Guide projection requirements along 8th Street. The balconies along 8th Street, would not project into the sidewalk easement at a height lower than 40 feet below the sidewalk. However, due to the site's narrow average lot width of 107.5 along Hope Street and Grand Avenue, the building

must maximize its dimensions along all facades, and therefore, requires the building to project into the sidewalk easement along Hope Street and Grand Avenue. To accommodate the Project's parking demand and parking maneuverability and dimension requirements within the building the alternative design is requested. Hope Street's building façade includes parking uses. On Grand Avenue, the building is designed so that the façade is wrapped with active uses, with commercial on the ground floor, residential leasing offices on the second floor, and residential units beginning on the third floor, which is where the building projection into the sidewalk easement would occur. This design places residential uses near the sidewalk, which fosters pedestrian safety and enhances the public realm. Since the sidewalk along Hope Street and Grand Avenue is 15 feet and 17 feet wide, respectively, there is sufficient horizontal width to accommodate pedestrian walkability, as well as providing adequate space for street tree canopy growth. This alternative design would advance the Downtown Design Guide's purpose to provide sidewalks that are walkable and accommodate a variety of uses.

Therefore, the lot dimension and building constraints discussed above represent special circumstances applicable to the project site which make the strict application of the Downtown Design Guide regulations impractical. Through the proposed alternative design, the Project nonetheless achieves the overall objectives of the Downtown Design Guide, Urban Design requirements to promote design excellence and creative infill development solutions.

10. In granting the request, the Director has imposed project requirements and/or decided that the proposed project will substantially comply with all applicable specific plan regulations.

The alternative design to allow building and balcony projections of up to nine feet into the three-foot average sidewalk easement area (variable easement from 1.5 to nine feet in width along Hope Street), in lieu of a maximum five-foot projection into a sidewalk easement; to allow building projections of up to 19 feet into the seven-foot average sidewalk easement (variable easement from 3.5 to 21 feet in width) along Grand Avenue, in lieu of a maximum five-foot projection; and to allow projections to begin at an elevation of 25 feet above the sidewalk along Hope Street and Grand Avenue, in lieu of a minimum of 40 feet above the sidewalk, and the alternative design to allow ground floor active uses to deviate from the 75 percent ground floor treatment required in the Downtown Design Guide would continue to advance the Downtown Design Guide's purpose to provide sidewalks that are walkable and accommodate a variety of uses. The Project would enhance the pedestrian experience along the street frontages and continue to provide required sidewalk widths and sidewalk easements along the streets abutting the Project. The Project would also meet the ground floor treatment requirements by providing storefront entries along the sidewalks. Additionally, the ground floor treatment along the streets which include glass and aluminum store front systems, decorative woven metal screen, ceramic tile advances the Downtown Design Guide vision of avoiding blank walls. The project, as proposed and conditioned, substantially complies with the provisions of the Downtown Design Guide with regard sidewalk easement projections along Grand Avenue, and ground floor requirements for active uses. Therefore, the Project will substantially comply with the applicable Downtown Design Guide regulations.

11. In granting the request, the Director has considered and found no detrimental effects of the proposed project on surrounding properties and public rights-of-way.

The Project was designed to adhere to the development requirements of the Downtown Design Guide. Due to the narrow lot width and lot size constrains the Project applicant

proposes an alternative design approach to sidewalk easement projections along Hope Street and Grand Avenue, and an alternative design approach for ground floor active use requirements along 8th Street, Grand Avenue and Hope Street. These deviations are appropriate to develop the proposed mix-use building consisting of 580 residential units and ground floor commercial, retail and restaurant uses. The alternative design to the sidewalk easement projections and ground floor treatment frontage requirements is appropriate in that it substantially complies with the provisions of the Downtown Design Guide with regard sidewalk easement projections along Grand Avenue, and ground floor requirements for active uses and would not pose any detrimental effects on surrounding properties and public-rights-of way.

The Project will improve existing site conditions and the surrounding neighborhood, as well as enhancing the public welfare through the provision of wider sidewalks, street trees, bicycle infrastructure, security lighting, landscaping, and active uses along a significant portion of the building's ground floor.

The Project's contemporary building design and architectural elements including prefinished aluminum frame doors and windows, vision and spandrel glass, ceramic tile, and decorative metal woven screen, the Project's alternative design to sidewalk easement projections along Grand Avenue and Hope Street and alternative design to ground floor treatment along 8th Street, Grand Avenue and Hope Street would be compatible with the neighborhood character of the surrounding district.

