



## DEPARTMENT OF CITY PLANNING

### RECOMMENDATION REPORT

#### City Planning Commission

**Date:** May 13, 2021  
**Time:** After 8:30 a.m.\*  
**Place:** In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the CPC meeting will be conducted entirely telephonically by Zoom [<https://zoom.us/>].

The meeting's telephone number and access code access number will be provided no later than 72 hours before the meeting on the meeting agenda published at

<https://planning.lacity.org/about/commissions-boards-hearings> and/or by contacting [cpc@lacity.org](mailto:cpc@lacity.org)

**Case No.:** CPC-2017-3251-TDR-MCUP-SPR  
**CEQA No.:** ENV-2016-4360-EIR  
SCH. 2017121047  
**Related Cases:** VTT-74531-CN, ZA-2017-4745-ZAI  
**Council No.:** 14 – de León  
**Plan Area:** Central City  
**Plan Overlay:** Greater Downtown Housing Incentive Area, City Center Redevelopment Project Area  
**Certified NC:** Downtown Los Angeles  
**Land Use:** High Density Residential  
**Applicant:** 1045 Olive LLC  
**Representative:** Cindy Starrett, Latham and Watkins

**Public Hearing:** January 15, 2020  
**Appeal Status:** Transfer of Floor Area Rights (TFAR) appealable to City Council by applicant if disapproved in whole or in part. Conditional Use Permit and Site Plan Review appealable to City Council.  
**Expiration Date:** May 13, 2021

**PROJECT LOCATION:** 1033 – 1057 South Olive Street

**PROPOSED PROJECT:** The 1045 Olive Project (Project) involves the construction and operation of a 70-story mixed-use high-rise development, with up to 751,777 square feet of floor area on a 38,097 square foot site. The Project would include up to 794 residential units, 12,504 square feet of ground-floor commercial (restaurant/retail) uses, a ground-floor public plaza, and residential open space amenities. A 61-story residential tower would sit atop a nine-level podium structure, with a total building height of up to 810 feet. Eight above-ground levels of automobile parking would be located within the nine-level podium structure and would be partially wrapped with residential units. The Project would also have six subterranean levels of parking (depth of 70 feet) and would require the excavation and export of approximately 89,713 cubic yards of soil. Five existing single-story commercial buildings containing 35,651 square feet of floor area would be removed from the Project Site. The Project is a certified Environmental Leadership Development Project (ELDP).

## REQUESTED ACTIONS:

### ENV-2016-4360-EIR

- 1) Pursuant to CEQA Guidelines Sections 15162 and 15164, in consideration of the whole of the administrative record, that the project was assessed in the previously certified 1045 Olive Project Environmental Impact Report No. ENV-2016-4630-EIR (SCH No. 2017121047), certified on February 7, 2020, and no subsequent EIR, negative declaration, or addendum is required for approval of the project.

### CPC-2017-3251-TDR-MCUP-SPR

- 2) Pursuant to Los Angeles Municipal Code (LAMC) Section 14.5.6, a **Transfer of Floor Area Rights** for the transfer of greater than 50,000 square feet of floor area, to allow for the transfer of up to 523,195 square feet of floor area for a Transit Area Mixed Use Project, from the City of Los Angeles Convention Center (Donor Site), located at 1201 South Figueroa Street, to the Project Site (Receiver Site), thereby permitting a maximum 13:1 FAR in lieu of the otherwise permitted 6:1 FAR.;
- 3) Pursuant to LAMC Section 12.24 W.1, a **Main Conditional Use Permit** for the sale and dispensing of a full-line of alcoholic beverages for on-site consumption at up to ten establishments; and
- 4) Pursuant to LAMC Section 16.05, a **Site Plan Review** to allow construction of a proposed development project which will create an increase of more than 50 dwelling units.

## RECOMMENDED ACTIONS:

### ENV-2016-4360-EIR

1. **Find**, 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 1045 Olive Project Environmental Impact Report No. ENV-2016-4630-EIR, certified on February 7, 2020; and pursuant to CEQA Guidelines, Sections 15162 and 15164, no subsequent EIR, negative declaration, or addendum is required for approval of the project.
2. **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring; and
3. **Advise** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption may be required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination ("NOD") filing.

### CPC-2017-3251-TDR-MCUP-SPR

4. **Recommend** that the City Council approve the requested TFAR Transfer Plan and Public Benefits Payment;
5. **Request** 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;
6. **Approve** a **Main Conditional Use Permit** for the sale and dispensing of a full line of alcoholic beverages for on-site consumption at up to ten establishments;
7. **Approve** a **Site Plan Review** for a development project which creates an increase of more than 50 dwelling units;
8. **Adopt** the attached Findings.

VINCENT P. BERTONI, AICP  
Director of Planning



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Milena Zasadzien  
Senior City Planner



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Alan Como  
City Planner



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Jason McCrea, Planning Assistant  
Phone: (213) 847-3672  
Email: [jason.mccrea@lacity.org](mailto:jason.mccrea@lacity.org)

**ADVICE TO PUBLIC:** \*The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the Commission Secretariat, 200 North Spring Street, Room 272, Los Angeles, CA 90012 (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendaized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to this programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

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A – Project Plans  
B – Mitigation Monitoring Program  
C – Zoning Map  
D – Land Use Map  
E – LADOT Correspondence

Environmental Impact Report link:

Draft EIR: <https://planning.lacity.org/eir/1045Olive/deir/1045%20Olive%20Project.html>

Final EIR: <https://planning.lacity.org/development-services/eir/1045-olive-project-2>

Errata: [https://planning.lacity.org/eir/1045Olive/Erratum\\_02.06.20.pdf](https://planning.lacity.org/eir/1045Olive/Erratum_02.06.20.pdf)

## PROJECT ANALYSIS

### **Project Summary**

The 1045 Olive Project proposes a high-rise mixed-use development on a 38,097 square foot site at the intersection of Olive Street and 11th Street in the South Park District of the Central City Community Plan area. The project has been continued from the initial hearing date of March 12, 2020. The Project has since included design revisions to the podium treatment and has updated information related to the Transfer of Floor Area (TFAR) request. The staff report has been updated to reflect these changes.

The 1045 Olive Project proposes a 70-story (810 feet in height) commercial and residential development totaling 751,777 square feet of floor area, consisting of 794 residential units, 12,504 square feet of ground-floor commercial retail and restaurant uses, a public plaza at the southeast corner of the site, and residential open space amenities. The project is also certified as an Environmental Leadership Development Project (ELDP) by the State of California. The Project meets the criteria for ELDP by being designed to be eligible for Leadership in Energy and Environmental Design (LEED) Gold certification, and designed to maximize transit friendly features (resulting in a minimum 15 percent greater transportation efficiency than comparable projects) attaining 'Net-Zero' in greenhouse gas (GHG) emissions, and providing a minimum \$100 million investment in California, and meeting prevailing and living wage for workers.

In order to develop the project, the applicant has requested several land use entitlements, including: a Transfer of Floor Area Rights to increase the project's FAR to 13:1, a Main Conditional Use permit to allow for the on-site sale and consumption of a full-line of alcoholic beverages, and a review of the site design. The project's Environmental Impact Report would also be under consideration.

The 1045 Olive Project has garnered both public support and some opposition from neighborhood residents. Support has cited the project's numerous benefits, including: adding a significant number of new housing units to meet critical housing needs, providing complementary retail stores and restaurants for the community, contributing a unique design to the downtown skyline, and enhancing pedestrian activity with its public plaza and streetscape improvements. Concerns over the project have been raised by local residents living adjacent to the site. These concerns have focused on issues related to the scale of the project, traffic impacts pertaining to the shared alleyway, and impacted views from the adjacent properties. However, the project's scale and height would be in line with existing and planned developments in the South Park District of the Central City Community Plan area. The project's traffic study also concluded that the traffic impacts from the project would be less than significant with mitigation and that the project's new proposed through street between the alley and Olive Street would provide another access point for the alley. Additionally, the project's residential tower is designed and sited on the northeast portion of the project site to provide a sufficient amount of space and light between its tower and the adjacent residential building to the west.

Overall, the 1045 Olive Project would support the goals, policies, and objectives of the General Plan Framework Element and Community Plan. The project's designation as an ELDP project would also set an example for other future projects by promoting sustainable practices to help the City and State achieve its goals in reducing carbon and greenhouse gas emissions.

## **Background**

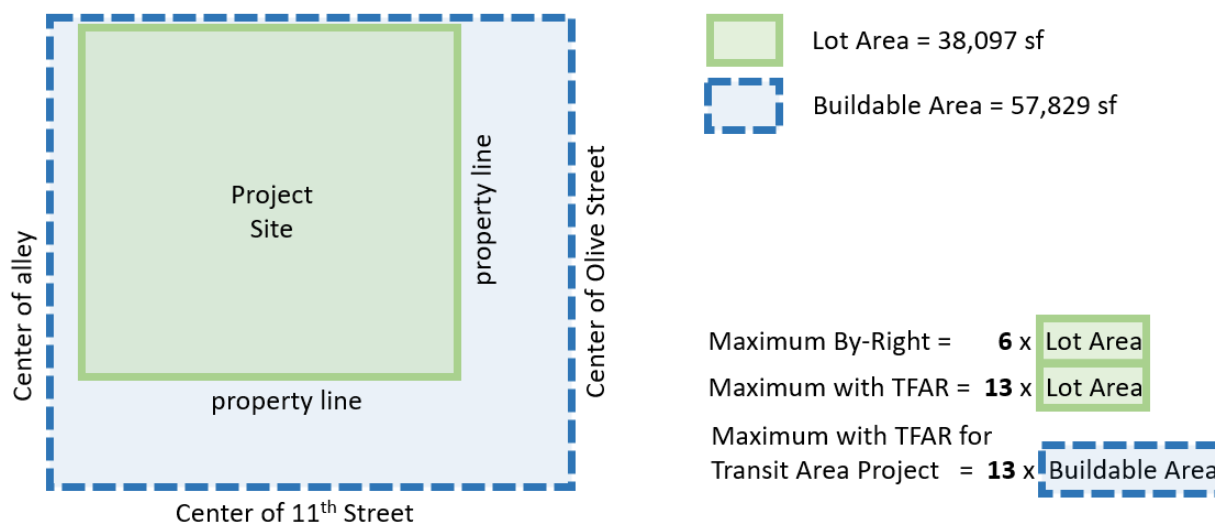
### **Location and Setting**

The Project Site is located in the South Park District within the Central City Community Plan area. The immediate vicinity of the Project Site is highly urbanized and characterized by a mix of residential, medical, commercial, and retail uses. The Project Site is located approximately ¼ mile east of the Los Angeles Sports and Entertainment District (LASED), the City of Los Angeles Convention Center, and the Pico Boulevard Metro Station for the Blue and Expo Rail Lines.

### **Project Site and Characteristics**

The Project Site is a rectangular-shaped 38,097 square foot (41,603 gross square-foot) site, generally bound by Olive Street to the east, 11<sup>th</sup> Street to the south, an alleyway to the west, and commercial development to the north. The site is comprised of six lots and is occupied by five existing one-story commercial buildings (with 35,651 square feet of floor area), paved parking lot areas, and right-of-way and alley easement areas. The net Project Site lot area, which subtracts out right-of-way and easement areas, constitutes 38,097 square feet. The Project's lot area is according to the February 6, 2015, American Land Title Association and American Congress on Surveying and Mapping Land Title Survey (ALTA/ACSM).

As part of the required tract map dedications and improvements, 4,431 square feet of the Project Site would be dedicated to the City for sidewalks and alleys, leaving a development site of 37,172 square feet of lot area after dedication. The size of the Project Site for calculating floor area ratios (FAR) is based on Los Angeles Municipal Code (LAMC) Section 14.5.3, which provides regulations that are applicable to Transit Area Mixed Use Projects, such as the Project, which implement Transfer of Floor Area (TFAR) provisions. Under these provisions of the LAMC, the Transit Area Mixed Use Project may utilize "buildable area" for calculating the maximum FAR. Buildable area is defined as the lot area, inclusive of adjacent street areas to the centerline of the street. Therefore, in this instance, the site's "buildable area" extends to the centerline of Olive Street, 11<sup>th</sup> Street and the alley. Based on this criterion, the buildable area for calculating FAR is 57,829 square feet in size.



The Project Site is designated by the Central City Community Plan for High Density Residential land uses and is zoned [Q]R5-4D-O. The Community Plan identifies the site as subject to Footnotes 3 and 10, which limit the site to a 6:1 FAR, except for transfers of floor area up to 13:1, and also allows for additional hotel, parking, and commercial uses on the site.

The Project Site is located within a designated Methane Zone, is subject to additional fire hazard regulations as part of Fire District No. 1 and is otherwise not located in any other hazard zones. The Project Site is also listed on the Hazardous Waste Information System (HAZNET) and FINDS Database for the historic use of halogenated solvents, photochemical/photo processing waste, and unspecified solvent mixtures uses. However, the database indicates no violations and a soil sampling analysis as part of a Phase I/II ESA tested under applicable screening levels. In general, compliance with existing regulations and mitigation measures identified in the EIR regarding hazards would ensure that impacts would remain less than significant. However, the environmental analysis conducted for the project found that the development of the project would also result in significant and unavoidable construction noise impacts. Mitigation measures would be imposed as feasible to lessen impacts, and these impacts would be temporary in nature. Otherwise, the Project would not result in any significant impacts in terms of affecting public health and welfare, specifically relating to hazards and hazardous materials, geological or seismic impacts, fire and police safety, and permanent noise generation.

### Adjacent Uses

Adjacent uses to the Project Site are as follows (with **Project Site indicated in blue**):



North: Uses within the block that lie adjacent to the Project include seven-story mixed-use developments to the north and to the northwest (across the alley) in the [Q]R5-4D-O zone and High Density Residential land use designation.

West: A two-story commercial building and a 25-story mixed-use high-rise building are located to the west of the Project Site (across the alley) in the [Q]R5-4D-O zone and High Density Residential land use designation.

South: Several surface parking lots are located across 11<sup>th</sup> Street to the south, on both the west and east sides of Olive Street. Both are located in the C2-4D-O zone and Regional Commercial land use designation. Proposals for high-rise developments have been submitted to the City for these parking lot sites.

East: Adjacent development across Olive Street to the east includes older one- and two-story commercial buildings; and up the street, the newer, seven-story Faye Washington Youth Empowerment Center.

Surrounding development in a larger radius includes a large array of newer mixed-use development, and older commercial, office, residential and warehouse uses. Public oriented/school facilities within 1,000 feet of the Project Site include the LA Child Care and Development Council (daycare center), Los Angeles Unified School District Los Angelitos Early Education Center, and Grand Hope Park (a 2.5-acre park).

### **Streets and Circulation**

The Project Site is located within the block that is bounded by Olive Street on the east, 11<sup>th</sup> Street on the south, Grand Avenue on the west and Olympic Boulevard on the north. The block is split by a south to north alley at midblock between Olive Street and Grand Avenue. The alley serves as the western boundary of the Project Site. Olive Street is a one-way northbound street providing three travel lanes and a Tier 1 protected bike lane immediately east of the Project Site. In the City's Mobility Plan 2035, it is classified as a Modified Avenue II. On-street metered parking is provided with some restrictions. 11<sup>th</sup> Street has been improved as part of the MyFigueroa Streetscape Project (MyFig) and is a one-way westbound street with turn lanes at intersections, and a Tier 1 protected bike lane immediately south of the Project Site. In the City's Mobility Plan 2035, it is classified as a Modified Collector.

### **Freeway Access**

The Project Site is served by a network of regional transportation facilities that provide access to the greater metropolitan area. The Project Site is located approximately 0.6 miles north of the Santa Monica Freeway (Interstate 10) and 0.6 miles east of the Harbor Freeway (Interstate 110).

### **Public Transit**

The Project Site is well-served by public transit, including both rail and bus service. The site is located approximately 1,500 feet from the entrance to the Pico Boulevard Station that provides rail service to the Metro Blue and Expo Lines; and approximately 2,700 feet from the 7<sup>th</sup> Street/Metro Center Station that provides rail service to the Blue, Expo, Red and Purple Lines. It also lies adjacent to multiple bus and shuttle lines in the immediate vicinity.

### **Pedestrian Priority Segments**

Olive Street along the Project Site, similar to the majority of streets in the Downtown Center, is identified by the Mobility Plan as a "Pedestrian Segment", which is defined as a targeted area on arterial streets prioritized for pedestrian safety enhancements.

### **Land Use Policies**

The Project Site is located within the Downtown Center, Central City Community Plan area, City Center Redevelopment Project Area, Greater Downtown Housing Incentive Area, Transit Priority Area, State Enterprise Zone, and is subject to the Downtown Design Guide.

### *General Plan Framework*

The City of Los Angeles General Plan Framework identifies the site and vicinity as a Downtown Center, considered 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 floor area ratios of up to 13:1 and high-rise buildings.

### *Community Plan*

The Central City Community Plan Map designates the site for High Density Residential land uses and allows for a corresponding zone of R5. The High Density Residential land use is also subject to Footnotes No. 3 and 10 of the Community Plan Map. Footnote No. 3 corresponds to Height Districts 3-D and 4-D, with a D limitation of 6:1 FAR, except for transfer of floor area up to 10:1 or 13:1, respectively. Footnote No. 10 of the Community Plan states that the Plan contemplated that certain commercial uses may be allowed under the High Density Residential land use, that these uses should be controlled by appropriate Q conditions, and that commercial uses should be located at the street level. This policy is currently implemented through [Q] conditions applicable to the site, as described below.

The Project Site is currently zoned [Q]R5-4D-O (Qualified Conditions, Multiple Dwelling Zone, Height District 4 with Development Limitations, Oil Drilling District). The [Q] conditions and the R5 zone allow for high-density residential uses, hotels, accessory parking structures, and a limited floor area for commercial (C4 zone) uses. Height District 4 and the D limitations restrict the FAR of the site to 6:1, and up to 13:1 if a transfer of floor area is used. The Oil Drilling District designation permits oil drilling activities on the Project Site.

The Project is consistent with the land use designations and zoning for the site and is requesting a transfer of floor area in accordance with Footnote 3 of the Community Plan and the D limitations of the zone.

### *Redevelopment Plan*

The site is located within the South Park subarea of the City Center Redevelopment Project Area. The Redevelopment Plan for the project area was adopted on May 15, 2002, with an end date of May 15, 2032. The City Center Redevelopment Plan contains numerous objectives, including: developing and revitalizing downtown as a major center of the metropolitan region; preparing the Central City to accept regional growth and development; promoting the development of a full range of uses and employment opportunities; and emphasizing green spaces and public amenities. The Plan does not further restrict land use or add any building limitations which would be applicable to the proposed development, apart from the Transfer of Floor Area provisions of the Plan, which act in concert with the City's TFAR provisions in LAMC Section 14.5.6.

### *Greater Downtown Housing Incentive Area*

Residential and mixed-use projects within the Greater Downtown area that comply with Urban Design Standards and Guidelines can utilize the following incentives: unlimited residential density, a floor area bonus for projects that provide a prescribed percentage of affordable housing units, the elimination of yard requirements (unless required by the Downtown Design Guide), flexibility in the allocation of private and common open space areas towards meeting open space requirements, and allowing Tract Maps and Parcel Maps to utilize areas set aside for street and alley purposes for floor area calculations.

### *Transit Priority Area*

In September 2013, California Governor Jerry Brown signed Senate Bill 743 (SB 743), which made several changes to CEQA for projects located in areas served by transit. Among other things, SB 743 added Public Resources Code (PRC) Section 21099, which provides that

“aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.” PRC Section 21064.3 defines “major transit stop” as “a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.” The Project is a mixed-use residential project and is located on an infill site. The Project Site is also located less than 0.5 miles from an existing major transit stop (i.e., the Blue and Expo rail lines’ Pico station), and therefore qualifies as located within a Transit Priority Area.

#### *Los Angeles State Enterprise Zone*

On July 11, 2013, California Governor Edmund G. Brown Jr. signed legislation that resulted in the repeal of the Enterprise Zone Act and the dissolution of Enterprise Zones. However, the City Council adopted an action on December 18, 2013 that approved the continuation of the reduced parking provision for former Enterprise Zone areas. Since the Project Site is located within the Downtown Business District, LAMC Section 12.21A4(i) prevails over the Enterprise Zone parking requirements, and requires one parking space per 1,000 square feet for business, commercial, or industrial buildings having a gross floor area of 7,500 square feet or more. The project will provide residential and commercial parking in conformance with the Los Angeles Municipal Code.

#### *Downtown Design Guide*

The Project is also within the boundaries of the Downtown Design Guide (the “Design Guide”) in the South Park District, as a part of the Central City Community Plan. The Design Guide contains standards and guidelines for sustainable design, sidewalks and setbacks, ground floor treatment, parking and access, massing and street walls, on-site open space, architectural detail, streetscape improvements and signage.

More specifically, the Design Guide identifies 11<sup>th</sup> Street along the Project Site as a “Retail Street”, which requires that at least 75 percent of the Project’s street frontage, excluding access to parking, must be designed to accommodate retail, professional office, or live work uses. Where 11<sup>th</sup> Street intersects Olive Street, the ground floor retail space should also wrap the corner of the building. These ground-floor retail spaces shall be provided to a depth of at least 25 feet from the front façade with an average 14-foot floor-to-ceiling height. Above-ground parking should also be screened or lined with habitable spaces. No yard setbacks are required for the Project, and a minimum of 70 to 80 percent of the frontages must be lined with a minimum 45-foot in height street wall. Building towers above 150 feet in height should be offset (staggered) or spaced at least 80 feet from existing or possible future towers. The Project is consistent with the Design Guide as it provides: active ground-floor commercial uses, generous sidewalk widths, and landscape elements that encourage pedestrian activity and provide key linkages within the South Park District; screened parking lined with residential units; vehicular access taken from the alley and limited curb cuts; private and public open space amenities on the podium decks and building cut-outs; and compatible tower spacing and architectural design.

#### **On-Site Related Cases:**

ZA-2017-4845-ZAI: On February 7, 2020, the Zoning Administrator approved a Zoning Administrator’s Interpretation that made an interpretation where the Project’s tower’s building cut-outs would be counted as common open space as defined in Section 12.21-G,2(a) of the LAMC and not as floor area.

#### **Off-Site Related Cases:**

CPC-2018-2853-TDR-MCUP-DD-SPR and VTT-82178: On May 16, 2018, entitlement requests were filed for a proposed 52-story mixed-use building with 528 condominium units and ground

floor commercial uses at 1111 South Hill Street. The requested entitlements include: 1) a Transfer of Floor Area of approximately 399,059 square feet; 2) a Main Conditional Use for the on-site and off-site sales and consumption of alcoholic beverages at five establishments; 3) a Director's Determination for the Transfer of Floor Area; 4) a Site Plan Review; and 5) a Vesting Tentative Tract Map. The application is currently in process.

CPC-2018-2600-CUB-ZV-TDR-DD-SPR and VTT-82109: On May 4, 2018, entitlement requests were filed for a proposed 51-story mixed-use building with 536 residential units and approximately 6,153 square feet of ground floor commercial uses at 1115 South Olive Street. The requested entitlements include: 1) a Conditional Use for sales and consumption of alcoholic beverages at four establishments (two off-site and two on-site); 2) a Zone Variance for a reduction in the amount of on-site required trees and parking stall size requirement; 3) a Transfer of Floor Area of approximately 168,481 square feet; 4) a Director's Determination for the Transfer of Floor Area; 4) a Site Plan Review; and 5) a Vesting Tentative Tract Map. The application is currently in process.

CPC-2018-2599-TDR-MCUP-ZV-DD-SPR and VTT-82141: On May 4, 2018, entitlement requests were filed for a proposed 60-story mixed-use building with 713 residential units and approximately 11,277 square feet of ground floor commercial uses at 1120 South Olive Street. The requested entitlements include: 1) ) a Transfer of Floor Area of approximately 202,903 square feet; 2) a Main Conditional Use for the on-site and off-site sales and consumption of alcoholic beverages at six establishments; 3) a Zone Variance for a reduction in the amount of on-site required trees and parking stall size requirement; 4) a Director's Determination for the Transfer of Floor Area; 5) a Site Plan Review; and 6) a Vesting Tentative Tract Map. The application is currently in process.

ZA-2014-0562-ZV-SPR-TDR: On March 24, 2015, the Zoning Administrator approved a 41-story mixed-use development with 461 residential condominium units and 8,700 square feet of ground floor commercial space and a 12-story hotel with 300 rooms and 8,610 square feet of commercial uses located at 1120 South Grand Avenue. The approved entitlements included: 1) a Zone Variance for a reduction in the number of required trees and parking stall dimension widths; 2) a Site Plan Review; and 3) a Transfer of Floor Area of less than 50,000 feet to the site.

ZA-2007-1438-ZV-SPR: In November 2007, the Zoning Administrator approved a 43-story tower consisting of a maximum 374 residential condominiums and 17,500 square feet of retail use located at 1150 South Grand Avenue. The approved entitlements included: 1) a Variance to permit commercial and residential uses in excess of 6:1 FAR; and 2) a Site Plan Review.

ZA-2005-1867-ZV-CU-YV-ZAA-SPR: On November 22, 2005, the Zoning Administrator approved a 24-story mixed-use project with 311 joint live-work units and commercial uses at 1100 South Grand Avenue. The approved entitlements included: 1) a Zone Variance for off-site parking requirements and an increase in FAR; 2) a Zoning Administrator's Adjustment for a reduction in front, side, and rear yard setbacks, and a deviation from providing the required open space for 27 condominium units and loading space; and 3) a Zoning Administrator's Determination to allow a maximum 66 joint live-work condominium units and an 8-foot over-in-height wall/fence in the rear yard located; and 4) a Site Plan Review.

ZA-2005-1041-ZV-ZAA-SPR: On September 26, 2005, the Zoning Administrator approved a 128-unit live-work residential condominium project located at 1050 South Grand Avenue. The approved entitlements included: 1) a Zone Variance permitting the calculation of the Buildable Area of the lots to include the areas of the proposed street and alley dedications, early construction commencement with the approval of the Vesting Tentative Tract Map, a Density Variation of 49,999 square feet of additional floor area, and a reduction in the amount of required

trees; 2) a Zoning Administrator's Adjustment allowing for special requirements for corner lots, a reduced lot area per unit requirement, and reduction in front, side, and rear yard setbacks; and 3) a Site Plan Review.

ZA-2005-1001-ZV-ZAA: On July 28, 2005, the Zoning Administrator approved a mixed-use development with 105 joint live-work units and commercial space located at 1103 South Olive Street. The approved entitlements included: 1) a Zone Variance to waive the loading dock and loading requirement and to allow an 8.2:1 FAR; and 2) a Zoning Administrator's Adjustment to deviate from the required side yard setbacks and open space requirement.

ZA-2003-2656-ZV-ZAA-ZAD: On October 15, 2003, the Zoning Administrator approved a 66-unit live-work condominium project that included the following entitlements: 1) a Zone Variance for off-site parking requirements and increase in FAR; 2) a Zoning Administrator's Adjustment for a reduction in front, side, and rear yard setbacks, and a deviation from providing the required open space for 27 condominium units and loading space; and 3) a Zoning Administrator's Determination to allow a maximum 66 joint live-work condominium units and an 8-foot over-in-height wall/fence in the rear yard located at 1100 South Grand Avenue.

VTT-72702-CN: On March 24, 2015, the Advisory Agency approved a Vesting Tentative Tract Map located at 1114-1154 South Grand Avenue, 309-321 West 12<sup>th</sup> Street, and 1147-1155 South Olive Street for the subdivision of two conventional lots, two master lots, and 33 airspace lots in the development of a maximum of 666 residential condominiums and a maximum of 25 commercial condominiums.

TT-71263: On December 2, 2010, the Advisory Agency approved Tentative Tract Map composed of one lot, located as 1055-1099 South Grand Avenue and 411-425 West 11<sup>th</sup> Street for a maximum of 19 residential condominiums.

VTT-68359: On July 12, 2007, the Advisory Agency approved a Vesting Tentative Tract Map for a six lot subdivision and for condominium purposes located at 1150 South Grand Avenue for a development for a maximum of 374 residential condominium units and 2 commercial condominium units consisting of 17,500 square feet.

VTT-65282: On June 23, 2006, the Advisory Agency approved Vesting Tentative Tract Map composed of one lot, located at 1028-1044 South Hope Street for a maximum of 250 joint live-work quarter units and one commercial condominium consisting of 7,283 square feet of commercial retail.

VTT-62799: On July 28, 2005, the Advisory Agency approved a Vesting Tentative Tract Map for the merger and resubdivision of two lots for mixed-use condominium purposes located at 1155 South Grand Avenue for a maximum of 311 joint live-work condominium units and 7,294 square feet of commercial use.

VTT-62459: On July 7, 2005, the Advisory Agency approved a Vesting Tentative Tract Map for the merger and resubdivision of one master lot and six airspace lots located at 1050 South Grand Avenue for a maximum of 128 joint live-work condominiums units.

VTT-61916: On July 14, 2005, the Advisory Agency approved a Vesting Tentative Tract Map for joint live-work condominium purposes composed of one lot at 1103 South Olive Street for a maximum of 105 joint live-work units and 4,500 square feet of commercial uses.

VTT-61799: On January 25, 2005, the Advisory Agency approved a Vesting Tentative Tract Map composed of one lot located at 1000 South Hope Street for a maximum of 116 joint live-work

condominium units and eight commercial condominium units.

VTT-60746: On August 31, 2006, the Advisory Agency approved Vesting Tentative Tract Map composed of two lots located at 1111 South Grand Avenue and 1100 Hope Street for a maximum of 176 new live-work residential condominium units with a maximum of 7,500 square feet of commercial retail during Phase I and a maximum of 241 new live-work residential condominium units with a maximum of 7,500 square feet of commercial retail during Phase II.

VTT-54309-CC: On September 11, 2003, the Advisory Agency approved a Vesting Tentative Tract Map for a one-lot subdivision for joint live-work condominium purposes located at 1100 South Grand Avenue for a maximum 66 of residential condominium units and construction of three additional stories.

### **Project Details:**

The 1045 Olive Project would construct a 70-story mixed-use high-rise development comprised of a 61-story tower atop a nine-level podium structure for a height of up to 810 feet. The Project would provide a maximum of 794 residential units and up to 12,504 square feet of commercial (restaurant/retail) uses. As illustrated on the Site Plan, commercial uses would be on the ground floor and mezzanine level fronting 11<sup>th</sup> Street, and would include restaurant and retail space. In addition, on the ground floor level at the southeast corner of the Project Site, the project would provide a 2,728-square-foot public plaza with landscaping and public art. The residential uses of the project would be located from the fifth floor to the ninth floor of the podium wrapping parking and adjacent to 11th Street and Olive Street, from the 11th floor to the 51st floor and from the 56th to the 70th floor of the tower. At the top of the podium, a terrace would be provided on the 8<sup>th</sup> and 9<sup>th</sup> floors with a larger 10th floor terrace, and would include common open space areas for the residents' use, with a variety of tenant amenities such as lounge areas and an event deck. Additional amenities for the residents would be located within building cutouts on the 53<sup>rd</sup> through 55<sup>th</sup> floors of the tower and would include indoor common open spaces, a fitness center, pool and spa, and terraces. An additional rooftop deck would be provided for residents. The Project's total floor area would be up to 751,777 square feet, with 100,652 square feet of indoor and outdoor open space provided for the residents. Collectively, the design would enhance the site with an innovative and pedestrian-friendly design solution and complement the mixed commercial and residential uses in the South Park area.

### ***Floor Level Uses***

	<b>Levels</b>	<b>Description of Uses</b>
Subterranean	B6 – B2	Subterranean Parking
	B1	Subterranean Parking and Long-term Bicycle Parking
Podium	1	Retail/Restaurant, Residential Lobby, and Commercial Loading
	2 - 4	Podium Parking
	5 - 7	Podium Parking, and Residential Units
	8 - 9	Podium Parking, Residential Units, and Outdoor Amenity Terrace
	10	Indoor Amenity and Outdoor Terrace
Tower	11 - 51	Residential Units
	52	Mechanical Equipment
	53 - 55	Indoor Amenity and Outdoor Terrace
	56 - 70	Residential Units
	Rooftop	Mechanical Equipment and Outdoor Amenity

[illegible]

The Project is a certified Environmental Leadership Development Project (ELDP) that incorporates sustainable and green building design and construction to promote resource conservation, including net-zero carbon and GHG emissions, electric-vehicle charging and water conservation measures in excess of Code requirements, achieving fifteen percent greater transportation efficiency, and incorporating sustainability measures to achieve Leadership in Energy and Environmental Design (LEED) Gold certification. Some of the specific Project Design Features of the Project include a construction waste management plan to recycle and/or salvage a minimum of 65 percent of nonhazardous construction debris, the use of high-reflectance and vegetated roofs to reduce heat island effect from the Project, planting drought-tolerant/California native plant species, increasing irrigation system efficiency, incorporating alternative water supplies (e.g., stormwater retention for use in landscaping), and installing smart irrigation systems and energy efficient appliances. The architectural design of the building also promotes sustainability as the wraparound cantilevered balconies on every residential level have been designed to provide shade and minimize solar gain throughout the building. In addition, the Project will comply with Green Building Code requirements for the installation of electric vehicle (EV)

capable parking and EV-ready parking spaces, and the EIR's Project Design Feature AQ-PDF-2 which includes requirements for electric or alternative-fuel construction equipment. In regards to economic development, the project would provide over \$800 million dollars in economic investment, as well as create numerous construction jobs at prevailing wages and new permanent jobs, generally approximately \$1.4 million net new city revenues annually, such as sales tax, property tax, and business tax revenues.

### ***Parking***

The project provides a total of 891 parking spaces (878 residential spaces and 13 commercial spaces), only slightly more than the 886 parking spaces (873 residential spaces and 13 commercial spaces) required by the LAMC. Parking would be located in six subterranean levels and nine levels of the podium, with a mix of standing and tandem parking spaces. In addition, the Project would provide bicycle parking for the residents and visitors. For the residents, the Project provides a total of 32 short-term and 278 long-term bicycle parking spaces, meeting the LAMC's required amount of 32 short-term and 278 long-term bicycle parking spaces. For the Project's commercial uses, the Project would provide six short-term and six long-term bicycle parking spaces, as required by the LAMC. The long-term bicycle parking would be located on the first subterranean level, while the short-term spaces would be located along Olive Street and 11th Street via bicycle racks.

### ***Access and Circulation***

Vehicle access to the Project Site is provided with one driveway along Olive Street, near the northern property line, and from two driveways from the alley between 11<sup>th</sup> Street and Olympic Boulevard. A loading dock area for commercial trucks is accessible from the alley. The driveways along the northern portion of the Project Site allow vehicle access to the six subterranean levels of parking, while the alley driveway closer to 11<sup>th</sup> Street allows access to the podium level parking. Ground floor retail and restaurant uses are accessible along 11<sup>th</sup> Street, Olive Street, and from the corner public plaza. Residents would access their residential units via a ground floor lobby that contains both elevators and stairways fronting Olive Street and an access stairway from 11<sup>th</sup> Street.

### **Entitlements:**

In order to develop the project, the applicant has requested the following land use entitlements:

- Consideration of the **Environmental Impact Report**, including the adoption of the Statement of Overriding Considerations for mitigatable impacts related to temporary construction noise; and adoption of a Mitigation Monitoring Program to off-set any potential environmental impacts the project may have on the environment.
- A **Transfer of Floor Area Rights** for the transfer of floor area from the City of Los Angeles Convention Center to the Project Site for a maximum 13:1 FAR in lieu of the otherwise permitted 6:1 FAR.
- A **Main Conditional Use Permit** to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption at up to ten establishments.
- A **Site Plan Review** to allow construction of a proposed development project which will create an increase of more than 50 dwelling units.

## **Entitlement Analysis:**

### **Transfer of Floor Area Public Benefits Transfer Plan**

To initiate a TFAR, the Applicant submits a Transfer Plan identifying the Donor Site, Receiver Site, amount of Floor Area Rights for Transfer, and the Public Benefit payment to the Department of City Planning (DCP). The proposal is evaluated in an early consultation session with city staff. Since the Project is in the Central City Redevelopment Plan area, the Board of Commissioners of the Community Redevelopment Agency of the City of Los Angeles (CRA/LA) then issues a recommendation of the Transfer, including the Public Benefit Payment and the TFAR Payment. If recommended for approval, the CPC then considers the requests and provides a recommendation to the City Council.

However, enacted on June 29, 2011, Assembly Bill 1x-26 (AB 26) revised provisions of the Community Redevelopment Law of the State of California, to dissolve all redevelopment agencies and community development agencies in existence and designate successor agencies, as defined, as successor entities. Among the revisions, the amendments to the law withdrew all authority to transact business or authorize powers previously granted under the Community Redevelopment Law (Section 34172.a.2), and vested successor agencies with all authority, rights, powers, duties and obligations previously vested with the former redevelopment agencies (Section 34172.b). The CRA/LA, is the Designated Local Authority, and successor agency to the CRA.

On November 11<sup>th</sup>, 2019, Ordinance No. 186325 became effective, which transferred the land use authority from the former CRA/LA to the City. Previously, projects that requested a Transfer of Floor Area Rights of 50,000 square feet or greater would require a recommending approval/disapproval from the CRA/LA, before the request could be reviewed by the City Planning Commission. Under this Ordinance, the City is now the approving agency for all land use approvals within the Redevelopment Project Areas, so the City Planning Commission would be the initial decision maker for the TFAR requests.

The Project Site is located within the Central City Community Plan area, designated as High Density Residential with a corresponding zone of [Q]R5-4D-O, subject to the D Limitations contained within Ordinance No. Ordinance No. 164,307 – Subarea 2620.<sup>1</sup> The Height District No. 4 permits a FAR of 13:1, however, the D Limitation restricts the floor area of buildings to a maximum of six times the buildable area, or a 6:1 FAR. Projects may exceed the permitted FAR through rehabilitation of existing buildings, consistent with provisions of the redevelopment plan, or by receiving approval of a transfer of floor area through a process adopted by the City Council.

The Project will demolish five commercial buildings for a mixed-use development consisting of 794 residential units and 12,504 square feet of restaurant/retail uses. In total, the Project will contain up to 751,777 square feet of floor area on a 38,097 square-foot lot, for a floor area ratio (FAR) of 13:1 based on the 57,829 square foot buildable area.

In order to achieve 751,777 square feet of floor area, a transfer of 523,195 square feet of floor area would be provided from a Donor Site, located at 1201 South Figueroa Street (Los Angeles Convention Center), to permit a maximum 13:1 FAR on the Receiver Site (the Project Site). As

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<sup>1</sup> Effective January 30, 1989, the Ordinance established a "D" limitation that the floor area on the lot shall not exceed six times the buildable area of a lot, except for the following: a) project approved under Section 418 (Transfer of Floor Area) of the Redevelopment Plan for the Central Business District Redevelopment Project; b) projects approved under Section 415 (Rehabilitation and/or Remodeling of Existing Buildings) or Section 416 (Replacement of Existing Buildings) of the Redevelopment Plan; c) projects for which a density variation 50,000 square feet or less is granted under Section 437 of the Redevelopment Plan; d) projects for which a density variation of more than 50,000 square feet was granted under Section 437 of said Redevelopment Plan prior to the effective date of this ordinance; and e) projects approved pursuant to any procedure to regulate transfer of floor area as may be adopted by the City Council.

part of the request, the Applicant has submitted a Transfer Plan indicating the proposed distribution of the Public Benefit Payment required pursuant to LAMC Section 14.5.9.

The property appraisal was completed on August 15, 2017, and the Project application was also submitted on August 15, 2017. The Project's lot area is 38,097 square feet as determined in the February 6, 2015, ALTA/ACSM Land Title Survey. Pursuant to LAMC 14.5.9, "The Public Benefit Payment under any Transfer Plan shall equal: (1) the sale price of the Receiver Site, if it has been purchased through an unrelated third-party transaction within 18 months of the date of submission of the request for approval of the Transfer, or an Appraisal, if it has not. ..." Prior to filing of the Project application, the property had not been purchased through an unrelated third-party and thus is required to comply with appraisal definition as defined in LAMC Section 14.5.3. Pursuant to LAMC Section 14.5.3 Appraisal is defined as "...economic evaluation of the Receiver Site submitted by the Applicant, which (a) has been prepared by an MAI appraiser with at least five years of experience in appraising property in the City and (b) sets forth the fair market value of the Receiver Site (i) as of the date the application was submitted and (ii) as if the Receiver Site were vacant and used for its highest and best use under all then current zoning and planning restrictions and Agency policies affecting the Receiver Site."