The Project will enhance the surrounding neighborhood by redeveloping a site currently used for parking with a mixed-use development that provides residential housing with ground floor commercial, retail, restaurant uses, and necessary upgrades to the existing streetscape. Finally, the Environmental Impact Report prepared for the Project found that the project would have less than significant impacts with incorporated mitigation for most impact categories, except for temporary construction-related noise and vibration impacts. As these impacts are temporary in nature, the Project would not have a permanent detrimental effect on surrounding properties. The benefits of the Project have been balanced against the significant and unavoidable impacts, and the City has found that the Project's benefits outweigh and override the significant unavoidable impacts relating to noise and vibration. Therefore, in consideration of the above, the project would not have detrimental effects on surrounding properties and public rights-of-way.

12. The project incorporates mitigation measures, monitoring of measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.

The Environmental Impact Report (EIR) determined that the Project has less than significant impact with mitigation measures for Cultural Resources (Archeological Resources), Geology and Soils (Paleontological Resources), and Noise (On-Site construction Vibration – Building Damage). The EIR identified feasible mitigation measures to avoid or substantially reduce the environmental impacts in these areas to a less than significant level. Based on the information and analysis set forth in the EIR, the project would not have any significant environmental impacts in these areas, as long as all identified feasible mitigation measures are incorporated into the project.

The EIR determined that the environmental impacts for Noise (Construction; Groundborne Noise and Vibration Human Annoyance - Construction) are significant and unavoidable. In order to approve the Project with significant unavoidable impacts, the City has adopted a Statement of Overriding Considerations. The City recognized that significant and unavoidable impacts would result from implementation of the project. Having (i) adopted all feasible

mitigation measures, (ii) rejected as infeasible the alternatives to the project, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the Project against the Project's significant and unavoidable impacts, the City found that each of the Project's benefits outweigh and override the significant unavoidable impacts relating to noise and vibration identified above.

Mitigation measures identified for the project are described and included in the certified EIR, and the Mitigation Monitoring Program (MMP). The City found that the impacts of the project have been mitigated to the extent feasible by the mitigation measures identified in the MMP. Each of the mitigation measures identified in the MMP have been incorporated into the Project as conditions of approval. Therefore, the Project incorporates mitigation measures, monitoring of measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.

Director's Decision Findings

13. That the open space provided conforms with the objectives of LAMC Section 12.21 G.

Pursuant to LAMC Section 12.21 G.3, the Project is required to plant one tree for every four dwelling units proposed. The Project proposes 580 residential dwelling units, which would require a total of 145 on-site trees. The Applicant requests a Director's Decision to permit the planting of 79 on-site trees, in lieu of the otherwise required 145 on-site trees, in conjunction with the payment of an in-lieu fee for the remaining 66 required on-site trees, in accordance with LAMC Section 62.177(d). The property lies within the Central City Community Plan and the Greater Downtown Incentive Area (ZI No. 2385), in accordance with the Greater Downtown Incentive Area no setbacks are required. However, the Downtown Street Design Guide requires a 3-foot average sidewalk easement along Hope Street, a 7-foot average sidewalk easement along Grand Avenue and a 5-foot sidewalk easement along 8th Street. The Downtown Design Guide permits up to 5 feet of building and balcony projections into these easements at 40 feet above grade. The Project's limited ground floor area available for planting trees, the 34,679 square foot lot size, and the placement of the structure within and abutting the required sidewalk easement areas would limit ground floor areas available for planting trees. In accordance with LAMC Section 62.177(d), and as conditioned, the Applicant requests to pay an in-lieu fee of \$2,612 for each of the 66 trees that are not planted on-site, for a total of \$172,392. The Project will provide the required common and private open space therefore meeting the objectives of the LAMC Section 12.21 G.

14. That the proposed project complies with the total usable open space requirements.

Pursuant to LAMC Section 12.21 G.3, the Project is required to provide 63,600 square feet of usable open space and 25% of the common open space area is required to be landscaped, which the Project complies with. The Project is also required to plant one tree for every four dwelling units proposed. The Project proposes 580 residential dwelling units, which would require a total of 145 on-site trees.

The Project would provide 13,140 square feet of indoor open space, 15,358 square feet of outdoor open space, and 8,596 square feet of outdoor/covered space, and 28,100 square feet of private open space. Pursuant to ZA-2021-7053-ZAI the 8,596 square feet of covered exterior open space would count towards the common open space requirements per LAMC Section 12.21 G.3. The Project would also provide private balconies for most of the dwelling units, which would comprise a total of 28,100 square feet of private open space. Therefore, the Project would provide 65,193 square feet of open space, which would exceed the 63,600

square feet of open space required for the Project. Additionally, providing fewer code required trees would not reduce the total usable open space area and therefore the project would continue to meet the usable open space requirements.

Site Plan Review Findings

15. The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.

Framework Element. The General Plan Framework sets forth a citywide comprehensive long-range growth strategy and defines citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework's Long-Range Diagram identifies the Project Site as located within the Downtown Center, an international center for finance and trade, the largest government center in the region, and the location for major cultural and entertainment facilities, hotels, professional offices, corporate headquarters, financial institutions, high-rise residential towers, regional transportation, and Convention Center facilities. The Downtown Center is generally characterized by high-rise buildings and floor area ratios up to 13:1.

The 8th, Grand and Hope Project involves the construction of a 50-story mixed use building with a maximum height of 592 feet above grade. The Project's commercial and residential development would total 554,927 square feet of floor area, consisting of 580 residential units, 7,499 square feet of ground-floor commercial retail and restaurant uses, and approximately 65,193 square feet of residential open space amenities. The residential uses would be located on levels 3 through 49 and vehicle parking would be provided within three subterranean levels and eight above-grade levels.

The Project satisfies the following objectives and policies of the Land Use Chapter of the General Plan Framework:

Objective 3.4: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

Policy 3.4.1: Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.

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

Objective 3.16: Accommodate land uses, locate and design buildings, and implement streetscape amenities that enhance pedestrian activity.

The Project will provide new multi-family housing, commercial retail, and restaurants in the City's Downtown Center, as well as providing a public benefit in the way of a contribution towards affordable housing, including to the Council District's Affordable Housing Trust Fund. The Project will support Objective 3.4 and Policy 3.4.1 by providing a high density of residential units and ground-floor commercial/retail/restaurant uses, within a neighborhood that is in close proximity to many transit opportunities. The Project will support Objective 3.15 and Policy 3.15.3 as the site is designated as a Transit Priority Area, and is well-served by public transit, including both rail and bus service. The site is located two blocks from the entrance to the 7th/Metro Center Rail Station, which provides rail service to the Metro A, B, D, and L Lines which is considered a hub of the regional rail network. Furthermore, the project would enhance the pedestrian activity of the area through the provision of ground floor commercial uses and along 8th Street, Hope Street and Grand Avenue, and will provide streetscape improvements, supporting Objective 3.16. At the corner of Hope Street and 8th Street, the Project will include areas for outdoor seating. In addition, there will be no driveway curb cuts along 8th Street and the sidewalks around the project site would be improved with street trees, landscaping, pedestrian lighting, and bicycle racks. The Project's commercial and residential uses, amenities, and proximity to public transit will encourage pedestrian activity and provide an incentive for residents not to use their cars for commuting errands, dining, entertainment, and employment, thereby reducing vehicle trips.

The Project advances numerous goals and policies contained in the Framework Element's Economic Development chapter, including the following:

Goal 7A: A vibrant economically revitalized City.

Goal 7D: A City able to attract and maintain new land uses and businesses.

Goal 7G: A range of housing opportunities in the City.

The Project would redevelop the site by replacing an existing surface parking lot and four-story parking structure with a mixed-use high-rise building, which includes residential units and commercial, retail, and restaurant uses. The Project would provide for more housing opportunities in the area with a mixture of unit types, while introducing new commercial, retail and restaurant opportunities, which will serve the residents of the neighborhood. The mix of uses and additional residents will contribute to the Downtown Center, further supporting nearby businesses and job centers with new residents and shopping and dining opportunities. These components of the Project will contribute to employment opportunities and economic growth, strengthen the commercial sector, and contribute to a balance of land uses that meets the needs of residents.

Housing Element. The City's Housing Element for 2021-2029 was adopted by City Council on June 14, 2022. The Proposed Project would meet the objectives and policies set forth in the Housing Element as described below.

Policy 1.1.2: Plan for appropriate land use designations and density to accommodate an ample supply of housing units by type, cost, and size within the City to meet housing needs, according to Citywide Housing Priorities and the City's General Plan.