In accordance with LAMC Section 14.5.3, the Applicant has submitted an appraisal evaluation to reflect the property value at the time the Project application was filed (August 15, 2017). According to the appraisal evaluation, the property has an appraised value of \$23,700,000. Based on LAMC Section 14.5.9, the Public Benefit Payment is calculated as "(1) the sale price of the Receiver Site, if it has been purchased through an unrelated third-party transaction within 18 months of the date of submission of the request for approval of the Transfer, or an Appraisal, if it has not; (2) divided by the Lot Area (prior to any dedications) of the Receiver Site; (3) further divided by the High-Density Floor Area Ratio Factor; (4) multiplied by 40%; and (5) further multiplied by the number of square feet of Floor Area Rights to be transferred to the Receiver Site." As such, the Applicant is required to pay a total of \$21,698,509 for the Public Benefit Payment. The Public Benefit Payment requires that at least 50 percent of the payment be provided as a cash payment by the Applicant to the Public Benefit Trust Fund, unless otherwise approved by City Council. The remaining 50 percent of the payment may be provided by the direct provision of Public Benefits by the Applicant.

<b>Public Benefit Payment Calculations</b>	
Appraisal Value	\$23,700,000
Lot Area	38,097 sf
High-Density Floor Area Ratio Factor	6
Multiplier Factor	40%
Transfer Floor Area from Donor Site	523,195 sf

$$Public\ Benefit\ Payment = \left[ \frac{\frac{23,700,000}{38,097}}{6} \right] * .40 * 523,195$$

$$Public\ Benefit\ Payment = \$21,698,509$$

Pursuant to LAMC Section 14.5.5, on December 4, 2019, Planning staff engaged in TFAR Early Consultation Session meetings with representatives from the Mayor's Office, and the Office of the Chief Legislative Analyst to discuss any development issues regarding the Project, including parking and transportation requirements, transfers, and public benefits. The Applicant's original proposal for the Public Benefit Payment consisted of 36 percent of the payment towards affordable housing, four percent (\$200,000) for the South Park Business Improvement District (BID), and 60 percent towards the Project's ground floor public plaza. The committee reviewed the public benefits initially proposed by the Applicant and disagreed with the Applicant's proposed amount for the Project's public plaza.

After obtaining feedback from the committee, the Applicant revised their proposal and allocated the plaza funds towards affordable housing. The revised Public Benefit Payment was changed to the following: a majority payment towards the City's affordable housing trust fund and \$200,000 for the South Park BID. Based on the committee's original feedback, the Applicant's revised Public Benefit Proposal is acceptable, as follows.

<b>1045 Olive Public Benefit Payment Transfer Plan</b>		
Total Public Benefit Payment		\$21,698,509
50% Public Benefit Cash Payment		\$10,849,255
50% Public Benefit Direct Provision		\$10,849,255
<b>Allocation of Public Benefit Direct Provision</b>		
City of Los Angeles Citywide Affordable Housing Fund	98%	\$10,649,255
South Park BID	2%	\$200,000
Total Public Benefit Direct Provision	100%	\$10,849,255

The Public Benefit Direct Provision would allocate a total of \$10,649,255 towards the Citywide trust fund for affordable housing, and \$200,000 towards the South Park BID for the creation of a parklet and dog run in the neighborhood.

In addition, pursuant to LAMC Section 14.5.10, if the Donor Site is owned by the City, the TFAR Transfer Payment shall be the greater of (a) 10% of the Public Benefit Payment, or (b) \$5 multiplied by the number of square feet of Floor Area Rights to be transferred to the Receiver Site. In this instance, the greater is \$5 multiplied by 523,196 square feet of floor area to be transferred, for a total TFAR Transfer Payment of \$2,615,980.

### ***Conditional Use for Alcohol***

The project proposes the on-site sales of a full-line of alcohol beverages within the potential ten restaurants on the ground floor commercial space and in the open space/amenity areas of the residential tower. The sale of alcoholic beverages would be in line with the expected services and products provided from restaurants. The project's commercial uses would primarily front 11<sup>th</sup> Street, within the South Park District that is adjacent to the LASED and Convention Center. The proposed alcohol consumption at the project would support the growing number of visitors and residents that come from the LASED/Convention Center area and would complement the other existing mixed-use developments in the areas that serve alcohol. The proposed sales and

services would continue to add to the diversification of commercial activities being conducted in the area and would not adversely affect the surrounding neighborhood.

## Site Plan Review

### ***Project Design:***

The project is designed in a contemporary architectural style with abundant glazing, variations in materials, and massing of the building components to articulate the façade and provide visual interest. The project also provides an innovative design solution to accommodate open space within a high-density development with limited lot area. The building consists of a nine-story podium that contains active ground floor commercial uses and a public plaza, parking wrapped with residential units, and outdoor common open space, and a 61-story tower that contains residential units and related open space amenities. The design of the podium includes opaque, fritted, and clear glass which unify the design of the tower with the podium, incorporating the same horizontal elements of the balconies in the podium. Clear glass would allow light into ground floor commercial space and residential units at the podium levels, with fritted glass creating visual interest along the balconies, while opaque glass would screen vehicle parking while retaining a unified material and design language. The podium also includes cut-out terraces on the rooftop from the eighth to the tenth rooftop levels of the podium. In addition, the tower building includes cut-outs ranging in height from 20 to 40 feet within floors 53 through 55 of the mid-levels of the tower to reduce the perceived bulk of the building. Additionally, the tower's rooftop includes additional open space. The open terraces are landscaped and open to the sky to allow for natural lighting. The amenities provided at the open terraces at the podium (eighth through tenth levels), mid-block tower (53rd through 55th levels), and tower rooftop include landscaped areas, an event deck, outdoor dining areas, a pool and spa, outdoor kitchen, and playground. Indoor amenities spaces are generally situated adjacent to the open terraces and would include facilities such as community and recreational rooms and gym/fitness centers. The project also incorporates wraparound cantilevered balconies on every residential level which have been designed to provide shade and minimize solar gain throughout the building. The project's parking uses would be located in six subterranean levels and eight above ground levels in the podium. Vehicular access is provided by one driveway at the northern portion of the site on Olive Street, one driveway from the alley on the west side of the site, and an on-site loading and move-in/out service area would also be accessed from the alley near the center of the property. Pedestrian access to the site is located at two entrances on 11th Street, two entrances at the southwest corner plaza, and two entrances on Olive Street.

The project was presented to the Department of City Planning's Urban Design Studio and Professional Volunteer Program, which acts as a venue for Department of City Planning staff to gather project-specific urban design advice and insight from local architecture professionals.

Feedback was provided regarding the following comments/considerations:

- *Corner Plaza.* The applicant should provide more details on the programming usage and landscaping elements of the plaza.
- *Bicycle Parking.* Some of the short-term bicycle parking should be moved onto the project site to allow for more space for pedestrians on the sidewalk.
- *Ground Floor Commercial Facade.* The applicant should consider using a different architectural skin material or removal of the material altogether as the interior of the commercial spaces are blocked from view. The wood element at the corner plaza is a nice feature to soften the building facade.

- *Vehicular Parking.* The applicant should consider the usage of mechanical stackers to reduce the number of parking levels.
- *Podium Residential Units.* The applicant should consider using a different material or design to make the residential units differentiated from the podium parking levels.
- *Sustainability Features.* The applicant should provide more detail on the project's air quality, water-conservation, or renewable energy system.
- *Shade/Lighting.* The applicant should consider whether the wraparound cantilever balconies would sufficiently provide shading for the south-facing residential units

Based on the feedback, the Applicant resubmitted site plans that address comments on the corner plaza, ground floor commercial facade, and podium screening design with an updated podium facade design. The current podium design utilizes opaque glass, clear glass, and fritted glass, bringing design elements of the tower into the podium screening. The glass screening creates a unified design and material language from the ground floor to podium to tower levels. The design also includes protruding balconies at floors 5-8, for the residential units and amenity level, respectively. Fritted glass is utilized on the balconies, clear glass at residential units, and opaque glass for the remainder of the podium. It should be noted that the podium treatment is applied to Olive Street and 11<sup>th</sup> Street. The west side of the Project faces an alley way, and the podium treatment along this frontage includes the same glass treatment towards the street, while implementing finned screening along the façade partially at the floors 2-4, and fully on floors 5-8. The finned design is partially open to facilitate natural passive ventilation of the parking structure and to allow the project to meet stringent ELDP energy efficiency requirements.

### ***Urban Design***

The Citywide Design Guidelines, adopted by the City Planning Commission on June 9, 2011, and last updated and adopted on October 24, 2019, establish a baseline for urban design expectations and present overarching design themes and best practices for residential, commercial, and industrial projects. Commission policy states that approved projects should either substantially comply with the Guidelines or through alternative methods to achieve the same objectives, and that the Guidelines may be used as a basis to condition an approved project. The design guidelines focus on three main design approaches that are: Pedestrian-First Design, 360 Degree Design, and Climate-Adaptive Design. These design guidelines focus on several areas of opportunity for attaining high quality design in mixed-use projects, including: enhancing the quality of the pedestrian experience along the border of the project and public space; nurturing an overall active street presence; establishing appropriate height and massing within the context of the neighborhood; maintaining visual and spatial relationships with adjacent buildings; and optimizing high quality infill development that strengthens the visual and functional quality of the commercial environment.

The project achieves these goals through several features. The site design of the mixed-use development creates an active pedestrian experience along the street frontages of Olive Street and 11th Street, with the center focus being the public plaza at the southeast corner of the site. The plaza provides outdoor seating, landscaping, and public art displays to attract residents and visitors to the ground floor commercial retail and restaurant uses. Additional pedestrian amenities include improvements to the adjacent sidewalks, bicycle parking, street trees, landscaping, and street lighting around the site. The project also reduces the amount of conflict between vehicles and pedestrians by locating one driveway at the northern portion of Olive Street away from the commercial frontage on 11th Street, and the remaining driveway along with the commercial loading areas in the back alley. As discussed above, the project utilizes a glass screening system at the podium levels. The glass screening creates a unified design and material language from the ground floor to podium to tower levels. The design also includes protruding balconies at floors 5-8, for the residential units and amenity level, respectively. It should be noted the Project's west

elevation faces an alleyway, and utilizes a separate finned screening. The finned design is partially open to facilitate natural passive ventilation of the parking structure and to allow the project to meet stringent ELDP energy efficiency requirements. The tower utilizes glass to also allow natural lighting into the residential units, while incorporating wraparound cantilever balconies on every residential level to provide shading. The cut-out terraces on the eighth level to the tenth level rooftops of the Podium, and the mid and upper levels within the tower would reduce the perceived bulk of the building and provide interesting focal points to the tower. The project would achieve the design guideline's Climate-Adaptive Design approach as the project is an ELDP project that is required to achieve LEED Gold certification, maximize transit friendly features (resulting in a minimum 15 percent greater transportation efficiency), be 'Net-Zero' in carbon/GHG emissions, and would provide a habitat for small animals and insects in its building design. Overall, the building elevations utilize a variety of architectural features, building materials, and changes in building depth in order to create a consistent rhythm and cohesive theme for the development. The design, scale, massing, and style of the buildings is also appropriate in the context of the area, that is developed with a variety of low-, mid-, and high-rise buildings and that are adjacent to entertainment and commercial uses of the LASED and Convention Center area. The height and design of the tower will also contribute to the downtown area's distinct skyline.

### ***Walkability***

The Citywide Design Guidelines complement and expand upon the Walkability Checklist, (adopted by the City Planning Commission on August 23, 2007), which provides guidance and tools for encouraging pedestrian activity, promoting high quality urban form, and place-making within project sites. The Checklist reinforces many of the same principles identified in the Citywide Design Guidelines, and addresses such topics as building orientation, building frontage, landscaping, off-street parking and driveways, building signage, and lighting within the private realm; and sidewalks, street crossings, on-street parking, and utilities in the public realm.

The proposed project is consistent with the goals and implementation strategies identified in the Walkability Checklist. The project introduces new commercial uses such as retail stores and restaurants to the area, which would reduce the vehicle miles travel to the site as residents and visitors would be able to walk to these commercial uses. Further, the project site is located in a Transit Priority Area and adjacent to several bus lines and in the vicinity of the Pico Metro Station (approximately 0.30 miles southwest from the project site), increasing accessibility to and from the site via walking and other transit. In addition, the project site would be adjacent to many other mixed-use buildings with similar commercial retail and restaurant uses, as well as events and entertainment uses at the LASED and Convention Center, encouraging walking, active transportation, and public transit usage to these other adjacent uses. As mentioned previously, the project would also improve the streetscape along Olive Street and 11th Street with improved sidewalks, street lighting, street trees, short-term bicycle parking, and landscaping. The project will also active the streets for pedestrians with its public plaza located at the southeast corner of the project site, which contains outdoor seating, landscaping, and public art. The building's orientation also contributes to a walk-able environment as the entrances to the commercial uses are located directly on 11th Street and at the public plaza on 11th Street and Olive Street, while the residential entrance is located on Olive Street. Driveways are minimized within the site, with one driveway at the northeast corner on Olive Street and one driveway in the back alley from 11th Street, while providing essential vehicle ingress and egress to internal parking areas. In general, the site design creates active environments by supporting a variety of pedestrian activities, and buildings are oriented and easily accessible from adjacent public streets and open spaces. These on- and off-site project features and improvements will lend themselves to create a safe and engaging pedestrian environment, and will enrich the quality of the public realm, consistent with the objectives of the Walkability Checklist.

## **Environmental Analysis:**

### **Environmental Leadership Development Project (ELDP)**

The Project qualifies for consideration under the Environmental Leadership Act of 2011 (AB 900, as amended by SB 743 (2013) and SB 734 (2016), which is codified in Sections 21178 – 21189.3 of the California Public Resources Code). This act was approved to encourage California's economic recovery by providing expedited processing of judicial actions challenging the certification of an EIR or the approval of an Environmental Leadership Development Project (ELDP) for compliance with CEQA for development projects that are certified by the Governor as ELDP projects. The Project qualifies as an ELDP project, as it would meet the qualification requirements, inclusive of the following among others: it is a mixed use development on an urban infill site that would achieve LEED Gold certification (or better), maximize transit friendly features (resulting in a minimum 15 percent greater transportation efficiency), be 'Net-Zero' in carbon/greenhouse gas (GHG) emissions, and result in a minimum investment in California of \$100 million.

The following is a summary of the environmental review process and final impacts resulting from the proposed project. The City initiated the environmental review process for the Project in 2016, published a Notice of Preparation (NOP) on December 21, 2017, and held a Public Scoping Meeting on January 10, 2018. The purpose of the notice and meeting were to formally convey that the City was preparing a Draft EIR for the proposed Project and to solicit public input. The Draft EIR was then circulated starting on September 26, 2019 and ending on November 12, 2019. Comments received in response to the Draft EIR, as well as revisions, clarifications, and corrections, were then published in the Final EIR and distributed on December 18, 2019. On February 2020, an Errata was published, which revised the Project's amount of excavation and updated its haul route activity. On January 15, 2020, a joint hearing regarding the City Planning Commission entitlement requests, zoning administrator's interpretation, and subdivision, including consideration of the EIR, was held by the Hearing Officer, Zoning Administrator, and Advisory Agency. Subsequently, on February 7, 2020, letters of decision were issued certifying the EIR, approving the subdivision, and approving the site-specific Zoning Administrator's Interpretation.

The Environmental Impact Report identified impacts that would have 1) no impacts or less than significant impacts, and 2) potential significant impacts that could be mitigated to less than significant. The Project would not result in any significant and unavoidable impacts.

Impacts found to be less than significant after mitigation include impacts to:

- Air Quality (construction emissions)
- Biological Resources (nesting birds)
- Cultural Resources (historic and archeological resources)
- Geology and Soils (paleontological resources)
- Hazards and Hazardous Materials (release of hazardous materials during construction and operations, and hazards within a 1/4 mile of a school during construction)
- Noise (construction groundborne vibration)
- Traffic/Transportation (operational level of service impacts)

Impacts found to be significant and unavoidable after mitigation include impacts to:

- Noise (construction noise)

Impacts to all other impact categories analyzed in the EIR would otherwise result in less than significant or no impacts.

### **Agency Reports Received:**

Letters were received from the Bureau of Engineering, Department of Building and Safety (Grading Division and Zoning Division), Department of Transportation, Fire Department, Department of Recreation and Parks, Bureau of Street Lighting, and Bureau of Sanitation prior to the completion of the Hearing Officer's report. These recommendations have been incorporated into the related Vesting Tentative Tract Map case (VTT-74531-CN) for the Project and do not related to the current entitlement request.

### **Public Testimony:**

A public hearing was held at City Hall for the proposed project entitlements on January 15, 2020 and was attended by approximately 20 individuals. Testimony in support of the Project was provided by representatives from the Central City Association, South Park Business Improvement District, and the LA/OC Building and Construction Trades Council, and testimony in opposition was provided by three residents from the adjacent Ten50 residential towers. In addition, two letters of support were received from the Downtown Los Angeles Neighborhood Council (DLANC) and a community resident.

In general, oral and written support for the project centered on the project's benefits in terms of economic growth, use of local skilled labor with living wage jobs, area revitalization, transit-adjacency and walkability, contribution to the downtown skyline with its iconic design, and the project's efforts for increasing housing supply. The DLANC requested the project should incorporate additional retail entrances along Olive Street, the proposed façade screen materials should not obscure the ground floor spaces, and in the event of an operator/tenant change, the new entity should return to present to the DLANC if a plan approval is required. The DLANC also requested that during construction, well-lit pedestrian access should be maintained.

Opposition to the project centered on concerns regarding the scale and height of the building as obstruction of views from the adjacent Ten50 residential building, incompatibility with surrounding development lack of affordable housing, environmental impacts regarding for air quality, noise, and traffic, and congested vehicular access and circulation at the alleyway between Olympic Boulevard and 11th Street.

### **Issues**

Public comments focused on the following issues of the project: out-of-scale massing and height of the building, obstruction of views of adjacent buildings, environmental impacts, and congested circulation from the alleyway.

#### ***Project Massing and Height***

With regards to the project scale and height, although the building would be the tallest building in its immediate area, the General Plan Framework Element designates the project site as within the Downtown Center, which allows for high-rise buildings that can go up to a 13:1 FAR. Zoning of the site allows for unlimited height. Additionally, the project is adjacent to other high-rise buildings in the area, including those within and around the LASED such as the 36-story Circa and 45-story Oceanwide developments. There are also proposed plans for the development of 60-story and 50-story mixed-use developments immediately south of the project site at the intersection of 11<sup>th</sup> Street and Olive Street. Thus, the scale and height of the project would be compatible with the long-term vision and plans for the area, as well as with the surrounding pattern of development.

### *Obstruction of Views*

With regards to the project's obstruction of views, particularly for the west adjacent Ten50 building, the project would obstruct some of the views for the adjacent properties. However, as previously discussed, the area of the South Park District is comprised of many mid- to high-rise buildings that are adjacent to one another. As the Community Plan and General Plan Framework Element allows for high-rise developments, it is not uncommon or out of place for high-rise buildings to be adjacent to one another. Further, personal views from private properties are not protected under State or local laws. Regardless, the project's residential tower is sited and concentrated on the northeast portion of its site to allow for a sufficient distance and light between its residential tower and the adjacent Ten50 building.

### *Environmental Impacts*

Impacts related to air quality, noise, and traffic were adequately analyzed in the certified EIR. As explained in the EIR, the Project would have a potential significant impact for criteria pollutants during the construction phase for air quality, construction groundborne vibration for noise, and operational level of service impacts for transportation. However, with the implementation of mitigation measures in the Mitigation Monitoring Program of the Final EIR, all potentially significant impacts would be reduced to less than significant with mitigation with the exception of construction noise impacts. For construction noise impacts, the City has incorporated feasible mitigation measures, but the impact level was not reduced to less than significant. However, as stated in the Statement of Overriding Considerations, the Project's benefits would outweigh and override the significant unavoidable impacts as it supports the City's housing goals, promote smart growth and sustainability, and provide economic benefits in employment and tax revenue.

### *Alleyway Circulation*

With regards to the vehicular circulation from the shared alleyway, the project includes a driveway and through street from Olive Street allowing vehicles to enter and exit the alleyway from Olive Street and 11th Street. Additionally, as conditioned from the Bureau of Engineering, the project would be required to improve and widen the width of the alleyway, which would allow for more space for vehicles to use the alleyway. Further, the EIR has analyzed the circulation and traffic around the project site through its traffic study and determined that there would be no significant and unavoidable impacts with regards to transportation and traffic. Lastly, as an ELDP project, the project would be required to achieve a minimum 15 percent greater transportation efficiency through its Transportation Demand Management Program, reducing the amount of vehicle trips to and from the project site.

### *Updates to Conditions of Approval*

The Project was previously scheduled to be heard by the City Planning Commission on March 12, 2020. The Project was continued to May 14, 2020, June 25, 2020, August 27, 2020, and subsequently to December 17, 2020. Prior to the March 12<sup>th</sup> Commission meeting, the Applicant submitted a letter to the Commission containing multiple requests for changes to the staff report and a discussion of Transfer of Floor Area rights. Subsequent to the communication from the Applicant, Staff submitted a Technical Modification to address the letter submitted by the Applicant. Changes from the technical modification have been incorporated herein, as indicated below, while additional topics are discussed.

### *Bicycle Parking*

Bicycle parking breakdowns have been updated to reflect an updated Exhibit A, submitted March 12, 2020, as reflected in discussions on page A-11.

### *Condition B.22 Covenant and Agreement*

Condition B.22 for a covenant and agreement regarding the alcohol uses was requested to be updated by the applicant to address redundancy in other conditions which require a covenant. The updated condition is reflected as Condition B.22.

### *Condition C.5 Common Open Space Enclosures*

The applicant requested clarification of Condition C.5 to indicate that common open space areas in the condition are references to outdoor open space. This is reflected in Condition C.5

### *Condition C.8 - Tree Wells*

The applicant requested modifications to Site Plan Review Condition C.8 to decrease the requirement for tree well planters on the rooftop from 42 inches to 30 inches. Without additional supporting information documenting that the 30-inch depth is adequate to support a specific tree type, Department of City Planning Staff do not recommend the change. However, Staff has also updated the condition to reflect updated standards regarding soil volumes from a recent 2019 Urban Design Studio brief.

### *Condition D.4 - Tribal Cultural Resource Inadvertent Discovery*

The applicant requests the deletion of Environmental Condition D.4, as they state that this condition relating to tribal cultural resources conflicts with Mitigation Measure MM-2 for archeological resources. Condition D.4 requires tribal notification in case of inadvertent discovery of tribal cultural resources. Mitigation Measure MM-2 relates to archeological resources and states if prehistoric resources are found, then consultation with Native American tribes will occur. It's important to note that not all tribal cultural resources are archeological resources and vice-versa. Combined, this condition and mitigation measure address the full spectrum of potential impacts to both cultural resources and tribal cultural resources. There is no apparent conflict in the notification and consultation processes identified in the measures, and therefore no deletion or change is required.

## **Conclusion**

The project presents an opportunity to provide a high-rise, mixed-use development within the South Park District, which provides 794 residential units, active ground-floor commercial uses, a public plaza with outdoor seating and public art, and various streetscape improvements to the immediate area. The proposed project would enhance the built environment through the unified development of the site and would include essential and beneficial uses through the synergetic balance of residential and commercial components, within the transit-rich area of downtown. The project would benefit the community by providing more housing options for the increasing population of downtown workers and provide employment opportunities for the area residents, which support the City's goals for housing and economic development. The project's certification as an ELDP project will ensure that the project will incorporate many energy efficient and sustainability features to help the City and State reach its goal in reducing GHG emissions. The proposed mixed-use development would be compatible with the site's Downtown Center

designation from the General Plan Framework, High Residential Density land use designation of the Community Plan, and the policies of the General Plan.

Requests for the transfer of floor area, main conditional use for alcohol sales, a review of the site plan and layout, would all help facilitate a beneficial density and mix of uses and allow for a cohesive site design, creating active and safe pedestrian environments, and offering a variety of public benefits, amenities, and open space features. The project's location, uses, height, and other features would be compatible with the surrounding neighborhood, and would not adversely affect public health, welfare, and safety.

In consideration of both support and concerns of the project, and within the context of the pattern of development within the designated High Residential Density area, Department of City Planning staff recommends that the City Planning Commission approve the proposed project and requested entitlements with conditions. The resulting mixed-use project and iconic tower design would support planning policies for development within the community, including policies for increased housing supply, job creation, and sustainability, while providing substantive community benefits.

## CONDITIONS OF APPROVAL

### A. Entitlement Conditions – Transfer of Area Rights

1. **Floor Area.** The Development shall not exceed a maximum Floor Area Ratio (FAR) of 13:1 and a total floor area of 751,777 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 lot area used to calculate the base floor area shall be 38,097 square feet with a 6:1 FAR. The buildable area of a Transit Area Mixed Use Project used to calculate the maximum floor area shall be 57,829 square feet with a 13:1 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.
2. **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.
  - a. The total amount of floor area authorized to be transferred from the Los Angeles Convention Center by this action shall not exceed 523,195 square feet. The total floor area of the Project Site (Receiver Site) shall not exceed 751,777 square feet.
  - b. The Applicant shall provide a TFAR Transfer Payment consistent with LAMC Section 14.5.10 in the amount of \$5 per square foot, or \$2,615,975, for the transfer of 523,195 square feet from the Los Angeles Convention Center located at 1201 South Figueroa Street (Donor Site) to the Project Site (Receiver Site).
3. **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.
  - a. The Applicant shall provide a Public Benefit Payment consistent with LAMC Section 14.5.9 in the amount of \$21,698,509 provided that at least 50 percent (or \$10,849,255) 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 \$10,849,255) of the Public Benefit Payment by directly providing the following public benefits:
    - i. A payment to the Los Angeles Citywide Affordable Housing Fund in the amount of \$10,649,255 (98 percent). The funds shall be utilized for construction and operation of affordable housing developments.
    - ii. A payment to the South Park Business Improvement District in the amount of \$200,000 (2 percent). The funds shall be utilized towards parklets and a dog run in the South Park District.

- b. 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.
- c. 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:
  - i. The issuance of the building permit for the Project; or
  - ii. 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.

**B. Entitlement Conditions – Main Conditional Use for Alcohol Sales.**

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Zoning Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. Authorized herein is the sale and dispensing and consumption of a full line of alcoholic beverages for on-site consumption, in conjunction with the 12,504 square-foot, ground floor commercial space for ten restaurant establishments and in the open space/amenity areas of the residential tower.
7. **Hours of Operation.** Hours of operation shall be limited to 6:00 a.m. to 2:00 a.m. daily for the restaurants.
8. **STAR/LEAD/RBS Training.** Within the first six months of operation, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR) or Department of Alcoholic Beverage Control "Licensee Education on Alcohol and Drugs" (LEAD) training program or the

Responsible Beverage Service (RBS) Training Program. Upon completion of such training, the applicant shall request the Police Department or Department of Alcohol Beverage Control to issue a letter identifying which employees completed the training. STAR or LEAD or RBS training shall be conducted for all new hires within three months of their employment.

9. After hour use shall be prohibited, except routine clean-up. This includes but is not limited to private or promotional events, special events, excluding any activities which are issued film permits by the City.
10. The applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under his/her control to assure such conduct does not adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.
11. Loitering is prohibited on or around these premises or the area under the control of the applicant. "No Loitering or Public Drinking" signs shall be posted in and outside of the subject facility.
12. The applicant shall be responsible for maintaining the premises and adjoining sidewalk free of debris or litter.
13. The applicant(s) shall comply with 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment. The applicant shall not possess ashtrays or other receptacles used for the purpose of collecting trash or cigarettes/cigar butts within the interior of the subject establishment.
14. **Additional Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Department of City Planning to impose additional corrective conditions, if, it is determined by the Department of City Planning that such conditions are proven necessary for the protection of person in the neighborhood or occupants of adjacent property.
15. **Security.** A camera surveillance system shall be installed and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days and are intended for use by the Los Angeles Police Department.
16. An electronic age verification device shall be purchased and retained on the premises to determine the age of any individual and shall be installed on at each point-of-sales location. This device shall be maintained in operational condition and all employees shall be instructed in its use.
17. **Main Plan Approval (MPA) Requirement.** Each individual venue shall be subject to a Main Plan Approval (MPA) determination pursuant to LAMC Section 12.24 M, or as otherwise provided for in the LAMC for on-site alcohol sales in conjunction with the operation of restaurants and bars, in order to implement and utilize the Main Conditional Use authorization granted. The purpose of the Main Plan Approval determination is to review each proposed venue in greater detail and to tailor site-specific conditions of approval for each of the premises subject to analysis of the venue's individual mode and character of operations including but not limited to hours of operation, seating capacity, size, security, live entertainment, the length of a term grant and/or any requirement for a subsequent MPA application to evaluate compliance and effectiveness of the conditions of approval. These conditions may include additional conditions not included in the Main

Conditional Use Conditions of Approval. A Plan Approval without a hearing may be granted by the Chief Zoning Administrator if the operator agrees to the Conditional Use Permit Conditions.

18. **Lease Agreements.** All establishments applying for an Alcoholic Beverage Control license shall be given a copy of these conditions prior to executing a lease and these conditions shall be incorporated into the lease. Furthermore, all vendors of alcoholic beverages shall be made aware that violations of these conditions may result in revocation of the privileges of serving alcoholic beverages on the premises.
19. **Building Plans.** A copy of this grant and all Conditions and/or any subsequent appeal of this grant and resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
20. **Ownership/Operator Change.** Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the new business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination has been provided to the prospective owner/operator, including the conditions required herewith, shall be submitted to the BEST (Beverage and Entertainment Streamlined Program) in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the BEST (Beverage and Entertainment Streamlined Program) within 30 days of the beginning day of his/her new operation of the establishment along with the dimensioned floor plan, seating arrangement and number of seats of the new operation.
21. **MViP – Monitoring, Verification and Inspection Program.** Prior to the effectuation of this grant, fees required per L.A.M.C Section 19.01-E,3 - Monitoring of Conditional Use Permits, Inspection, and Field Compliance for Review of Operations, and Section 19.04 - Miscellaneous ZA Sign Offs shall be paid to the City.
  - a. Within 24 months from the beginning of operations or issuance of a Certificate of Occupancy, a City inspector will conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and included in the administrative file.
  - b. The owner and operator shall be notified of the deficiency or violation and required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed, may result in additional corrective conditions imposed by the Zoning Administrator.
22. **Covenant and Agreement.** Prior to building permit issuance, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard main covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center or the BEST (Beverage and Entertainment Streamlined Program) for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center or BEST (Beverage and Entertainment Streamlined Program) for inclusion in the case file.

### C. Entitlement Conditions – Site Plan Review

1. **Site Development.** The use and development of the property shall be in substantial conformance with the Site Plan, Floor Plans, Unit Plans, Building Elevations, and Landscape Plans (Exhibit A, dated March 12, 2020) of the subject case file. 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. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the project conditions. The project shall be constructed in a manner consistent with the following project description:
  - a. Limit the proposed development to up to 794 dwelling units, and up to 12,504 square feet of retail and restaurant uses, totaling up to 751,777 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. **Landscaped Plaza and Amenities.** A 2,728-square foot ground floor landscaped plaza shall be provided adjacent to Olive Street and 11th Street, as shown in Exhibit A - Project Plans, dated March 12, 2020. The plaza shall be publically accessible between the hours of 6 a.m. to 10 p.m.
4. **Residential Use.** The use and development of the 794 multi-family units shall not be permitted to operate as a Transit Occupancy Residential Structure (TORS). To enable the TORS apartment/hotel hybrid use, the applicant is required to request a Conditional Use Permit.
5. **Common Outdoor Open Space Enclosures.** Perimeter enclosures located on the tower's floors 53 through 55 adjacent to common open space areas shall be transparent with a maximum height of 10 feet and shall not be enclosed to be converted into habitable space.
6. **Private Balconies.** The entirety of wraparound balcony space shall be maintained as private open space and shall not be enclosed by any wall not part of the building's perimeter walls or be converted to habitable space.
7. **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.
8. **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:
  - a. Minimum depth for trees shall be 42 inches.

- b. Minimum depth for shrubs shall be 30 inches.
- c. Minimum depth for herbaceous plantings and ground cover shall be 18 inches.
- d. 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:

- 1. 220 cubic feet for a tree 15 - 19 feet tall at maturity.
  - 2. 400 cubic feet for a tree 20 - 24 feet tall at maturity.
  - 3. 620 cubic feet for a medium tree or 25 - 29 feet tall at maturity.
  - 4. 900 cubic feet for a large tree or 30 - 34 feet tall at maturity.
9. **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.
10. **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.
11. **Trash and Recycling.**
- a. All trash collection and storage areas shall be located on-site and shall not be visible from the public right-of-way.
  - b. Trash receptacles shall be stored in a fully enclosed building or structure.
  - c. Trash/recycling containers shall be locked when not in use.
12. **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.
13. **Construction Signage.** There shall be no off-site commercial signage on construction fencing during construction.

#### **D. Environmental Conditions**

- 1. **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.
- 2. **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.

3. **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.

4. **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<sup>2</sup>, 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 at (213) 473-9723.
  - 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.

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<sup>2</sup> 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.

- 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.

#### **E. Administrative Conditions**

1. **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.
2. **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.
3. **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.
4. **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.
5. **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.

6. **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.
7. **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.
8. **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

#### 1. Transfer of Floor Area Rights FINDINGS:

- a) ***Pursuant to Section 14.5.6 B.2 of the LAMC, the increase in Floor Area generated by the proposed Transfer is appropriate with respect to location and access to public transit and other modes of transportation, compatible with other existing and proposed developments and the City's supporting infrastructure, or otherwise determined to be appropriate for the long-term development of the Central City.***

The Project Site is located near transit services, will be compatible with densely developed surroundings and the City's supporting infrastructure, and will be in close proximity to jobs, housing, and a wide range of uses and public services.

The Project Site is well-served by public transit, including both rail and bus service. The Project is located approximately 0.25 miles northeast of the Pico Metro Rail Station (A/E lines) and is 0.5 miles southwest from the 7th and Metro Center Rail Station (B/D and A/E lines). These subway lines provide access to other transit lines operated by Metro and connect passengers to Long Beach, Culver City, Santa Monica, Hollywood, Koreatown, and North Hollywood. In addition, the Project Site will be adjacent to the planned LA Streetcar's route along 11<sup>th</sup> Street, which will run a 3.8-mile route providing connections to South Park, the Financial District and Historic Broadway, Grand Park and the Civic Center, the Fashion District and the Convention Center, Staples Center, and LA Live. The Project Site is also served by Metro bus lines (Local (2, 4, 10, 14, 28, 30, 33, 37, 40, 45, 48, 55, 66, 70, 71, 76, 78, 79, 83, 90, 91, 92, 94, and 96), Limited (302, 330, 355, and 378), Express (442 and 460), and Rapid (728, 733, 745, 770, and 794) and the Silver Line), LADOT Commuter Express bus lines (409, 419, 422, 423, 431, 437, and 438), and LADOT Downtown Area Shuttle lines (DASH D and F), Montebello Bus line 50, Orange County Transportation Authority bus lines 701 and 721, Foothill Transit bus lines (493, 495, 496, 497, 498, 499, and 699), the Big Blue Bus line 10, and Torrance Transit line 4. In addition to available public transit, regional access to the Project Site is also provided by State Route 110 (SR-110 or Harbor Freeway), which runs north-south approximately 0.7 miles west, and Interstate 10 (I-10), which runs east-west approximately 0.55 miles south of the Project Site. Local access to the Project Site would be provided by 11<sup>th</sup> Street and Olive Street.

The proposed uses will be located within a 70-story building with a maximum height of 810 feet. 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. Immediate surrounding uses include: the 20-story, mixed-use Ten50 residential building located adjacent to the west of the Project Site at Grand Avenue and 11<sup>th</sup> Street, the seven-story Oakwood Olympic and Olive apartment building located directly to the north of the Project Site at 1001 S. Olive Street, a 13-story mixed-use Elleven South Lofts building located west of the Project Site (along 11<sup>th</sup> Street) at 1111 Grand Avenue, and a 17-story mixed-use Luma Lofts located west of the Project Site (along 11<sup>th</sup> Street) at 1100 Hope Street. Around the immediate vicinity of the Project Site are also high-rise buildings such as the recently constructed 41-story mixed-use AVEN Apartments located a block south of the Project Site at 1120 Grand Avenue, the South Park Center, that contains two buildings with a maximum height of 32 stories located a block south from the Project Site at the northeast corner of Olive Street and 12<sup>th</sup> Street, and a 24-story mixed-use Evo condominium building a block southwest of the Project Site at 1155 Grand Avenue. New high-rise mixed-use developments that are currently under-construction include the Hope and Flower Mixed-Use Development, a 33-story and 41-story two-tower

building located 0.20 miles southwest of the Project Site at 1212 Flower Street, and Oceanwide Plaza, a three-tower building with a height of 40 to 49 stories located 2 blocks west of the Project Site at the block on the southwest corner of 11<sup>th</sup> Street and Flower Street.

The Project's location is well-served by infrastructure, as the area is currently developed with a mix of uses connected to existing utilities serving the area. The recent expansion of development has furthermore resulted in extensive study and provision of necessary utilities in the area.

The increase in floor area generated by the proposed Transfer will allow the development of a compatible mixed-use project consisting of 794 residential units with varying unit types, and 12,504 square feet of restaurant and retail uses on the Receiver Site. The Project is considered an infill development within a developed and improved area of the City, which was designated for high-density residential development by the Community Plan. The Project Site contains approximately 57,829 square feet and is permitted a maximum floor area of 346,974 square feet, or a 6:1 Floor Area Ratio (FAR) as restricted by a D Limitation per Ordinance 164,307-Subarea 2620. The Applicant has requested a Transfer of 523,195 square feet of floor area from a Donor Site located at 1201 South Figueroa Street (Los Angeles Convention Center), to permit a maximum 13:1 FAR on the Receiver Site. The Transfer is appropriate for the long-term development of the Central City because it will enable the Project to include residential, retail, and restaurant uses that would complement the other uses in the South Park commercial district which contains major 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 South Park area, 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 South Park commercial district, 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.

**b) The Project is consistent with the purposes and objectives of the Redevelopment Plan.**

Enacted on June 29, 2011, Assembly Bill 1x-26 (AB 26) revised provisions of the Community Redevelopment Law of the State of California, to dissolve all redevelopment agencies and community development agencies in existence and designate successor agencies, as defined, as successor entities. Among the revisions, the amendments to the law withdrew all authority to transact business or authorize powers previously granted under the Community Redevelopment Law (Section 34172.a.2), and vested successor agencies with all authority, rights, powers, duties and obligations previously vested with the former redevelopment agencies (Section 34172.b).

As explained above, pursuant to Ordinance No. 186,325, as of September 30, 2019, the land use-related plans and functions of the Designated Local Authority, the former local CRA/LA, have been transferred to the City of Los Angeles. Therefore, the City can take action regarding any Redevelopment Plan Amendment or land use approval or entitlement pursuant to Section 11.5.14 and other applicable provisions of the LAMC, including LAMC Section 14.5.6.

The Project Site is located in the City Center Redevelopment Plan Area. The City Center Redevelopment Plan's primary objective is eliminating and preventing blight in the area. The

Project supports and is consistent with the following objectives of the City Center Redevelopment Plan:

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

The Project Site is currently developed with five one-story buildings, spanning a total of 34,673 square feet, that were constructed in the early 1900's. Currently, approximately half of the space is vacant and unoccupied. The Project Site has no on-site landscaping with the exception of five street trees on Olive Street and three on 11<sup>th</sup> Street. Due to the vacancies of the buildings, the street frontage is predominately blank and building frontage is under-maintained. The increase in floor area generated by the proposed Transfer will allow the redevelopment of the site into a mixed-use high-rise containing 794 residential units, 12,504 square feet of ground-floor commercial space, and a ground-floor plaza at the corner of Olive Street and 11<sup>th</sup> Street, thus, rehabilitating the site with active uses.

*2. To further the development of Downtown as the major center of the Los Angeles metropolitan region, within the context of the Los Angeles General Plan as envisioned by the General Plan Framework, Concept Plan, City-wide Plan portions, the Central City Community Plan, and the Downtown Strategic Plan.*

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

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

The Project Site is zoned R5, designated High Density Residential and located in the South Park area within the Central City Community Plan. The High Density Residential classification is categorized under the Multi-Family Residential Land Use designation of the Framework Element. The Multi-Family Residential Land Use Designation is "characterized by a mix of densities and dwelling types, permitted densities may be reduced to levels consistent with the character of the entire area in order to minimize impacts on infrastructure, services, and/or maintain or enhance the residents' quality of life." The Framework Element also designates the Project Site within the Downtown Center which is characterized as "an international center for finance and trade that serves the population of the five-county metropolitan region. It is the largest government center in the region and the location for major cultural and entertainment facilities, hotels, high-rise residential towers, regional transportation facilities and the Convention Center. These uses serve the region, state, nation and world. Generally, the Downtown Center is characterized by FARs up to 13:1 and high-rise buildings." The Project would be consistent with the Framework Element's Land Use Designation at the Project Site as the Project would be a mixed-use, high-rise residential tower that would provide 794 residential units and 12,504 square feet of commercial ground-floor space. The Project will support the greater downtown area and South Park District as destinations, and provide additional space for uses that complement the nearby LASED and Convention Center, contributing to its economic vitality. Further, the Project will be consistent with Central City Community Plan's vision for the South Park District to become a mixed-use community that contains a significant amount of housing that is within distance to retail and commercial developments that provide employment opportunities and other supportive services.