Objective 1.2: *Facilitate the production of housing, especially projects that include Affordable Housing and/or meet Citywide Housing Priorities.*

Policy 1.2.2: *Facilitate the construction of a range of different housing types that addresses the particular needs of the city's diverse households.*

Policy: 3.1.2: *Promote new development that furthers Citywide Housing Priorities in balance with the existing architectural and cultural context.*

Policy 3.1.3: *Develop and implement design standards that promote quality residential development.*

Objective 3.2: *Promote environmentally sustainable buildings and land use patterns that support a mix of uses, housing for various income levels and provide access to jobs, amenities, services and transportation options.*

Policy 3.2.2: *Promote new multi-family housing, particularly Affordable and mixed-income housing, in areas near transit, jobs and Higher Opportunity Areas, in order to facilitate a better jobs-housing balance, help shorten commutes, and reduce greenhouse gas emissions.*

Policy 3.2.5: *Promote and facilitate the reduction of water, energy, carbon and waste consumption in new and existing housing.*

The Project will further key Housing Element policies and objectives by providing additional supply of housing units by type, cost, and size to meet housing needs and Citywide housing priorities noted in Policy 1.1.2, Objective 1.2, Policy 1.2.2. The Project would provide 580 residential units which include a unit mix consisting of three-bedroom units, two-bedroom units, one-bedroom units, and studio units. The Project also supports Objective 3.2 and Policy 3.2.2 of supporting a mix of units that will accommodate a mixture of incomes, and uses that provide access to jobs, amenities, services and transportation options. The Project would construct a mixed-use building that is close to multiple transit options and include a total of 27 short-term and 224 long term bicycle parking spaces to support multi-modal transportation options for the residential and commercial uses. Additionally, the Project is located in the transit-rich Downtown Center, that is served by many local and rapid bus lines and train lines. By providing residential units, restaurants, and retail at the site, the Project will encourage walking, active transportation, and public transit usage, thereby reducing vehicular trips and overall vehicle miles traveled. The Project would also support Policy 3.1.3 of promoting quality development by the Project's use of quality materials use which consist of utilizing a mix of glass and aluminum storefront system, ceramic tile, aluminum panels, pre-finished aluminum frame and cap rail with clear continuous glass, and decorative woven metal screen to provide for a varied texture and transparent for the retail uses and residential lobby area. The podiums also utilize pre-finished aluminum frame and continuous clear, opaque and low e coating glass and partial vision glass with fritted inner layer. The ceramic tile at the ground level would include a glazed finish to soften the façade of the building and create a warm and inviting experience for visitors and residents. Lastly, the Project supports Policy 3.2., the building would incorporate sustainability features such as Energy Star-Labeled products by incorporating Project Design Feature GHG-PDF-1. Additionally, the Project's Project Design Features GHG-PDF-1 and WAT-PDF-1 would incorporate water conservation features, such as high-efficiency toilets with flush volume of 1.1 gallon of water per flush or less, showerheads with a flow rate of 1.5 gallons per minute or less, and drip/subsurface irrigation.

Required RHNA Finding

The Project is located on a parcel identified in the Inventory of Sites prepared for the 2021-2029 Housing Element, which was anticipated to accommodate 1.59 lower-income units. The Project includes zero lower-income units. Therefore, the Project would result in fewer units by income category than those identified in the Housing Element.

The Project would meet the objectives and policies set forth in the Housing Element as described above.

Pursuant to Government Code (GC) Section 65863(b)(2), the City finds that while the proposed project would result in fewer units by income category than those identified in the Inventory of Sites prepared for the 2021-2029 Housing Element, the remaining sites identified in the Housing Element of the General Plan are adequate to meet the requirements of GC Section 65583.2 and to accommodate the jurisdiction's share of the regional housing need pursuant to GC Section 65584. As of April 1, 2023, the City's remaining RHNA Allocation for the 2021-2029 Planning period is as follows: 112,281 Very Low-Income Units, 67,086 Low Income Units, 74,964 Moderate Income Units, and 168,892 Above-Moderate Income Units. As of April 1, 2023, the City has a remaining capacity of 330,056 Very Low-Income Units, 332,096 Low Income Units, 63,107 Moderate Income Units, and 907,466 Above-Moderate Income Units. The excess Above-Moderate Income Unit capacity may accommodate both Moderate and Above-Moderate Unity RHNA Allocations. Therefore, the City finds that there are adequate remaining sites in the Housing Element to accommodate the remaining RHNA Allocation for the planning period, and in compliance with the requirements of GC 65583.2.

Plan for a Healthy Los Angeles. The Project meets the policies set forth in the General Plan's Health and Wellness Element.

Policy 5.1: Reduce air pollution from stationary and mobile sources; protect human health and welfare and promote improved respiratory health.

Policy 5.7: Promote land use policies that reduce per capita greenhouse gas emissions, result in improved air quality and decreased air pollution, especially for children, seniors, and others susceptible to respiratory diseases.