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

The Project will guide growth and development in the area by redeveloping the underutilized existing five one-story commercial and manufacturing buildings into a mixed-use development that would generate new job opportunities associated with the 12,504 square feet of restaurant and retail space. The 794 residential units proposed as part of the Project will offer a mix of unit types for new residents, as well as offering new restaurant and retail space located in a transit rich area, siting new commercial growth in a location aligned with City plans and policies.

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

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

The Project will be designed in a contemporary architectural style, via a tall and high-rise tower that is situated on a podium. The tower also includes cut-out terraces on the rooftop of the 8<sup>th</sup> to the 10<sup>th</sup> level and the 53<sup>rd</sup> through 55<sup>th</sup> levels for an outdoor pool, amenity spaces, and additional terrace space that helps reduce the perceived bulk of the building. The Project is also certified as an Environmental Leadership Development Project that includes specific design features that enhance energy efficiency and sustainability, such as wraparound cantilevered balconies on every residential level that have been designed to provide shade and minimize solar gain throughout the building. The repeating wraparound cantilevered balconies and cut-out terraces along the facades of the building will contribute to the downtown Los Angeles' distinct skyline, which gives the Central City a strong image as the major center of the Los Angeles Region.

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

As described in the previous finding, the Project Site is well-served by public transit, including both rail and bus service. The Project is located approximately 0.25 miles northeast of the Pico Metro Rail Station (A/E lines) and is 0.5 miles southwest from the 7th and Metro Center Rail Station (B/D and A/E lines). These subway lines provide access to other transit lines operated by Metro and connect passengers to Long Beach, Culver City, Santa Monica, Hollywood, Koreatown, and North Hollywood. In addition, the Project Site will be adjacent to the planned LA Streetcar's route along 11<sup>th</sup> Street, which will run a 3.8-mile route providing connections within the downtown area. The Project Site is also served by numerous Metro LADOT, Montebello, Orange County Transportation Authority, Foothill Transit, the Big Blue Bus, and Torrance Transit bus lines. In addition to available public transit, regional access to the Project Site is also provided by State Route 110 (SR-110 or Harbor Freeway), which runs north-south approximately 0.7 miles west, and Interstate 10 (I-10), which runs east-west approximately 0.55 miles south of the Project Site. Local access to the Project Site would be provided by 11<sup>th</sup> Street and Olive Street. Thus, the Project Site is well served by transit.

*9. To achieve excellence in design, based on how the Central City is to be used by people, giving emphasis to parks, green spaces, streetscapes, street trees, and places designed for walking and sitting, and to develop an open space infrastructure that will aid in the creation of a cohesive social fabric.*

*10. To develop and implement public art into the urban fabric, integrating art into both public and private developments.*

The Project will improve the streetscape by providing widened sidewalks with new street trees, and parkway landscaping. The Project will also include a ground level public plaza area, with 2,728 square feet of open space. The plaza will include seating areas, with landscaping and

art displays to provide respite to activate the northwest corner of Olive Street and 11th Street. Residents and visitors will be able to access the ground-floor restaurants and retail spaces from 11<sup>th</sup> Street and Olive Street. As previously mentioned, the Project includes cut-out terraces from the 8<sup>th</sup> to the 10<sup>th</sup> levels, the 53<sup>rd</sup> to the 55<sup>th</sup> levels, and building rooftop that would be landscaped with trees, shrubs, and other native plants and would serve the building residents.

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

The Project will introduce 794 residential units, and 12,504 square feet of commercial uses such as restaurants and retail stores, resulting in a range of employment opportunities. Therefore, the Project's new residential, restaurant, and retail uses, employment opportunities, transit-oriented location, public plaza, and other community benefits make the Project consistent with the Redevelopment Plan's Objectives.

*Conformance with Requirements of the City Center Redevelopment Plan*

**(a) Section 502 - Redevelopment Plan Map**

Section 502 pertains to the relationship between the Redevelopment Plan and the other plans that address development in City Center area and defers to the General Plan, Community Plan, and any applicable zoning ordinance regarding allowable land uses and is further clarified by the CRA/LA in a memorandum dated June 21, 2012.<sup>3</sup> The Project Site is designated as a Downtown Center in the General Plan Framework, High Density Residential in the Central City Community Plan, and in the [Q]R5-4D zone. No General Plan Amendment or Zone Change is proposed as part of this Project. Therefore, the Project would comply with Section 502 of the Redevelopment Plan.

**(b) Section 503.2 - Residential Uses**

Section 503.2 requires that all areas designated as Residential on the Redevelopment Plan Map be maintained, developed or used for multiple family housing and be consistent with the applicable Community Plan and zoning. As noted above, pursuant to the June 21, 2012 CRA/LA memo the superseding Community Plan designation for the Project Site is high-density residential with a [Q]R5 designation, that allows ground level commercial uses. The provision of 794 residential condominium units would be consistent with the objectives and policies of the Central City Community Plan to provide a range of housing choices in the Downtown area. The proposed residential uses would be consistent with the applicable provisions of the LAMC. Therefore, the Project would comply with Section 503.2 of the Redevelopment Plan.

**(c) Section 503.4 - Commercial Uses within Residential Areas**

Section 503.4 allows for commercial uses in residential areas so long as it is consistent with the applicable Community Plan, permitted by the zoning and LAMC, and conforms to the four criteria; promote community revitalization, promote the goals and objective of the Plan, be compatible with and appropriate for the residential uses in the vicinity, and meet design and location criteria by the Agency. As explained above, the Project meets the goals and objectives of the Redevelopment Plan by redeveloping five one-story commercial buildings for a 70-story mixed used development consisting of 794 residential units and 12,504 square feet of active ground floor commercial uses. The Project would

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<sup>3</sup> CRA/LA, A designated Local Authority. Clarification Regarding Discretionary Land Use Action. [http://www.crala.org/internet-site/Meetings/Board\\_Agenda\\_2012/upload/June\\_21\\_2012\\_Item\\_13.pdf](http://www.crala.org/internet-site/Meetings/Board_Agenda_2012/upload/June_21_2012_Item_13.pdf). Accessed February 21, 2020.

be compatible with the other residential uses in the vicinity as there are many similar mixed-use developments in the area, that provide ground floor commercial space. The Project's ground floor commercial space, public plaza, and improved streetscape conditions along Olive Street and 11th Street would activate the streets of the area promoting pedestrian activity. The Project has also been designed to comply with the Citywide Design Guidelines and is permitted by the zoning and LAMC. Therefore, the Project would comply with Section 503.4 of the Redevelopment Plan.

**(d) Section 508.3 - South Park Development Area**

Section 508.3 states that the following three land uses shall be allowed in the South Park Development Area; Public Land, Private Land, and Private Land Alternate Use. The Project is a mixed-use residential and commercial development that would be consistent with the uses listed for Private Land Alternative Use (high density residential use and compatible commercial uses) as the Project provides 794 residential units, a public plaza, and ground floor commercial uses such as a restaurant and retail store which would provide a service to the community. Therefore, the Project would comply with Section 508.3 of the Redevelopment Plan.

**(e) Section 509 - Limitations on Type**

Section 509 states that the type, size and height of buildings shall be limited by applicable federal, State and local statutes, codes, ordinances and regulations and as generally diagrammed in Exhibit No. 4 of the Redevelopment Plan. The Project would be consistent with the intent of the Redevelopment Plan as well as the Central City Community Plan and applicable sections of the LAMC. The Project Site is located in Height District 4D, with unlimited building height and a development limitation of 6:1 FAR. The Project Site is also located in the South Park Development Area north of Pico Boulevard, which limits FAR to 6:1; except, as discussed below Section 512.4 allows density to be increased to an FAR of 13:1 for projects that include a TFAR. Therefore, the Project would comply with Section 509 of the Redevelopment Plan.

**(f) Section 512.1 - Maximum Floor Area Ratios**

Section 512.1 requires that the maximum floor area ratios for any parcel in the South Park Development Area to be no more than six times the parcel area for any parcels north of Pico Boulevard and no more three times the parcel are for parcels south of Pico Boulevard. The Project Site is located north of Pico Boulevard and is limited by the 6:1 ratio for its FAR. However, pursuant to Section 512.4 and the City Center Redevelopment Plan, the Project requests a TFAR that would allow its FAR to be increased to 13:1. Therefore, the Project would comply with Section 512.1 of the Redevelopment Plan.

**(g) Section 512.4 - Higher Maximum Floor Area Ratios through Transfer of Floor Area**

Pursuant to Section 512.4 of the Redevelopment Plan, the City may permit projects to exceed maximum floor area ratios set forth in Section 512.1 of the Redevelopment Plan as long as the transfers are consistent with the five criteria below:

1. The resulting higher density development must be appropriate in terms of location and access to the circulation system; compatible with other existing and proposed development; and consistent with the purposes and objectives of this Plan.

As stated above, the Project would be consistent with the purposes and objectives of the Redevelopment Plan, as the Project would redevelop the existing five single-story

commercial buildings for a 70-story mixed-use building containing 794 residential units and 12,504 square feet of ground-floor commercial uses. The Project is appropriate in terms of location as the Project would be located in the South Park District of the Central City Community Plan area, which is recognized for being a mixed-use community with a significant amount of housing. The Project would be adjacent to similar mixed-use and residential developments such as the 20-story, mixed-use Ten50 building located adjacent to the west of the Project Site at Grand Avenue and 11<sup>th</sup> Street, the seven-story Oakwood Olympic and Olive apartment building located directly to the north of the Project Site at 1001 S. Olive Street, the 13-story mixed-use Elleven South Lofts building located west of the Project Site (along 11<sup>th</sup> Street) at 1111 Grand Avenue, and the 17-story mixed-use Luma Lofts located west of the Project Site (along 11<sup>th</sup> Street) at 1100 Hope Street. Additionally, the Project would be compatible with proposed developments as there are future plans to develop a 60-story (1120 Olive Street) and 51-story (1115 Olive Street) mixed-use buildings at the two surface parking lots directly south and southeast of the project site. The Project would also improve accessibility for the area as the Project would introduce a significant residential population in the downtown area, which is served by many local and rapid bus lines and rail lines at the Pico Metro Station (0.30 miles) as the Project site is in a TPA. The Project would also introduce a throughway access point to the alley running from Olympic Boulevard to 11<sup>th</sup> Street from Olive Street.

2. Unless otherwise permitted by the applicable Community Plan as it now reads or as it may be amended from time to time in the future, Floor Area Ratios may only be transferred from parcels or portions thereof and to parcels or portions thereof which are within, respectively, the Historic Downtown, City Markets, or South Park Development Areas.

The Central City Community Plan references LAMC Section 14.15.1 et seq, regarding TFAR. As defined in LAMC Section 14.5.3, both the Donor Site (Los Angeles Convention Center as 1201 S. Figueroa Street) and Project Site are located within the Central City TFAR Area. The Project would be receiving 523,195 square feet of floor area from the Los Angeles Convention Center, in compliance with LAMC Section 14.15.1 and therefore meets this criteria.

3. The Floor Area Ratio on any parcel shall not exceed the maximum Floor Area Ratio set forth in the applicable City zoning ordinance in effect at the time the transfer is made.

The Project Site is zoned [Q]R5-4D-O, with the "4" indicating Height District 4, which allows unlimited building height and a maximum FAR of 13:1. The D indicates a Development Limitation that limits the maximum FAR to 6:1, with an increase to a maximum FAR of 13:1 with a TFAR. The requested FAR of 13:1 would be consistent with these applicable FAR requirements.

4. Transfers of Floor Area Ratio to parcels with reasonable proximity or direct access to a public or private rapid transit station shall be particularly encouraged.

The Project Site is well served by regional bus lines, rapid bus lines, and is located approximately 0.30 miles from a Metro Light Rail station at Flower Street and Pico Boulevard as well as a station at Flower Street and 7th Street, approximately 0.50 miles from the Project Site and therefore, the project meets this criteria.

5. Transfers of Floor Area Ratio from parcels on which buildings of historic, architectural or cultural merit are located shall be particularly encouraged where the transfer can reasonably be expected to further the goal of preservation of such buildings.

The Los Angeles Convention Center (Donor Site) has not been identified as a historic or cultural resource. Therefore, the Project does not conflict with Section 512.4 of the Redevelopment Plan.

**(h) Section 512.5 - Procedures for Effectuating Transfers of Floor Area Ratio for Transfers of 50,000 square feet of Floor Area or More.**

The Project would require approximately 523,195 square feet of transferred floor area in order to permit the requested FAR of 13:1. The Project would comply with the applicable provisions of LAMC Article 4.5, Sections 14.5.1 through 14.5.8, and thus conforms with Section 512.5 of the Redevelopment Plan.

**(i) Section 513 - Open Space, Landscaping, Light, Air and Privacy.**

Section 513 of the Redevelopment Plan defines the approximate amount of total open space to be provided in the Redevelopment Plan area and also states that sufficient space shall be maintained between buildings to provide adequate light, air, and privacy. While this provision applies to the entire CRA Project Area and is not meant to be directly applied to individual development projects, the Project will provide open space areas to generally support this plan provision. The residential tower would be located more than 80 feet from any offsite existing and future high-rise buildings in the area, which would provide sufficient space between the tower and any off-site high-rise buildings pursuant to Downtown Design Guide standards. Landscaping would be provided in the public plaza, podium terraces, building cut-out areas and along the building frontages. The Project would also comply with open space requirements under LAMC Section 12.21.G and pursuant to ZA-2017-4845-ZAI.

**(j) Section 514 - Signs, Billboards and Skyline Signage.**

Section 514 prohibits billboards and requires that all other signage conform to the City's signage standards. All signage would comply with the City's sign standards. Therefore, Project conforms with Section 514 of the Redevelopment Plan.

**(k) Section 515 - Utilities.**

Section 515 requires that all utilities be placed underground if physically and economically feasible. The Project conforms to Section 515 as all utilities lines would be placed underground or screened from public view.

**(l) Section 516 – Parking and Loading Facilities**

Section 516 requires that all parking be provided in consistent with the standards of the LAMC and that parking and loading areas be screened/out of view from the public. As shown in the Exhibit A – Site Plans, the Project would provide commercial and residential parking that meets the requirements of the LAMC. Parking for the Project would be located all on site, within six subterranean levels and eight levels within the podium. All parking uses within the podium would be screened and out of sight from public view. In addition, the loading area for the commercial ground floor space would be located in the alley, which would not interfere with the public use of the sidewalks. Therefore, the Project conforms with Section 516 of the Redevelopment Plan.

**(m) Section 517 – Setbacks**

Section 517 requires that all setback areas be landscaped, paved for accessibility, and maintained by the owner. As shown in Exhibit A – Site Plans, the Project would include a landscaped, 2,728-square foot public Plaza at a setback at the corner of W. 11th Street and S. Olive Street. Five-foot setbacks would be provided at the sidewalk entrances to the commercial uses along W. 11th Street and the residential lobby. The project would improve the entrance setbacks and the streetscape along Olive Street and 11th Street with improved sidewalks, street lighting, street trees, short-term bicycle parking, and landscaping. All setbacks would be consistent with existing zoning and the requirements of the Downtown Design Guide. Therefore, the Project conforms with Section 517 of the Redevelopment Plan.

**(n) Section 522 – Design Guidelines and Development Controls**

Section 522 requires that all new improvements to existing and proposed developments be in accordance with the Redevelopment Plan and any other applicable design guidelines and development controls. As clarified by CRA/LA, land use regulations, shall defer to and are superseded by the underlying General Plan, Community Plan, and Zoning Ordinance, including the codified sections of the current Downtown Design Guide. The Project would include a public plaza, streetscape improvements along all the street frontages, and a modern building design with residential and restaurant/retail street fronts in support of a pedestrian-oriented ground floor design. The Project is consistent with the design guidelines and standards in the Downtown Design. Therefore, the Project conforms to Section 522 of the Redevelopment Plan.

**(o) Section 523 - Variances, Conditional Use Permits, Building Permits and Other Land Development Entitlements**

Section 523 requires that no zoning variance, conditional use permit, building permit, demolition permit or other land development entitlement be issued without approval from the CRA/LA. The Project requests the following entitlements: TFAR, Main Conditional Use for alcohol, and Site Plan Review. As stated in Ordinance No. 186325, the City Planning Department has assumed the roles and authority of the former CRA/LA, so the City Planning Department would ensure that all entitlements are consistent with the intent of the Center City Redevelopment Plan. Therefore, the Project conforms to Section 523 of the Redevelopment Plan.

**c) The Transfer serves the public interest by complying with the requirements of Section 14.5.9 of this Code.**

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 child care; 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 \$21,698,509 (based on a formula that includes the Transfer of 523,195 square feet) and a TFAR Transfer Payment of \$2,615,975 (based on the Transfer of 523,195 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 \$10,849,255 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		\$21,698,509
50% Public Benefit Cash Payment		\$10,849,255
50% Public Benefit Direct Provision		\$10,849,255
Allocation of Public Benefit Direct Provision		
City of Los Angeles Citywide Affordable Housing Fund	98%	\$10,649,255
South Park BID	2%	\$200,000
Total	100%	\$10,849,255

**d) The Transfer is in conformance with the Community Plan and any other relevant policy documents previously adopted by the Commission or the City Council.**

The Receiver Site (Project Site) of the Transfer is located within the Central City Community Plan, and has a land use designation of Regional Center Commercial and is zoned [Q]R5-4D-O. 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 2620 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 523,195 square feet of unused, allowable floor area from the Donor Site (Los Angeles Convention Center) and permit a maximum FAR of 13:1 on the Receiver Site, which will be consistent with Community Plan and other relevant policy documents, which provides for a transfer of floor area up to a 13:1 FAR. The Project Site is also subject to [Q] conditions which allows for traditional commercial uses up to a 2:1 FAR by-right or up to the full 6:1 FAR with a discretionary approval by the City Planning Commission. The Project’s 12,504 square feet of ground-floor commercial restaurant and retail space would

be allowed by-right under the [Q] condition, as the FAR is under 83,206 square feet (by-right 2:1 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 1-1: To promote development of residential units in South Park.*

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

*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 794 residential units, including three-bedroom units, two-bedroom units, one-bedroom units, and studio units on a site located in the South Park District of the Community Plan. In addition, the project would provide 12,504 square feet of commercial ground-floor space, consisting on restaurants and retail stores fronting 11<sup>th</sup> Street. The project's supply and variety of residential units and restaurant and retail uses aligns with the Community Plan's vision for the South Park District as a "mixed-use community with a significant concentration of housing," achieving Objective 1-1 and Objective 1-2. The project will bridge the gap between housing and employment by providing homes for the increasing numbers of downtown workers.

In addition, the project site is located nearby the LASED (approximately one mile north) and the Convention Center (approximately 0.30 miles west) and will be consistent with the Central City Community Plan's vision for the South Park District 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 flexibility in commercial spaces allowing for a variety of restaurant and retail uses, helping to create an active, 24-hour downtown that will serve the residents and employees of the South Park District, as well as visitors. The addition of new uses, as well as up to 794 residential units in the South Park 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's ground floor open plaza will display public art and provide outdoor seating to attract visitors and residents to visit the project site and promote street level activity. The

project will also improve the streetscape along 11<sup>th</sup> Street and Olive Street 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.

## **2. MAIN CONDITIONAL USE FINDINGS (ON-SITE ALCOHOL SALES)**

- a) *The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.*

The Project proposes the construction of a mixed-use development, consisting of 794 residential dwelling units and 12,504 square feet of commercial uses on the ground-floor, comprised of restaurant and retail store uses. The applicant is requesting a Main Conditional Use Permit to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption at the restaurants and bar areas within the residential amenity areas. The restaurants will be located along the south side of the project fronting 11<sup>th</sup> Street.

The surrounding built environment is substantially developed and urban in character. The immediate vicinity of the project site is characterized by other mixed-use developments that contain commercial retail, restaurant, and residential uses, one-story commercial buildings, and surface parking. To the north, is the Oakwood Olympic and Olive mixed-use building that has ground-floor commercial uses fronting Olympic Boulevard and ground-floor residential units fronting Olive Street. To the east are one-story commercial buildings and the Los Angeles Job Corps Center. To the south and southeast are surface parking lots. To the southwest is the Grand Lofts, which is a residential building. To the west are the Ten50, 20-story mixed-use building and one- to two-story commercial buildings. The Project will concentrate the on-site alcohol-sales from the restaurants on the south and southwestern portions of the ground floor level of the building in the downtown area where it is common for many mixed-uses to contain similar ground floor commercial uses.

The Central City Community Plan identifies the area as part of the South Park District. The Project is located in close proximity to the western edge of the South Park District and approximately 0.30 miles from the Los Angeles Sports and Entertainment District. The western edge area of South Park District is envisioned as having new retail stores, hotels, restaurants, and entertainment venues along the Figueroa-Flower-Hope Street corridors to support the increasing attendance from visitors and residents coming from the Convention Center, Staples Center, and L.A. Live. The Project's commercial and alcohol-sale uses will complement the existing commercial, retail, residential, and entertainment uses in the area and will support the growing demand for commercial retail stores and restaurants by providing on-site alcohol-sales uses at up to ten establishments in its ground-floor commercial area.

The availability of alcoholic beverages for on-site consumption within the proposed mixed-used development's restaurants and residential amenity areas will improve the viability and desirability of the business and serve as an amenity to residents. The availability of alcoholic beverages for on-site consumption is a desirable amenity that is typical of many restaurants and would provide a beneficial service to the immediate community as well as to patrons of the commercial establishments. As such, the project will enhance the built environment in the surrounding neighborhood and will perform a function and provide a service that is beneficial to the surrounding community.

- b) *The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.*

The subject property is located in the Central City Community Plan area, situated on the northwest corner at the intersection of Olive Street and 11<sup>th</sup> Street. As previously described, the area is urban and built out and characterized with other mid-to-high rise mixed-use commercial and residential buildings, commercial buildings, and surface parking lots. Specifically, to the Project Site, to the north, is the seven-story Oakwood Olympic and Olive mixed-use building that has ground-floor commercial uses fronting Olympic Boulevard and ground-floor residential units fronting Olive Street. To the east are one-story commercial buildings and the Los Angeles Job Corps Center. To the south and southeast are surface parking lots, which are proposed as high-rise mixed-use developments. To the southwest is the Grand Lofts, which is a residential building. To the west is the 20-story Ten50 mixed-use building and one- to two-story commercial buildings. The surround neighborhood contains a mix of low, mid, and high-rise development and includes a number of recently constructed or under construction residential high-rises.

The location of the establishments that are proposed to serve and/or sale alcoholic beverages are oriented along established commercial streets and adjacent to other commercial uses. In addition, establishments are provided with common open space amenity areas to serve building residents and their guests. The use would continue to add to the diversification of commercial and residential activities being conducted in the area and will not adversely affect the surrounding neighborhood. The proposed hours of operation are reasonable and these areas will have trained staff and security. Alcohol sales would be compatible with and continue to add to the diversification of commercial activities, further support the growing residential population in the South Park District and visitors from the LASED.

No evidence was presented at the hearing or in writing that the sale of alcohol will be materially detrimental to the immediate neighborhood. While Grand Hope Park is located within one-half mile from the Project Site, the park is buffered by a wide variety of existing mid-to-high rise commercial and residential structures. The sales of alcoholic beverages for on-site consumption would not be detrimental to nearby schools, church, recreation area, and residential dwelling units, since the establishments serving alcohol will be carefully controlled and monitored, with parking and other commercial spaces providing a buffer between the alcohol selling establishments.

In addition, this grant also includes conditions of approval intended to address alcohol-related issues to safeguard public welfare and enhance public convenience, such as proper employee training and outdoor security lighting. The project has also been designed in a manner to enhance the public realm and improve the aesthetics and safety of the surrounding area. The establishment will be compatible with the immediately surrounding uses that are mixed-use, residential, and commercial. The proposed project will provide a place for residents and visitors to eat, drink, and socialize; as such, the sale of alcoholic beverages is a normal part of restaurant operation and is not expected to adversely affect or further degrade adjacent properties, the surrounding neighborhood, or public health, welfare, and safety.

- c) *The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.*

The Land Use Element of the City's General Plan divides the city into 35 Community Plans. The subject property is located within the Central City Community Plan which designates the property for High Density Residential land uses corresponding to the R5 Zone. The project is consistent with the underlying R5 Zone, which is intended to provide for residential and commercial uses. The Central City Community Plan text is silent with regards to alcohol sales. In such cases, the decision-maker must interpret the intent of the plan.

Conditional authorization for the sale of a full line of alcoholic beverages for on-site consumption is allowed with certain findings. Given the scope of the Conditions and limitations established herein, the surrounding land uses will not be significantly impacted by the sale and dispensing of a full line of alcoholic beverages for on-site consumption.

The project is located in the South Park District of the Community Plan, which is one of nine districts within the Central City Community Plan Area. The South Park district is dominated by a mix of residential, medical, commercial and entertainment uses. The South Park District has become a thriving residential community where residents can live, work and play without leaving the South Park District. With anticipated job growth in the coming years, the Community Plan projects the development of large scale mixed-use projects within the South Park District. The South Park District is also adjacent to the LASED and Los Angeles Convention Center, which is a major entertainment center of Los Angeles that attracts many visitors and residents with its event and entertainment-related uses.

The project's request for the on-site sale of a full line alcoholic beverages is consistent with the commercial land use designation of the Community Plan, including:

- Objective 2-2: To retain the existing retail base in Central City.
- Policy 2-2.1: Focus on attracting businesses and retail uses that build on existing strengths of the area in terms of both the labor force, and businesses.
- Policy 2-2.2: To encourage pedestrian-oriented and visitor serving uses during the evening hours especially along the Grand Avenue cultural corridor between the Hollywood Freeway (US 101) and Fifth Street, the Figueroa Street corridor between the Santa Monica Freeway (I-10) and Fifth Street and Broadway between Third Street and Ninth Street.
- Objective 2-3: To promote land uses in Central City that will address the needs of all the visitors to Downtown for business, conventions, trade shows, and tourism.
- Objective 2-4: To encourage a mix of uses which create an active, 24-hour downtown environment for current residents and which would also foster increased tourism.
- Policy 2-4.1: Promote night life activity by encouraging restaurants, pubs, night clubs, small theaters, and other specialty uses to reinforce existing pockets of activity.

The proposed project is consistent and compatible with the various objectives and policies of the Central City Community Plan, as it would support the neighborhood with retail and restaurant services needed for area residents, workers, and visitors, and activate the streets with more pedestrians from its ground-floor commercial uses and open plaza, while bringing improvements to the surrounding district. The project incorporates new service-oriented restaurant uses within a proposed mixed-use development within the designated Downtown Center of the Framework Element, and designated High Density Residential area of the Central City Community Plan. The commercial uses will create an active environment for residents by increasing the walkability of the streets. The project's retail stores and restaurants will directly front 11<sup>th</sup> Street that runs east-west, connecting with pedestrian corridors of Grand Avenue and Figueroa Street as stated in Policy 2-2.2. The project will activate the streets with more pedestrian activity, creating an active environment that would be appealing, in terms of maintaining a safe, clean, attractive and lively environment, to local residents, workers, and visitors. The project will also improve the pedestrian realm of the area by providing a public plaza and seating area at the southeast corner of the project site at 11<sup>th</sup> Street and Olive Street.

The sale of a full line of alcohol beverages for on-site consumption will enhance the proposed businesses on the site, which include restaurant and retail store uses, will serve local residences and businesses, provide for additional amenities in the residential common open spaces and will provide services and goods which complement the High Density Residential designation for the site. The request to serve and sell alcoholic beverages at the site will be consistent with these objectives and policies through the creation of a mix of commercial and residential uses that would attract a variety of consumers, tenants, and their guests, actively promoting the area as a key economic community center. Further, alcohol service incidental to food sales is a common amenity in many sit-down restaurants in the neighborhood and will contribute to the nightlife activity in the area. As mentioned, due to the project's close proximity to the LASED and Convention Center, the project's commercial and retail uses would complement the other mixed-uses in the area and provide additional dining and shopping options for visitors and residents within a walkable distance.

For the reasons stated above, the project substantially conforms to the purpose, intent and provisions of the General Plan and Central City Community Plan.

d) *The proposed use will not adversely affect the welfare of the pertinent community.*

The approval of the main conditional use will not adversely affect the welfare of the community. The project site is located within the South Park District and is approximately 0.30 miles east of the LASED and Convention Center. As stated in the Central City Community Plan, the South Park District is a mixed-use community with a significant concentration of housing that also includes support services such as retail and commercial uses for employment opportunities for area residents. As the South Park District is adjacent to the LASED and Convention Center, which is a major entertainment destination in the region, it is not uncommon to have alcohol services in the vicinity and serves a supportive function to the vibrant downtown nightlife. Additionally, the South Park District contains similar mixed-use buildings that provide commercial retail stores and restaurants which serves alcohol on-site, so the introduction of another such establishment would not create an adverse or unique condition. The project's dining and retail establishments will help to enhance the availability of dining options to on-site residents and employees as well as that of the surrounding neighborhood. Also, alcohol sales within common open space areas of the building will provide an additional amenity to serve building residents and their guests.

In addition, numerous conditions have been imposed to ensure that the use is integrated into the community as well as to protect community members from adverse potential impacts. Other conditions related to litter, graffiti, loitering, and a requirement to consult with LAPD before attaining a license will safeguard the residential community. Employees must also undergo STAR (Standardized Training for Alcohol Retailers) training, provided by the Los Angeles Police Department. Both the Conditions of Approval and the requirements of the State Alcoholic Beverage Control agency are intended to protect the public health, welfare and safety of the community. Furthermore, as part of the Plan Approval process, each individual venue will have additional conditions imposed and tailored towards the specific use. Such impositions of conditions will make the use a more compatible and accountable neighbor to the surrounding uses, as conditions are intended to integrate the use into the community as well as protect community members from potential adverse impacts associated with alcohol sales. Therefore, the proposed alcohol sales will not be materially detrimental to the character of the development in the neighborhood.

e) *The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also*

*giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.*

According to the State of California Department of Alcoholic Beverage Control (ABC) licensing criteria, four (4) on-sale and two (2) off-sale licenses are allocated to subject Census Tract No. 2079.00. There are currently 60 total licenses in this Census Tract (52 on-site and 8 off-site). Of the eight establishments with on-site licenses, 12 have Type 41 License for the on-sale of beer and wine for bona fide public eating place, 18 have a Type 47 License for the on-sale general for bona-fide public eating places, three (3) have a Type 48 License for the on-sale of beer, wine, and distilled spirits for consumption at a bar and night club, one (1) has a Type 57 License for the on-sale consumption of beer, wine, and distilled spirits at organizations that are not qualified for club licenses, seven (7) have a Type 58 License for caterers to provide alcohol beverages off-site, three (3) have a Type 66 License for hotels and motels to allow for the sale of packaged distilled spirits in guestrooms, five (5) have a Type 68 License for the sale and service of beer, wine, and distilled spirits from portable bars, and three (3) have a Type 77 License allows certain licensees to sell beer, wine and distilled spirits for consumption on property adjacent to the licensed premises that is owned or under the control of the licensee for events. Of the eight establishments with off-site licenses, four (4) establishment has a Type 20 License for the off-sale of beer and wine and the other three (3) establishments have a Type 21 License for the off-sale of general.

According to statistics provided by the Los Angeles Police Department's Central Los Angeles Division Vice Unit, within Crime Reporting District No. 182, which has jurisdiction over the subject property, a total of 493 crimes and arrests were reported in 2019 (363 Part I Crimes and 130 Part II Arrests), compared to the citywide total average of 173 offenses for the same reporting period. Of the 493 total crimes and arrests reported for the census tract, thirteen (13) arrests were made for narcotic drug laws, nineteen (19) arrests was made for liquor laws, seven (7) arrests were made for being under the influence of alcohol, no arrests were made for disturbing the peace, no arrests were made for disorderly conduct, and five (5) arrests were made for driving under the influence, reported by LAPD. Based on the above figures, approximately 9 percent (44) of the total (493) arrests were related to alcohol offenses.

Undue concentration can occur when the addition of a license will negatively impact a neighborhood. Concentration is not undue when the approval of a license does not negatively impact an area, but rather such a license benefits the public welfare and convenience. The number of active licenses for both on-site and off-site sales within the census tract is above the number allocated by ABC guidelines. The site is also located in a district where the crime rate is moderately higher than the citywide average. However, no evidence was submitted for the record establishing any link between the subject site and the area's crime rate. The statistics cover an entire district and do not pertain particularly to the subject site. No complaints were submitted for the record concerning any criminal or nuisance activity associated with the subject site. The incorporation of conditions relative to the specific operation of the establishment will address and minimize any possible adverse impact on the welfare of the surrounding area. Negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions requiring surveillance, responsible management and deterrents against loitering as required by this grant and the subsequent main plan approvals. The sale and dispensing of a full line of alcoholic beverages will be incidental to restaurant patronage or within limited amenity areas only serving building residents and their guests and is not anticipated to adversely affect crime rates, given the nature of the use.

In these active commercial areas where there is a demand for licenses beyond the allocated number, the approval of the license for the project area will benefit the public welfare and serves as a convenience, due to the increase in the residential population base in the area from the project. As support by the aforementioned facts, the project involves the granting of an application to sell and dispense alcoholic beverages in conjunction with a new mixed-use development will not adversely affect community welfare because restaurants and residential amenity spaces are desirable uses in an area designated for such uses. The restaurants' ability to serve alcohol on-site will provide a beneficial service to the growing visitors and residents in the South Park District, LASED and Convention Center areas, and the other adjacent districts within the downtown area. The new mixed-use development will provide a convenience to residents, workers, and visitors to the downtown area and as conditioned, will not negatively impact the area. The ABC has discretion to approve an application if there is evidence that normal operations will not be contrary to public welfare and will not interfere with the quiet enjoyment of property by residents.

Therefore, the granting of the application will not result in an undue concentration of alcohol-serving establishments.

- f) *The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.*

The project site is immediately adjacent to multi-family residences located north, southwest, and west of the within an area that is designated for High Residential Density and Regional Commercial land uses. In addition to multi-family uses, there is the Hillsong Church LA 800 feet east (1050 Hill Street), and the Grand Hope Park 800 feet to the northwest. The mixed-use project would concentrate the commercial and alcohol-sale components of the project on the south and southeast portion of the site, adjacent to 11<sup>th</sup> Street and Olive Street and would not directly face residential and other sensitive uses with the exception of the Grand Lofts (1100 Grand Avenue) located southwest from the project. Residential amenity spaces serving alcohol would be located within setback and elevated open space areas and would be distanced vertically from nearby sensitive uses

While there are residential dwelling units and other sensitive uses located in close proximity to the project site, the project will provide adequate security measures to discourage loitering, theft, vandalism and other nuisances as imposed through the project condition. All sales employees will receive training in responsible alcohol sales; age verification devices and prompts will be part of the Point-of-Sale system to assist cashiers in prevention of sales to minors.

Furthermore, the proposed use will not detrimentally affect nearby residential properties and other sensitive uses because the urban environment contains mixed-use buildings with residents that expect to reside at or near commercial uses. While the sale of alcoholic beverages is important to the restaurants or retailers that will be located within the proposed project's tenant spaces, their sale and service will be incidental to primary operations and, as such, no detrimental effects should be expected from the proposed project. In addition, this grant has placed numerous conditions on the proposed project, such as proper site maintenance, security lighting, employee training, and a time limitation on the grant, in order to eliminate or minimize any potentially detrimental effects on adjacent uses. With the conditions referenced herein, the impacts of the on-site consumption and dispensing of a full-line of alcoholic beverages would be reduced and not detrimentally affect nearby residentially zoned or developed communities and other sensitive uses within the area.

## 2. SITE PLAN REVIEW

- a) *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 floor area ratios up to 13:1 and high-rise buildings.

The 1045 Olive Project involves the construction of a 70-story (810-foot), mixed-use development consisting of 794 residential units and 12,504 square feet of ground-floor and retail stores and restaurants, a ground-floor public plaza, and residential open space amenities with a total square footage of 751,777. Residential uses would be located primarily within the 61-story residential tower, sited on top of a nine-level podium. Parking would be located within eight-levels of the podium structure wrapped by additional residential uses, and in six subterranean levels.

The project satisfies the following objectives and policies of the Land Use Chapter of 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, public benefit funding towards affordable housing, retail stores, and restaurants in the City's Downtown Center. The project will support Objective 3.4 and Policy 3.4.1 as the project will provide a high-density of residential units and ground-floor retail and restaurant uses, within a neighborhood that is in close proximity to many transit opportunities and will complement the existing similar mixed-use developments in the vicinity. The project will achieve Objective 3.15 and Policy 3.15.3 as the project site is designated as a Transit Priority Area, and is served local and rapid bus lines, and train lines as well. Furthermore, the project would enhance the pedestrian activity of the area through its pedestrian-oriented design and streetscape improvements, supporting Objective 3.16. At the northwest corner of the intersection of Olive Street and 11<sup>th</sup> Street, the project will include a public plaza that provides outdoor seating and public art for the community to create an active urban gathering space. In addition, the sidewalks around the project site would be improved with street trees, landscaping, pedestrian lighting, and bicycle racks. The project's mixed commercial and residential uses, amenities, and close 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 a site with five existing one-story commercial buildings and replace the buildings with a mixed-use high-rise tower, which include residential units and commercial restaurant and retail spaces. The project would provide for more housing opportunities in the area, while introducing new commercial and retail shopping opportunities, such as restaurants and other retail stores, to serve the residents of the area. The mix of uses and additional residents will contribute activity and commerce to the existing Downtown Center, further supporting nearby businesses and job centers. These features will promote job creation and economic growth, strengthen the commercial sector, and contribute to a better balance of land uses that meets the needs of residents while redeveloping the site.

**Housing Element.** The project also meets the policies set forth regarding housing in the land use chapter of the Framework Element and the Housing Element.

*Objective 1.1: Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.*

*Objective 1.1-4: Expand opportunities for residential development, particularly in designated Centers, Transit Oriented Districts and along Mixed-Use Boulevards.*

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

*Policy 2.3.1: Streamline entitlement, environmental, and permitting processes for sustainable buildings.*

*Policy 2.3.4: Promote and facilitate reduction of waste in construction and building operations.*

The project will further a key Housing Element goal of reducing the City's existing housing shortage, as well as its jobs-housing imbalance, by developing the site with 794 multi-family residential units. The project will support Objective 1.1-4 by providing more housing on the site, which the General Plan Framework designates as a Downtown Center. The project supports Objective 2.3, Policy 2.3.1, and Policy 2.3.4 as the project is certified Environmental Leadership Development Project (ELDP). As an ELDP Project, the Project will achieve LEED Gold certification, maximize transit friendly features (resulting in a minimum 15 percent greater transportation efficiency), and be 'Net-Zero' in GHG emissions. The project will incorporate Project Design Feature AQ-PDF-1 that includes energy conservation measures such as a construction waste management plan, installation of energy efficient appliances, and a water reduction strategy to reduce water consumption by 40 percent for indoor and 50 percent for outdoor water. Further, 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 stores at the site, the project will encourage walking, active transportation usage, and public transit usage, thereby reducing vehicular trips and overall vehicle miles traveled.

**Plan for a Healthy Los Angeles.** The project also 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 also 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 has been certified as an ELDP project and is required to achieve LEED Gold certification, maximize transit friendly features and be 'Net-Zero' in greenhouse gas emissions. As conditioned in Project Design Feature AQ-PDF-1, the Project will provide parking spaces which would be equipped for the immediate installation and use of EV Charging Stations, as well as for future use. Taken together, the conditions would provide for the public welfare and public necessity by reducing the level of pollution or 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.

The LEED certification and 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's certification as an ELDP Project will ensure that the project is energy efficient and promotes alternative modes of travel such as public transit and active transportation to support California's

greenhouse gas emission reduction targets. As such, the Project provides service amenities to improve habitability for future residents of the Project and to minimize 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 retail and restaurant uses and a public plaza, while improving the streetscape conditions along Olive Street and 11<sup>th</sup> Street with trees, landscaping, street lighting, and bicycle racks. The project is also required to improve both adjoining streets with full width concrete sidewalks, and upgrades as necessary to comply with American's With Disabilities Act (ADA) requirements. Pedestrian access to the commercial component of the project is provided with one entrance along 11<sup>th</sup> Street and two entrances in the public plaza at the corner of 11<sup>th</sup> Street and Olive Street, while access to the residential component of the project is provided at one entrance on Olive Street and one entrance on 11<sup>th</sup> Street. The project also supports Policy 3.3 as the project is designated in a Transit Priority Area, and is serviced by many local and rapid buses and train lines via the Blue and Expo train lines at the Pico Metro Station. The project is also 0.28 miles east (via 11<sup>th</sup> Street) of the My Figueroa project, which designates Figueroa Street as multimodal transportation corridor that includes a 3-mile protected bicycle lane and transit platforms. In addition to the short-term bicycle parking on Olive Street and 11<sup>th</sup> Street, the project supports Policy 3.8 as the project provides long-term bicycle parking located on the first subterranean level with access to an elevator provided from the residential lobby area on Olive Street. As mentioned previously, through the project's Project Design Feature AQ-PDF-1 a minimum of 20 percent of the LAMC-required parking shall be pre-wired for the future installation of electric vehicle (EV) charging stations and five (5) percent of the spaces are required to be equipped with EV charging stations.