Air Quality Element. The Project meets the policies set forth in the General Plan's Air Quality Element.

Policy 4.2.3: Ensure that new development is compatible with pedestrians, bicycles, transit, and alternative fuel vehicles.

Policy 5.1.2: Effect a reduction in energy consumption and shift to non-polluting sources of energy in its buildings and operations

Policy 5.1 and 5.7 of the Plan for a Healthy LA, the Health and Wellness Element, and Policy 4.2.3 of the Air Quality Element are policy initiatives related to the reduction of air pollution and greenhouse gases. As mentioned above, the Project includes features described in Project Design Feature AIR-PDF-1, the Project would include where power poles are available, electricity from power poles and/or solar powered generators rather than temporary diesel or gasoline generators will be used during construction. Additionally, AIR-PDF-2 notes that the Project will not include the use of natural gas-fueled fireplaces in the proposed residential units. The Project would include EV parking and charging stations in accordance with LAMC requirements to encourage reduction in transportation fuel usage. Taken together, the conditions would provide for the public welfare and public necessity by reducing the level

of pollution and greenhouse gas emissions to the benefit of the neighborhood and the City. As conditioned, the Project will be consistent with the aforementioned policies, as well as Policy 5.1.2 of the Air Quality Element, by ensuring that future developments are compatible with alternative fuel vehicles and shift to non-polluting sources of energy. EV project features are also good zoning practices because they provide a convenient service amenity to the occupants or visitors who use electric vehicles and utilize electricity on site for other functions. In addition, the Project promotes usage of public transportation and active transportation to support California's greenhouse gas emission reduction targets. As such, the Project improves habitability for future residents of the Project and minimizes impacts on neighboring properties.

Mobility Plan 2035. The project also meets the policies set forth in the General Plan's Mobility Element.

Policy 2.3: Recognize walking as a component of every trip, and ensure high-quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.

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.

Policy 3.8: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.

Policy 5.4: Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.

The Project would provide a combination of ground floor commercial, retail, and restaurant uses and a residential lobby area while improving the streetscape conditions along 8th Street, Grand Avenue, and Hope Street, with trees, landscaping, street lighting, and bicycle racks. The Project is also required to provide full width concrete sidewalks as identified by the Downtown Street Standards, and any upgrades necessary to comply with Americans with Disabilities Act (ADA) requirements. Pedestrian access to the commercial components of the Project would be provided along all street frontages, with an outdoor seating area at the corner of 8th Street and Hope Street, while access to the residential component of the project is provided via one entrance on 8th Street and one entrance on Grand Avenue. The Project also supports Policy 3.3 as it is designated in a Transit Priority Area, and is well-served by public transit, including both rail and bus service. The site is located two blocks from the entrance to the 7th/Metro Center Metro Rail Station, which provides rail service to the Metro B, D, A and L Lines and is considered a hub of the regional rail network. In addition, the Project supports Policy 3.8 as it provides short-term bicycle parking on Grand Avenue and Hope Street and long-term bicycle parking located on the subterranean level. As mentioned previously, the Project would include EV parking and charging stations in accordance with LAMC requirements to encourage reduction in transportation fuel usage.

Central City Community Plan. The Central City Community Plan, a part of the Land Use Element of the City's General Plan, states the following objectives and policies that are relevant to the Project:

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

Objective 1-3: To increase the range of housing choices available to Downtown employees and residents.

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 2-4: 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 Project would provide up to 580 residential units, including a mix of studio, one-bedroom, two-bedroom, and three-bedroom units on a site located in the Financial Core District of the Central City Community Plan. In addition, the project would provide 7,499 square feet of ground floor commercial space, consisting of retail and restaurant use fronting 8th Street, Grand Avenue and Hope Streets, as well as a residential lobby along 8th Street. The Project's residential units and commercial uses align with the Community Plan's overall vision for the Central City as a community which "creates residential neighborhoods; while providing a variety of housing opportunities with compatible new housing." The Project also furthers the Community Plan's vision by improving "the function, design and economic vitality of the commercial districts, and achieving Objective 1-2, Objective 1-3 and Objective 2-1. The Project will contribute new housing choices and increase employment opportunities by providing a mixture of residential unit types for the growing numbers of downtown workers. Furthermore, the ground floor commercial component would provide additional business opportunities within the Community Plan.