### **City Center Redevelopment Plan Area.**

The Project Site is located in the City Center Redevelopment Plan Area. The City Center Redevelopment Plan's primary objective is eliminating and preventing blight in the area. The Project supports and is consistent with the following objectives of the City Center Redevelopment Plan:

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

The Project Site is currently developed with five one-story buildings, with a total of 34,673 square feet of floor area, that were constructed in the early 1900's. Currently, approximately

half of the space is vacant and unoccupied. The Project Site has no on-site landscaping with the exception of five street trees on Olive Street and three on 11<sup>th</sup> Street. Due to the vacancies of the buildings, the street frontage is predominately blank and building frontage is under-maintained. The increase in floor area generated by the proposed Transfer will allow the redevelopment of the site into a mixed-use high-rise containing 794 residential units, 12,504 square feet of ground-floor commercial space, and a ground-floor plaza at the corner of Olive Street and 11<sup>th</sup> Street, thus, rehabilitating the site with active uses.

*2. To further the development of Downtown as the major center of the Los Angeles metropolitan region, within the context of the Los Angeles General Plan as envisioned by the General Plan Framework, Concept Plan, City-wide Plan portions, the Central City Community Plan, and the Downtown Strategic Plan.*

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

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

The Project Site is zoned R5, designated High Density Residential and located in the South Park area within the Central City Community Plan. The High Density Residential classification is categorized under the Multi-Family Residential Land Use designation of the Framework Element. The Multi-Family Residential Land Use Designation is "characterized by a mix of densities and dwelling types, permitted densities may be reduced to levels consistent with the character of the entire area in order to minimize impacts on infrastructure, services, and/or maintain or enhance the residents' quality of life." The Framework Element also designates the Project Site within the Downtown Center which is characterized as "an international center for finance and trade that serves the population of the five-county metropolitan region. It is the largest government center in the region and the location for major cultural and entertainment facilities, hotels, high-rise residential towers, regional transportation facilities and the Convention Center. These uses serve the region, state, nation and world. Generally the Downtown Center is characterized by FARs up to 13:1 and high-rise buildings." The Project would be consistent with the Framework Element's Land Use Designation at the Project Site as the Project would be a mixed-use, high-rise residential tower that would provide 794 residential units and 12,504 square feet of commercial ground-floor space. The Project will support the greater downtown area and South Park District as destinations, and provide additional space for uses that complement the nearby LASED and Convention Center, contributing to its economic vitality. Further, the Project will be consistent with Central City Community Plan's vision for the South Park District to become a mixed-use community that contains a significant amount of housing that is within distance to retail and commercial developments that provide employment opportunities and other supportive services.

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

The Project will guide growth and development in the area by redeveloping the underutilized existing five one-story commercial and manufacturing buildings into a mixed-use development that would generate new job opportunities associated with the 12,504 square feet of restaurant and retail space. The 794 residential units proposed as part of the Project will offer a mix of unit types for new residents, as well as offering new restaurant and retail space located in a

transit rich area, siting new commercial growth in a location aligned with City plans and policies.

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

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

The Project will be designed in a contemporary architectural style, via a tall and high-rise tower that is situated on a podium. The tower also includes cut-out terraces on the rooftop of the 8<sup>th</sup> to the 10<sup>th</sup> level and the 53<sup>rd</sup> through 55<sup>th</sup> levels for an outdoor pool, amenity spaces, and additional terrace space that helps reduce the perceived bulk of the building. The Project is also certified as an Environmental Leadership Development Project that includes specific design features that enhance energy efficiency and sustainability, such as wraparound cantilevered balconies on every residential level that have been designed to provide shade and minimize solar gain throughout the building. The repeating wraparound cantilevered balconies and cut-out terraces along the facades of the building will contribute to the downtown Los Angeles' distinct skyline, which gives the Central City a strong image as the major center of the Los Angeles Region.

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

As described in the previous finding, the Project Site is well-served by public transit, including both rail and bus service. The Project is located approximately 0.25 miles northeast of the Pico Metro Rail Station (A/E lines) and is 0.5 miles southwest from the 7th and Metro Center Rail Station (B/D and A/E lines). These subway lines provide access to other transit lines operated by Metro and connect passengers to Long Beach, Culver City, Santa Monica, Hollywood, Koreatown, and North Hollywood. In addition, the Project Site will be adjacent to the planned LA Streetcar's route along 11<sup>th</sup> Street, which will run a 3.8-mile route providing connections within the downtown area. The Project Site is also served by numerous Metro LADOT, Montebello, Orange County Transportation Authority, Foothill Transit, the Big Blue Bus, and Torrance Transit bus lines. In addition to available public transit, regional access to the Project Site is also provided by State Route 110 (SR-110 or Harbor Freeway), which runs north-south approximately 0.7 miles west, and Interstate 10 (I-10), which runs east-west approximately 0.55 miles south of the Project Site. Local access to the Project Site would be provided by 11<sup>th</sup> Street and Olive Street. Thus, the Project Site is well served by transit.

*9. To achieve excellence in design, based on how the Central City is to be used by people, giving emphasis to parks, green spaces, streetscapes, street trees, and places designed for walking and sitting, and to develop an open space infrastructure that will aid in the creation of a cohesive social fabric.*

*10. To develop and implement public art into the urban fabric, integrating art into both public and private developments.*

The Project will improve the streetscape by providing widened sidewalks with new street trees, and parkway landscaping. The Project will also include a ground level public plaza area, with 2,728 square feet of open space. The plaza will include seating areas, with landscaping and art displays to provide respite to activate the northwest corner of Olive Street and 11th Street. Residents and visitors will be able to access the ground-floor restaurants and retail spaces

from 11<sup>th</sup> Street and Olive Street. As previously mentioned, the Project includes cut-out terraces from the 8<sup>th</sup> to the 10<sup>th</sup> levels, the 53<sup>rd</sup> to the 55<sup>th</sup> levels, and building rooftop that would be landscaped with trees, shrubs, and other native plants and would serve the building residents.

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

The Project will introduce 794 residential units, and 12,504 square feet of commercial uses such as restaurants and retail stores, resulting in a range of employment opportunities. Therefore, the Project's new residential, restaurant, and retail uses, employment opportunities, transit-oriented location, public plaza, and other community benefits make the Project consistent with the Redevelopment Plan's Objectives.

**Central City Los Angeles 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 1-1: To promote development of residential units in South Park.*

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

*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 794 residential units, including a mix of three-bedroom units, two-bedroom units, one-bedroom units, and studio units on a site located in the South Park District of the Community Plan. In addition, the project would provide 12,504 square feet of commercial ground-floor space, consisting on restaurants and retail stores fronting 11<sup>th</sup> Street. The project's supply and variety of residential units and restaurant and retail uses aligns with the Community Plan's vision for the South Park District as a "mixed-use community with a significant concentration of housing," achieving Objective 1-1 and Objective 1-2. The project will bridge the gap between housing and employment by providing homes for the increasing numbers of downtown workers.

In addition, the project site is located nearby the LASED (approximately one mile north) and the Convention Center (approximately 0.30 miles west) and will be consistent with the Central City Community Plan's vision for the South Park District 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 both visitors 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 flexibility in commercial spaces allowing for a variety of restaurant and retail uses, helping to create an active, 24-hour downtown that will serve the residents and employees of the South Park District, as well as visitors. The addition of new uses, as well as up to 794 residential units in the South Park 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's ground floor open plaza will display public art and provide outdoor seating to attract visitors and residents to visit the project site and promote street level activity. The project will also improve the streetscape along 11<sup>th</sup> Street and Olive Street with street lighting, trees, landscaping, and bicycle parking, enhancing the overall pedestrian environment.

Therefore, based on the above, the proposed project is consistent with the provisions of the General Plan and the proposed land use designation and will serve to implement the goals and objectives of the Central City Community Plan.

- b) *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 and the South Park District. The immediate vicinity is characterized by a mix of commercial, restaurant, bar, office, surface parking and high-rise residential uses. The 38,097 square foot site is currently developed with five one-story commercial buildings. Properties to the south across from 11<sup>th</sup> Street are surface parking lots, that have proposed plans for 51-story mixed-use development and a 60-story mixed-use development. There is also the Grand Loft residential development that is eight stories in height, located southwest from the project site. Properties to the west across the alley are the 20-story Ten50 mixed-use development and one- to two-story commercial buildings. To the north and northwest are mixed-use developments such as the seven-story Oakwood Olympic and Olive and the seven-story 1000 Grand buildings. Properties to the east are one-story commercial buildings and the seven-story Los Angeles Job Corps Center building.

The project would develop the site with a mixed-use building that includes 794 multi-family residential units. The project will also provide a total of 12,504 square feet of ground floor and commercial space comprising of restaurants and retail stores. Parking would be located in six subterranean levels and eight levels in the podium structure. The residential uses would be located in the fifth through ninth levels of the podium structure with the remaining residential units located throughout the 61-story tower. Open space and residential amenities would be located on the eighth through ninth levels of the podium, the 53<sup>rd</sup> through 55<sup>th</sup> levels, and a rooftop level, consisting of an open terrace, pool, and recreational areas. The project would provide a public plaza situated at the southeast corner of the project that includes public art and outdoor seating.

As mentioned above, the project area is urban in nature with various commercial and residential uses and other similar mid- to high-rise mixed-use developments. The project site's proximity to a major transit stop and its High Density Residential designation allows for the project's residential uses and supportive retail and restaurant commercial uses for the neighborhood. The project's ground-floor commercial uses would incorporate transparent and active storefront design on the public streets and provide a public plaza 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 commercial and residential buildings' proposed design would be consistent with the design policies set forth in the Citywide Design Guidelines. The building elevations utilize a variety of architectural features, building materials and changes in depth to break up massing and create a consistent architectural theme for the development. The podium would be screened with clear, fritted, and opaque glass along Olive Street and 11<sup>th</sup> street, with glass and finned panels screening the western elevation along the alleyway. The glass screening would create a unified material and design language from the ground floor to the podium to the tower levels. The opaque glass would obscure the parking areas, while clear glass would allow transparency into and out of the ground floor commercial and residential units at floors 5-7, and the fritted glass applied to balconies at floors 5-7, and the amenity level at floor 8 would create visual interest. It should be noted the Project's west elevation faces an alleyway, and utilizes a separate finned screening. The west side includes the same glass treatment towards the street, while implementing finned screening along the façade partially at the floors 2-4, and fully on floors 5-8. The finned design is partially open to facilitate natural passive ventilation of the parking structure and to allow the project to meet stringent ELDP energy efficiency requirements. At the ground floor level, the commercial and residential entrances would utilize a mix of pre-cast concrete paneling and glass to provide for a varied texture and transparent storefront and residential lobby area. The podium would also utilize wood cladding on the underside of the podium at the ground floor level to soften the façade of the building and create a warm and inviting experience for visitors and residents. The architectural façade of the project's tower would primarily use glass to allow for natural lighting into the residential units, while the wraparound cantilevered balconies on every 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 near the upper levels of the podium and at different levels and corners of the tower. The cutout open spaces within the tower would help break the façade of the tower and provide unique focal points of the tower. Overall, the project's contemporary architecture complements and enhances the surrounding developments.
- B. Height/Bulk. The project would reach a maximum building height of 70-stories or 810 feet. The proposed height of the buildings is consistent with recent and future development in the immediate area. Around the immediate vicinity of the Project Site are also high-rise buildings such as the recently constructed 41-story mixed-use AVEN Apartments located at 1120 Grand Avenue, and the South Park Center, that contains two buildings with a maximum height of 32 stories, where both developments are located a block south from the project site. To the west are the Circa development that contains two 36-story high-rise towers and the Oceanwide development that is a 45-story both located 0.23 mile from the project site. Additionally, there are proposed future plans to develop a 60-story (1120 Olive Street) and 51-story (1115 Olive Street) mixed-use buildings at the two surface parking lots directly south of the project site. 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 project will comply with the requirements of the Municipal Code and the sidewalk, setback, and streetscape guidelines of the Citywide Design Guidelines. Ground floor treatments also include active retail and restaurant uses, prominent entryways, open plaza, and pedestrian-scaled architecture. The project will provide adequate separation distances between all buildings within and adjacent to the site.

- D. Off-Street Parking. The project will provide residential and commercial parking spaces on-site in accordance with the requirements of the Municipal Code, and will be located in the six levels of subterranean parking and eight levels in the podium structure. 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 first subterranean parking level, while short-term bicycle parking will be visible along building frontages at Olive Street and 11<sup>th</sup> Street.
- E. Loading. Any loading or noise-generating back-of-house uses are located away from the primary frontages of Olive Street and 11<sup>th</sup> Street and instead provided via a loading area located in the alley accessed from 11<sup>th</sup> Street. Mechanical equipment and utilities are also appropriately screened within the building and on the building's roof without detracting from the usability and active street presence of the development.
- F. Lighting. Implementation of the project will introduce new light sources within the project site, including streetlights, interior building lighting, exterior security lighting, exterior architectural lighting, and 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 aesthetically lighting solutions that minimize light trespass from the site. Outdoor lighting sources will be shielded away from adjacent uses to minimize impacts. The project also incorporates natural lighting into the building through its cutout open space area located within the tower. The project's wraparound cantilevered balconies on every residential level of the tower also provides shade and minimize solar gain throughout the building.
- G. Landscaping. Open space and landscaping for the project is concentrated on the eighth through tenth levels of the podium, the 53<sup>rd</sup> through 55<sup>th</sup> levels, and the rooftop of the tower. The podium's open space includes an event deck, garden, outdoor seating areas, and playground. The tower's open space includes an outdoor pool and spa, lounge area, and kitchen/bar area. Landscaping would also be installed around the perimeter of the building and throughout all the open space levels of the building, utilizing native shrubs, perennials, and canopy trees. The perimeter streetscape character would accommodate pedestrians through shade canopy trees, landscaping planters, street furniture, and outdoor seating and public art at the public plaza at the southeast corner of the project.
- H. Trash Collection. The project is conditioned to enclose all tenant trash containers from view and has incorporated trash collection features into building designs. Trash receptacles will also be provided throughout the open areas of the project. The project will 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 in neighboring properties.

- c) *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 five partially vacant one-story commercial buildings while minimizing impacts on neighboring properties. The project would provide open space amenities throughout the project site. At the ground floor level, the public plaza at the southeast corner of the project would provide public open space with outdoor seating, landscaping, and public art displays. At the eighth through tenth levels of the podium would be common open space that includes an outdoor terrace with landscaping, outdoor seating, gardens, playgrounds, and event deck. The mid-tower common open space (from the 53rd through 55th levels) and rooftop terrace would also provide amenities such as a pool and spa, outdoor dining area, event areas, gym/fitness center, and community rooms. Additionally, the project would provide residential open space areas within private wraparound cantilevered balconies for most of the residential units.

As an ELDP project, the project would be required to provide sustainable features and service amenities for its residents and visitors such as achieving LEED Gold certification, maximizing transit friendly features (resulting in a minimum 15 percent greater transportation efficiency), and being 'Net-Zero' in GHG emissions. The project also includes a Project Design Feature (AQ-PDF-1) that would require the installation of wiring for the future installation of electric vehicle charging stations for 20 percent of the proposed parking, the immediate installation of electric vehicle charging stations for five percent of the proposed parking spaces. The electric vehicle charging spaces and other sustainability features as an ELDP project will improve habitability for residents and neighboring properties by reducing the level of greenhouse gas emissions and fuel consumption from the project site, through encouraging the use of low or zero emission vehicles and public transit.

The project is also located in an urbanized setting of the South Park District, which is adjacent to the LASED and Convention Center which are major entertainment areas of downtown. The project's ground floor commercial retail and restaurant uses would complement the variety of commercial uses from other mixed-use developments around the area, as well as provide visitors and residents more dining and shopping options. The project's commercial uses would also provide employment opportunities for the residents in the surrounding area. Additionally, since the project site is within close distance to many restaurants, retail stores, and entertainment venues, residents would be able to walk, use active transportation, or public transit to these different amenities, which promotes the sustainability goals of the City and as an ELDP project.

Lastly, the project's tower has been designed and concentrated in the northeastern portion of the project site to provide a significant amount of space for the residents of the adjacent Ten50 mixed-use development 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 1045 Olive Project by preparing an environmental impact report (EIR) (Case Number ENV-2016-4630-EIR / SCH No. 2017121047). The EIR was prepared in compliance with the California Environmental Quality Act of 1970, Public Resources Code Section 21000 et seq. (CEQA) and the California Code of Regulations Title 14, Division 6, Chapter 3 (the "CEQA Guidelines").

The 1045 Olive Project EIR, consisting of the Draft EIR and Final EIR, is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and impacts of the 1045 Olive Project (Project), located at 1033-1057 South Olive Street (Site or Project Site). The Project involves the construction and operation of a 70-story mixed-use high-rise residential development with ground floor commercial uses on a 38,097 square foot site. The Project would include up to 794 residential units, 12,504 square feet of ground-floor commercial (restaurant/retail) uses, a ground-floor public plaza, subterranean and above-ground parking, and residential open space amenities. The Project is a certified Environmental Leadership Development Project (ELDP).

The Draft EIR was circulated for a 48-day public comment period beginning on September 26, 2019, and ending on November 12, 2019. The Final EIR was then distributed on December 18, 2019, and an Erratum was released on February 6, 2020. The Advisory Agency certified the EIR on February 7, 2020 ("Certified EIR") in conjunction with the approval of the Project (VTT-74531-CN). In connection with the certification of the EIR, the Advisory Agency adopted CEQA findings and a mitigation monitoring program. The Advisory Agency adopted the mitigation monitoring program in the EIR as a condition of approval. All mitigation measures in the previously adopted Mitigation Monitoring Program are imposed on the project through Conditions of Approval of VTT-74531-CN, to mitigate or avoid significant effects of the proposed Project on the environment and to ensure compliance during Project implementation.

### **NO SUPPLEMENTAL OR SUBSEQUENT REVIEW IS REQUIRED**

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

- 1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- 2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
  - A. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

- B. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

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

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

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

## **RECORD OF PROCEEDINGS**

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

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

## **PUBLIC HEARING AND COMMUNICATIONS**

### **Public Hearing**

A joint public hearing was held at City Hall for the proposed Project entitlements and subdivision on January 15, 2020 and was attended by approximately 20 individuals. At the public hearing, testimony was provided by the Project team; three speakers in support of the Project representing the following groups: Central City Association, South Park Business Improvement District, and the LA/OC Building and Construction Trades Council; and three residents from the adjacent Ten50 residential tower (1050 S. Grand Avenue) in opposition to the Project.

### **Summary of Public Hearing Testimony**

At the hearing, the Project team presented the on the following features:

- The Project includes a number of environmental and economic benefits, such as: certification as an Environmental Leadership Development Project (the first in downtown Los Angeles), achieving carbon-neutral development, providing prevailing wage and union jobs during construction, and making a significant investment in the local economy.
- The building design includes a tower element at the northeast corner of the property, with a recessed open space podium area provided along the western alleyway, for relief and separation from the adjacent Ten50 residential tower. Ground floor features include a 60-foot tall privately-owned publically-accessible plaza with seating and public art at the Olive and 11<sup>th</sup> Street corner. A second recessed ground-floor area would be provided along Olive Street for the residential lobby entrance. Building materials would include wood-printed aluminum on the underside of the cantilevered balconies, as well as glass and architectural skin elements for the building exterior. At the upper level open space cut-outs of the tower, 5-foot high perimeter glass would be installed for the purposes of safety, transparency, and to block wind.
- Regarding entitlements, the applicant representative noted that pursuant to the Housing Accountability Act, the City is limited in its ability to impose conditions to lower density, and that the City cannot deny the Project per findings of the State of California. In addition, the representative summarized the Project's entitlement requests and also added that the height and volume of the open space cut-outs and wrap-around balconies of the Project meet the intent of these areas to function as open space for residents.

Support for the project centered on the following points:

#### *Support*

- The project benefits the downtown community and brings housing and jobs near transit.
- It will stimulate economic growth and provide permanent jobs in South Park district.
- The project will provide local skilled workers with living wage jobs.
- The Project design is iconic and will be a welcome addition to the downtown skyline.
- It will create active and walkable ground-floor spaces, and ample open space features.