In addition, the Project Site is well-served by public transit, including both rail and bus service. The site is located two blocks from the entrance to the 7th/Metro Center Metro Rail Station, which provides rail service to the Metro B, D, A and L Lines and is considered a hub of the regional rail network. The Project is also located 0.40 miles southwest from the Los Angeles Sports & Entertainment District (LASED) and approximately 0.73 miles from the Convention Center and will be consistent with the Central City Community Plan's Policy 2-1.2, Objective 2-4 and Policy 2-4.1 by redeveloping a property used solely for parking with a mixed-use residential and commercial development that would add new uses near the LASED and the Convention Center. The Project would contribute to creating a lively environment by activating this part of downtown and fostering a walkable neighborhood proximate to existing businesses, conventions, trade shows, and tourist destinations, and provide a linkage to the other surrounding Central City Districts.

The Project will provide flexibility in commercial spaces allowing for restaurant and retail uses, helping to create an active, 24-hour downtown that will serve the residents and employees of the Financial Core District, as well as visitors. The addition of new commercial uses, as well as up to 580 residential units in the Financial Core District supports the existing retail base by strengthening and creating new residential demand for goods and services, as well as creating synergy between different commercial uses in the Central City Community Plan area. The Project's ground floor uses would contribute to pedestrian activity which would further strengthen the walkability of the neighborhood. The Project will improve the streetscape along 8th Street, Hope Street and Grand Avenue lighting, trees, landscaping, and bicycle parking, enhancing the overall pedestrian environment.

Therefore, based on the above, the Project is consistent with the purposes, intent and provisions of the General Plan, and will serve to implement the goals and objectives of the Central City Community Plan.

16. 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 Project site is located within the Downtown Center of the City of Los Angeles, and within the Central City Community Plan area, Financial Core District. The immediate vicinity is characterized by a mix of commercial, restaurant, bar, office, surface parking and high-rise residential uses. The 0.80-acre site is currently developed with a surface parking lot and a four-story parking structure.

Immediately to the north of the Project Site are two parking structures, an eight-story structure along Hope Street and a four-story structure along Grand Avenue. Across Hope Street to the west is a parking structure and business/commercial development (i.e., the Bloc), consisting of a department store, Sheraton Grand hotel, gym cinema, retail and restaurant uses and an office tower at 700 S. Flower Street and 711 S. Hope Street. The property to the east of the Project Site, across Grand Avenue is a 7-story, mixed-use residential/commercial development with a ground floor grocery store. The properties to the south, across 8th Street consist of multiple office/commercial buildings, and other residential developments, including a mid-rise residential tower immediately to the southwest, and mixed-use mid-rise buildings and properties to the north adjacent to the Project Site include multi-level parking garages.

The Project would develop the site with a mixed-use building that includes 580 multi-family residential units. The Project will also provide a total of 7,499 square feet of ground floor and commercial space which includes restaurants and retail. The residential uses would be located on levels 3 through 49 and vehicle parking would be provided within three subterranean levels and eight above-grade levels. Residential common indoor and outdoor open space would be provided at the podiums on levels 10, 21, and 35 and would include a gym and fitness center, co-working areas, various lounge areas, dining areas, kitchen, pool, spa, firepit, and multiple outdoor seating areas. Indoor common areas would be located on Levels 3, 11, and 36 and include dog run areas, dog care, fitness mezzanine, and wellness suite. The Project's indoor and outdoor common areas would total 65,193 square feet. The design and proposed mixed-use commercial and residential would complement the existing built environment, contribute to the market-rate housing supply and employment sector within the Financial Core District within the Central City Community Plan of the Downtown area. Outdoor seating for the commercial component would be situated at the southwest corner of the project along 8th and Hope Street.

As mentioned above, the project area is highly urbanized, with various commercial and residential uses and other similar mid- to high-rise mixed-use developments. The Project site's proximity to major transit stops, and the site's Regional Commercial designation allows for residential and commercial uses. The Project's ground-floor uses would incorporate transparent and active storefront design on the public streets to create a pedestrian oriented retail environment, while encouraging transit usage. The following Project elements were designed in a manner which is compatible with both existing and future developments in the area:

- A. Building Design. The building's proposed design would be consistent with the design policies set forth in the Citywide Design Guidelines. The building elevations utilizes a

consistent architectural design feature, building materials and changes in building step back from Hope Street to break up massing and create a consistent architectural theme for the development. The parking podium would use a screening design covering the above ground parking levels. At the ground floor, the commercial and residential lobby entrances would utilize a mix of glass and aluminum storefront system, ceramic tile, aluminum panels, pre-finished aluminum frame and cap rail with clear continuous glass, and decorative woven metal screen to provide for a varied texture and transparent for the retail uses and residential lobby area. The podiums also utilize pre-finished aluminum frame and continuous clear, opaque and low e coating glass and partial vision glass with fritted inner layer. The ceramic tile at the ground level would include a glazed finish to soften the façade of the building and create a warm and inviting experience for visitors and residents. The facade of the Project's tower would primarily use glass to allow for natural lighting into the residential units, while the wraparound projecting balconies on most of residential level would provide shade and minimize solar gain throughout the building, highlighting the Project's energy efficiency and sustainability. The tower would also use the same screening design pattern from the podium to provide variety in the tower façade and highlight the outdoor open space and amenities throughout the tower. As mentioned above, the Project provides open space at various podium levels and at different indoor levels of the tower. The open spaces areas within the top of the podiums and the tiered design would help break the façade of the tower and provide unique focal points. Overall, the Project's contemporary architecture complements and enhances the surrounding developments.

- B. Height/Bulk. The Project would reach a maximum building height 592 feet above grade (50-stories). The height of the building is consistent with existing and future development in the immediate area. Around the immediate vicinity of the Project Site are high-rise buildings such as the two mixed-use buildings at 801 S. Grand Avenue (22-stories tall) and 888 S. Hope Street (395 feet tall), and three other high-rise residential towers to the southeast on Olive Street between 8th Street and 9th Street, 801 S. Olive Street (317 feet tall), 845 S. Olive (350 feet tall, approved, not constructed), and 820 S. Olive (636 feet tall). The proposed building would be comprised of four above-ground tiers which step back from Hope Street and the design serves to articulate the buildings elevation and provide visual interest. The project tiered levels also provide an innovative design solution to accommodate open space within each podium of a high-density development with limited lot area. Additionally, the four-tiered design breaks down the building's massing by providing multiple step backs used to further reduce the bulk and scale of the structure. Overall, the height and bulk of the project would be comparable to that of the high-rise mixed-use developments in the immediate vicinity and contribute to the City's skyline.
- C. Setbacks. The property lies within the Central City Community Plan and the Greater Downtown Incentive Area (ZI No. 2385), in accordance with the Greater Downtown Incentive Area no setbacks are required. However, the Project will comply with the requirements of the Downtown Street Design Guide and the Downtown Design Guide. The Downtown Design Guide requires that adjacent to retail (either on Retail Streets or adjacent to ground floor space designed for retail use in other locations), the building street wall (as defined in Table 6-1) shall be located at or within a few feet of the back of the required average sidewalk width. The building placement along the average sidewalk width along Hope Street and Grand Avenue is placed within the back of the required average sidewalk easements. Additionally, setbacks adjacent to retail, if any, shall be primarily hardscape and may be used for outdoor dining and other commercial activities. The setbacks adjacent to retail include hardscape and therefore complies with the setback requirements.

- D. Off-Street Parking. The project will provide residential and 20 covenanted parking spaces (per two recorded covenant and agreement for off-street parking spaces) for an adjacent building located at 611 West 6th Street (per a covenanted and recorded parking agreement) on-site in accordance with the Municipal Code and will be located in three levels of subterranean parking, eight above grade on levels 2 through 9 and four at grade parking spaces. In addition, the Project would include infrastructure for electric vehicle charging stations to facilitate the use of electric vehicles. The Project will also provide long-term and short-term bicycle parking in accordance with the Municipal Code. The long-term bicycle parking will be secure and accessible for residents within the subterranean parking levels, while short-term bicycle parking will be accessible along building frontages at Hope Street and Grand Avenue.
- E. Loading. Any loading or noise-generating back-of-house uses are located away from the street frontages, via a street level loading area located along an internal loading area, accessed from Hope Street. Mechanical equipment and utilities are also appropriately screened within the building and on the building's roof.
- F. Lighting. Implementation of the Project will introduce new light sources, including streetlights, interior building lighting, exterior security lighting, exterior architectural lighting, and individual tenant sign lighting. Project lighting would incorporate low-level exterior lights on the building and along pathways for security and wayfinding purposes. In addition, low-level lighting to accent signage, architectural features, and landscaping elements would be incorporated throughout the site to provide for efficient, effective, and aesthetic lighting solutions which will be shielded to minimize light trespass from the site.
- G. Landscaping. Open space and landscaping for the project is concentrated on the common open space areas throughout the podium levels. The podium open spaces include a multitude of outdoor amenities, including barbeque areas, pool, lounge areas, seating, spa, yoga, and fitness decks and a firepit. Onsite landscaping includes utilizing native shrubs, perennials, and canopy trees and landscaping would also be installed on ground level along 8th Street and throughout all the open space levels of the building. The streetscape would also enhance walkability through the provision of shade canopy trees and landscaping along 8th Street, Grand Avenue and Hope Street.
- H. Trash Collection. The Project includes an enclosed trash room area on the ground level which would be completely screened from view from adjacent public rights of way. All trash receptacles will be located within the enclosed trash room. Per the LAMC the Project is required to include a recycling area or room for the collection of glass, cans, paper and plastic recyclable materials. Trash and recycling facilities will be kept secure from unauthorized entry.

As described above, the Project consists of an arrangement of buildings and structures (including height, bulk, and setbacks), off-street parking facilities, loading areas, landscaping, trash collection, and other such pertinent improvements that will be compatible with existing and future development on adjacent and neighboring properties. The arrangement of the proposed development is consistent and compatible with existing and future development on neighboring properties.

17. The residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

The Project will result in the creation of new residential and commercial uses on a site that is currently developed with a four-level parking structure and a surface parking lot. The Project would provide indoor and outdoor residential amenities located on Levels 3, 10, 11, 21, 22,

35, and 36. Residential common indoor and outdoor open space would be provided at the podiums on levels 10, 21, and 35 and would include a gym and fitness center, co-working areas, various lounge areas, dining areas, kitchen, pool, spa, firepit, and multiple outdoor seating areas. Indoor common areas would be located on Levels 3, 11, and 36 and include dog run areas, dog care, fitness mezzanine, and wellness suite. Additionally, the Project would provide residential open space areas within private wraparound cantilevered balconies for most of the residential units. The Project's total square footage for the indoor and outdoor common and private areas would total 65,193 square feet.

Lastly, the Project's 4-tiered tower design decreases the building mass and provides additional visual relief for the residents of the adjacent mixed-use development east and west of the project site. The tower's configuration and design will ensure that sufficient natural lighting and air circulation would be provided for the project's residents and surrounding neighbors. Therefore, the project will not result in negative impacts on neighboring properties.

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

The City of Los Angeles (the "City"), as Lead Agency, has evaluated the environmental impacts of the 8th, Grand and Hope Project by preparing an Environmental Impact Report (EIR) (Case Number ENV-2017-506-EIR / SCH No. 2019050010). 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 8th, Grand and Hope 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 8th, Grand and Hope (Project), located at 754 South Hope Street, 609 - 625 West 8th Street (Site or Project Site). The Project involves the construction and operation of a 50-story mixed-use high-rise with a height of 592 feet at the top of the parapet roof at residential development with ground floor commercial uses on a 0.80-acre site. The Project would include up to 580 residential units, 7,499 square feet of ground-floor commercial uses, three subterranean and eight above-ground parking, and residential open space amenities.

The Draft EIR was circulated for a 46-day public comment period beginning on November 18, 2021, and ending on January 5, 2022. The Final EIR was then distributed on January 20, 2023. The Advisory Agency certified the EIR on May 26, 2023 ("Certified EIR") in conjunction with the approval of the Project (VTT-74876-CN) which was subsequently appealed in June 2023 to the City Planning Commission. In connection with the certification of the EIR, the Advisory Agency adopted CEQA findings and a mitigation monitoring program. The decision-maker 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, 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
- Chinatown Branch Library, 639 North Hill Street, Los Angeles, CA 90012
- Echo Park Branch Library, 1410 West Temple Street, Los Angeles, CA 90026
- Felipe de Neve Branch Library, 2820 West 6th Street, Los Angeles, CA 90057



LOS ANGELES CITY PLANNING APPEAL FILING PROCEDURES

Entitlement and CEQA appeals may be filed using either the Online Application System (OAS) or in person Drop Off at DSC (Development Services Center).

Online Application System: The OAS (<https://planning.lacity.org/oas>) allows appeals to be submitted entirely electronically online; fee payment is by credit card or e-check.

Drop off at DSC: Appeals of this determination can be submitted in person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at <http://planning.lacity.org/development-services/forms>. Public offices are located at:

Metro DSC

(213) 482-7077
201 N. Figueroa Street
Los Angeles, CA 90012

Van Nuys DSC

(818) 374-5050
6262 Van Nuys Boulevard
Van Nuys, CA 91401

West Los Angeles DSC

(CURRENTLY CLOSED)
(310) 231-2901
1828 Sawtelle Boulevard
West Los Angeles, CA 90025

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable Los Angeles Municipal Code provisions.

An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure that DSC staff members have adequate time to review and accept the documents, and to allow appellants time to submit payment.



QR Code to Online
Appeal Filing



QR Code to Forms
for In-Person Filing