Opposition focused on the following:

#### *Opposition*

- The Project is too big/massive for the site, will exceed the height of nearby properties, will obstruct views from the Ten50 building, and does not match the downtown skyline.
- Alternative 2 or 3 (reduced density alternatives) from the Draft EIR should be adopted.
- There is an existing glut of luxury apartments in Downtown Los Angeles, which remain vacant.
- No affordable apartments are included, and it does not address affordability/homelessness.

- The Project will more than double the population of the block and will bring in additional pets.
- There will be a negative impacts on air quality and noise from construction.
- During operation, noise and traffic from loading activities will be problematic.
- There will be significant traffic congestion and access conflicts in the alley since other buildings on the block also utilize the alley (including the Ten50 building, which has sole access from the alley). The northern alley entrance is narrower and is often blocked by trucks.

### **Communications Received**

At the time of the preparation of this report, two comment letters were received regarding the project entitlement requests. One letter was received from the local neighborhood council and the other was received from an individual. Both letters voiced general support of the project. In addition to support for the project, the Downtown Los Angeles Neighborhood Council (DLANC) provided the following specific recommendations:

- The project should incorporate additional retail entrances along Olive Street.
- The proposed façade screen materials should not obscure the ground floor spaces.
- In the event of an operator/tenant change, the new entity should return to present to the DLANC if a plan approval is required.
- During construction, well-lit pedestrian access should be maintained.

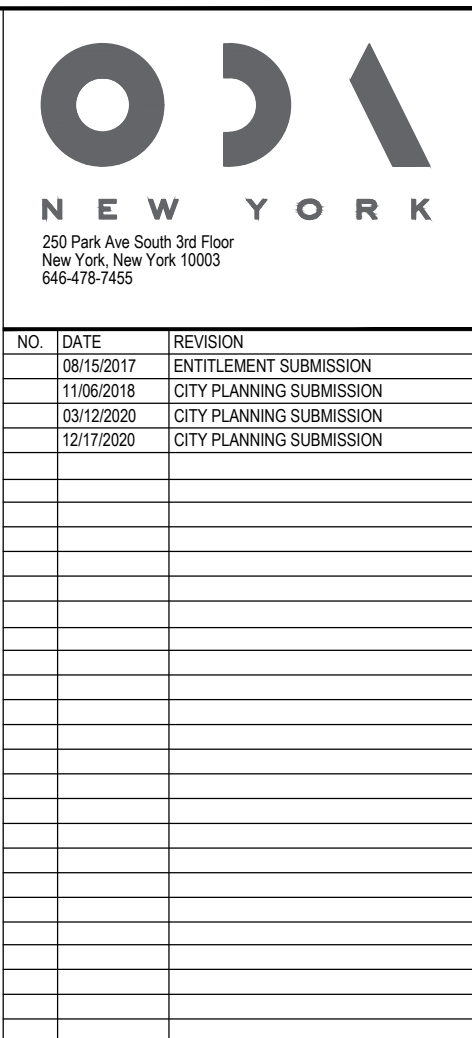
In addition, five public comment letters were submitted regarding the Draft Environmental Impact Report (EIR) for the project. Letters were received from the State of California – Governor's Office of Planning and Research, State of California Department of Transportation (Caltrans), City of Los Angeles Bureau of Sanitation, and a local resident. These comments discussed issues regarding investigations on hazardous materials, traffic impacts on highway facilities, wastewater, and land use compatibility concerns. These comments were addressed in the Final EIR, located at the following link: <https://planning.lacity.org/development-services/eir/1045-olive-project-2>



# 1045 OLIVE

1033-1057 S. Olive St.  
Los Angeles, CA 90015

**Exhibit A Project Plans**  
**CPC-2017-3251-TDR-MCUP-SPR**  
**May 13, 2021**



OWNER / APPLICANT

1045 OLIVE, LLC  
2200 BISCAYNE BLVD  
MIAMI, FL 33137

## CONSULTANTS

LANDSCAPE ARCHITECT:

ODA Architecture P.C.  
250 Park Avenue South 3rd fl  
New York, NY 10003  
T. (646) 478-7455

**STRUCTURAL ENGINEER:**  
MAGNUSSON KLEMENCIC ASSOCIATES  
1301 Fifth Avenue Suite 3200  
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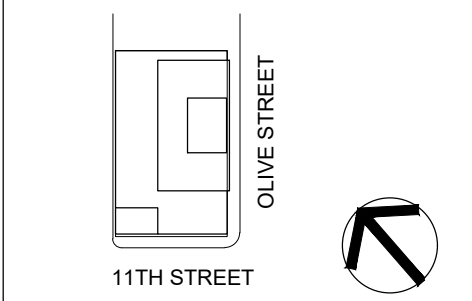
**LAND USE COUNSEL:**  
**LATHAM & WATKINS LLP**  
355 South Grand Avenue, Suite 101  
Los Angeles, CA 90071  
T. (213) 485-1234

**TRAFFIC ENGINEER:**  
THE MOBILITY GROUP  
18301 Von Karman, Suite 49  
Irvine CA 91612  
T. (949) 474-1591

NO	SHEET	SHEET DESCRIPTION
01	A-000	COVER SHEET
02	A-001.1	PROJECT INFORMATION
03	A-001.2	SITE LOCATION
04	A-002	PLOT PLAN
05	A-003	SITE SURVEY
06	A-004	SITE SURVEY
07	A-005	OPEN SPACE DIAGRAMS
08	A-006	FLOOR AREA DIAGRAMS
09	A-007	FLOOR AREA DIAGRAMS
10	A-100	FLOOR PLANS: BASEMENT 6 & 2-5
11	A-101	FLOOR PLANS: BASEMENT 1 & 1ST FLOOR
12	A-102	FLOOR PLANS: MEZZANINE & 2ND FLOOR
13	A-103	FLOOR PLANS: 3RD-4TH & 5TH-7TH FLOOR
14	A-104	FLOOR PLANS: 8TH & 9TH FLOOR
15	A-105	FLOOR PLANS: 10TH & 11TH-20TH FLOOR
16	A-106	FLOOR PLANS: 21ST-51ST & 52ND FLOOR
17	A-107	FLOOR PLANS: 53RD & 54TH FLOOR
18	A-108	FLOOR PLANS: 55TH & 56TH-60TH FLOOR
19	A-109	FLOOR PLANS: 61ST-70TH FLOOR & ROOF
20	A-200	BUILDING ELEVATIONS
21	A-250	BUILDING SECTIONS
22	A-300	CONCEPT DIAGRAMS
23	A-301	EAST ELEVATION
24	A-302	SOUTH ELEVATION
25	A-303	WEST ELEVATION
26	A-304	MATERIAL BOARD
27	A-305	11TH & OLIVE STREET PLAZA
28	A-306	AERIAL VIEW
29	A-307	AERIAL VIEW
30	L-100	1ST FLOOR LANDSCAPE PLAN
31	L-101	8TH & 10TH FLOOR LANDSCAPE PLAN
32	L-102	53RD FLOOR LANDSCAPE PLAN
33	L-103	54TH-55TH FLOOR LANDSCAPE PLAN
34	L-104	ROOF GARDEN LANDSCAPE PLAN
35	L-105	GENERAL NOTES

## KEY PLAN

1033, 1041, 1045, 1053, 1057 S. OLIVE ST  
LOS ANGELES, CA 90015



1045 OLIVE

## NEW CONSTRUCTION

PROJECT NO:1658.00

SCALE:

COVER SHEET

A-000

PROJECT INFORMATION

SITE ADDRESS	
1033, 1041, 1045, 1053, 1057 S OLIVE ST	
LOS ANGELES, CA 90015	
OWNER / APPLICANT	
1045 OLIVE, LLC	
2200 BISCAYNE BLVD	
MIAMI, FL 33137	
LAND USE CONSULTANT	ARCHITECT
IRVINE & ASSOCIATES, INC.	ODA ARCHITECTURE, LLC
633 W. 5TH ST, SUITE 3200	250 PARK AVENUE SOUTH, 3RD FL
LOS ANGELES, CA 90071	NEW YORK, NY 10003
PROJECT DESCRIPTION	
<ul style="list-style-type: none"><li>70 - STORY HIGH RISE</li><li>56 STORIES OF RESIDENTIAL FLOORS</li><li>10 STORIES OF ABOVE GRADE PODIUM, CONSISTING OF:<ul style="list-style-type: none"><li>GROUND FLOOR RETAIL, RESIDENTIAL LOBBY AND BACK OF HOUSE</li><li>MEZZANINE AND 8 FLOORS OF PARKING WITH 5 FLOORS OF LINER UNITS</li><li>10TH FLOOR AMENITIES</li></ul></li><li>5 ½ LEVELS OF BELOW GRADE PARKING</li><li>1 MECHANICAL FLOOR AND 3 FLOORS OF AMENITIES FROM LEVEL 52-55</li></ul>	

LEGAL DESCRIPTION
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:
PARCEL 1: (APN: 5139-010-010)
THAT PORTION OF LOTS 2 AND 3 IN BLOCK 70 OF ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 43 PAGE 74 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:
COMMENCING ON THE WEST LINE OF OLIVE STREET AT A POINT DISTANT 100 FEET NORTHERLY FROM THE NORTHWEST CORNER OF OLIVE STREET AND ELEVENTH STREET RUNNING THENCE NORTHERLY ON SAID WEST LINE OF OLIVE STREET 50 FEET; THENCE AT RIGHT ANGLES WESTERLY ON A LINE PARALLEL WITH ELEVENTH STREET 165 FEET AT RIGHT ANGLES SOUTHERLY ON A LINE PARALLEL WITH OLIVE STREET 50 FEET, AND THENCE AT RIGHT ANGLES EASTERLY ON A LINE PARALLEL WITH ELEVENTH STREET 165 FEET TO THE POINT OF BEGINNING.
THE ABOVE DESCRIBED PROPERTY IS SHOWN AS A PORTION OF LOT 'A' ON THE MAP OF TRACT NO. 1011, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 18 PAGE 26 OF MAPS.
PARCEL 2: (APN: 5139-010-011)
THE SOUTHEASTERLY 165 FEET OF TRACT NO. 62 , IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13 PAGE 104 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
PARCEL 3: (APN: 5139-010-001)
THE SOUTHERLY 50 FEET OF LOT 1, IN BLOCK 70 OF ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 43 PAGE 74 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
APN: 5139-010-002
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:
PART OF LOTS 3 AND 4 IN BOOK 70 OF THE SUBDIVISION OF BLOCKS 62, 70, AND 78 OF ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 43 PAGE 74 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
BEGINNING AT A POINT IN THE NORTHWESTERLY LINE OF OLIVE STREET, DISTANT 150 FEET NORTHEASTERLY FROM ITS INTERSECTION, WITH THE NORTHEASTERLY LINE OF ELEVENTH STREET; THENCE NORTHWESTERLY AT RIGHT ANGLES TO A POINT WHICH WOULD BE INTERSECTED BY THE SOUTHWESTERLY PROLONGATION OF THE NORTHWESTERLY LINE OF LOT 4 OF HAYWARD'S SUBDIVISION, AS PER MAP RECORDED IN BOOK J PAGE 33 OF LAP, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, THENCE NORTHEASTERLY 50 FEET MORE OR LESS, TO THE WESTERLY CORNER OF SAID LOT 4 OF HAYWARD'S SUBDIVISION; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE THEREOF, 167.30 FEET TO THE NORTHWESTERLY LINE OF OLIVE STREET; THENCE SOUTHWESTERLY ALONG SAID LINE OF OLIVE STREET, 50 FEET TO THE POINT OF BEGINNING.
APN: 5139-010-008
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:
LOT 4 OF HAYWARD'S SUBDIVISION OF PART OF BLOCK 70 OF ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1 PAGE 33 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
EXCEPT THEREFROM ALL OIL, GAS, MINERALS, HYDROCARBON SUBSTANCES AND ALL ASSOCIATED SUBSTANCES IN AND UNDER SAID LAND BELOW A DEPTH OF 100 FEET FROM THE SURFACE OF SAID LAND, WITHOUT ANY RIGHT OF SURFACE ENTRY OR SUBSURFACE ENTRY TO A DEPTH OF 100 FEET TO DEVELOP OR PRODUCE THE SUBSTANCE IS HEREBY RESERVED, AS EXCEPTED AND RESERVED IN THE DEED FROM CHARLES H. ENDY, A MARRIED MAN AS HIS SEPARATE PROPERTY AS TO AN UNDIVIDED ONE-HALF INTEREST, AND PAUL S. ENDY JR., A MARRIED MAN AS HIS SEPARATE PROPERTY AS TO AN UNDIVIDED ONE-HALF INTEREST, RECORDED MAY 16, 1973.

ZONE		[Q]R5-4D-O	
ZONING:		CENTRAL CITY COMMUNITY PLAN	
COMMUNITY PLAN AREA:		HIGH DENSITY RESIDENTIAL	
EXISTING PLAN DESIGNATION:		CITY CENTER REDEVELOPMENT PLAN	
COMMUNITY REDEVELOPMENT AREA:			
LOT AREA			
Post-dedication Lot Area	37,172 sq ft		
Pre-dedication Lot Area	41,603 sq ft		
Area gained from streets to center line	16,226 sq ft		
Transit Area Mixed Use Buildable Area = Gross Lot Area (to Centerline)	57,829 sq ft		
FLOOR AREA			
Permitted	Project Site		
Total Base Permitted (6:1 FAR)**	249,618 sq ft		
Transit Area Mixed Use Base Permitted (6:1 FAR) ***	346,974 sq ft		
Transit Area Mixed Use Permitted (13:1 FAR) ***	751,777 sq ft		
Proposed*	Zoning Area		
Residential	739,273 sq ft		
Commercial	12,504 sq ft		
Total New Floor Area (13:1 FAR)***	751,777 sq ft	*Proposed numbers are maximums	
Transit Area Mixed Use Base Permitted (6:1 FAR) ***	346,974 sq ft	** Based on pre-dedicated area	
TFAR Request***	404,803 sq ft	*** Transit Area Mixed-use Project lot area dictates the maximum FAR requested	
*** All non-interior common open space excluded from LAMC Sec. 12.03 floor area definition		*** All included floor area as depicted on sheets A-006 & A-007	
DENSITY			
Permitted	Unlimited		
Proposed	794	Units	
HEIGHT			
Permitted	Unlimited		
Proposed (to roof)	770	ft	
Proposed (top of screening)	810	ft	
OPEN SPACE			
Required (New Units Only)	Units	Open Space	
< 3 Habitable rooms (100 SF/Unit)	478	47,800	sq ft
= 3 Habitable rooms (125 SF/Unit)	220	27,500	sq ft
> 3 Habitable rooms (175 SF/Unit)	96	16,800	sq ft
Total	794	92,100	sq ft
Proposed			
Common OS (Exterior)	37,927	sq ft	
Common OS (Interior)	23,025	sq ft	25% of required open space
Total Common	60,952	sq ft	
Private Balcony	37,700	sq ft	100% of tower units; max 50 sq ft per unit
Total Proposed	98,652	sq ft	
*** All credited open space as depicted on sheet A-005 included			
**** Per ZA 2017 4745-ZAI, tower cutouts are counted as open space			
Landscaped Area			
Required	9,482	sq ft	25% of exterior common open space
Proposed	11,290	sq ft	
Trees			
Required	199		(1 per 4 dwelling units)
Proposed	539		
AUTOMOBILE PARKING			
Advisory Agency Parking Policy (Condos)	Units	Ratio	Required
Residence	794	2	1588
Guest	794	0.25	199
Total Residential			1787
Central City Residential Parking Required	Units	Ratio	Required
≤ 3 Habitable rooms	478	1	478
> 3 Habitable rooms	316	1.25	395
Total Residential			873
Commercial Parking Required	Area	Ratio	Required
New Building	12,504	1 per 1,000 sq ft	13
Total Parking Required			886
Proposed Parking			
Residential	878	Spaces	
Commercial	13	Spaces	
Total Proposed	891	Spaces	
Type of Stalls			
Handicap (2% of Total)	18		
Standard	873		
Compact Stall	-		
Total	891		
BICYCLE PARKING			
Required	Short Term	Long Term	Total
Residential	1 per 10 units	1 per unit	
	79	794	873
Commercial	1 per 2,000 sq ft	1 per 2,0000 sq ft	
	6	6	12
Proposed	Short Term	Long Term	Total
Residential	80	794	874
Commercial	6	6	12
Combined Total	86	800	886

		UNIT MIX									
LEVELS 5-9		LEVELS 11-20		LEVELS 21-51		LEVELS 56-60		LEVELS 61-70		TOTAL	
# of Floors	5	# of Floors	10	# of Floors	31	# of Floors	5	# of Floors	10		
Units/Floor	Total Units	Units/Floor	Total Units	Units/Floor	Total Units	Units/Floor	Total Units	Units/Floor	Total Units		
LINER	8		40								40
STUDIO				4	40	2	62	2	10		112
JUNIOR 1BR				7	70	2	62	2	10		142
1BR		4	40	4	124	4	20	4	20		184
1BR+D				1	31	1	5				36
2BR		2	20	4	124	4	20		2	20	184
2BR+D				1	31	1	5		2	20	56
3BR									4	40	40
										TOTAL	794



SITE





NEW YORK  
250 Park Ave South 3rd Floor  
New York, New York 10003  
646-478-7455

NO.	DATE	REVISION
01	08/15/2017	ENTITLEMENT SUBMISSION
11	06/20/2018	CITY PLANNING SUBMISSION
02	07/20/2020	CITY PLANNING SUBMISSION
12	12/17/2020	CITY PLANNING SUBMISSION

OWNER / APPLICANT

1045 OLIVE, LLC  
2200 BISCAYNE BLVD  
MIAMI, FL 33137

CONSULTANTS

LANDSCAPE ARCHITECT:  
ODA Architecture P.C.  
250 Park Avenue South 3rd Fl  
New York, NY 10003  
T: (646) 478-7455

STRUCTURAL ENGINEER:  
MACHOUSSON KLEINHOFF ASSOCIATES  
1301 Fifth Avenue Suite 3200  
Seattle, WA 98101-2699  
T: (206) 292-1200

MEP ENGINEER:  
GB ENGINEERS  
448 10th Street  
San Francisco, CA 94103  
T: (415) 437-7330

ELEVATOR CONSULTANT:  
GVA ELEVATOR CONSULTING SERVICES Inc  
50 California Street Suite 3510  
San Francisco, CA 94111  
T: (415) 412-5232

LAND USE COUNSEL:  
LATHAM & WATKINS LLP  
355 South Grand Avenue, Suite 100  
Los Angeles, CA 90071  
T: (213) 485-1234

TRAFFIC ENGINEER:  
THE MOBILITY GROUP  
1500 Van Kaman, Suite 490  
Irvine CA 92612  
T: (949) 474-1581

KEY PLAN

1033, 1041, 1045, 1053, 1057 S. OLIVE ST  
LOS ANGELES, CA 90015



11TH STREET

OLIVE STREET

1045 OLIVE

NEW CONSTRUCTION

PROJECT NO: 1658.00    SCALE:

SITE LOCATION

A-001.2

PAGE: 03 OF 35



**NEW YORK**  
250 Park Ave South 3rd Floor  
New York, New York 10003  
646-478-7455

NO	DATE	REVISION
01	08/15/2017	ENTITLEMENT SUBMISSION
02	11/06/2018	CITY PLANNING SUBMISSION
03	03/12/2020	CITY PLANNING SUBMISSION
04	12/17/2020	CITY PLANNING SUBMISSION

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LATHAM & WATKINS LLP  
355 South Grand Avenue, Suite 100  
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T: (213) 485-1234

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THE MOBILITY GROUP  
16301 Von Karman, Suite 490  
Irvine CA 92612  
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**KEY PLAN**

1033, 1041, 1045, 1053, 1057 S. OLIVE ST  
LOS ANGELES, CA 90015

11TH STREET  
OLIVE STREET

**1045 OLIVE**

**NEW CONSTRUCTION**

PROJECT NO: 1658.00      SCALE: 1/8" = 1'-0"

**PLOT PLAN**

**A-002**

PAGE: 04 OF 35

NO.	DATE	REVISION
1	08/15/2017	ENTITLEMENT SUBMISSION
2	11/06/2018	CITY PLANNING SUBMISSION
3	03/12/2020	CITY PLANNING SUBMISSION
4	12/17/2020	CITY PLANNING SUBMISSION

#### OWNER / APPLICANT

1045 OLIVE, LLC  
2200 BISCAYNE BLVD  
MIAMI, FL 33137

#### CONSULTANTS

LANDSCAPE ARCHITECT:  
ODA Architecture P.C.  
250 Park Avenue South 3rd Fl  
New York, NY 10003  
T: (646) 478-7455

STRUCTURAL ENGINEER:  
KARAKISSON KLEINCO ASSOCIATES  
1301 5th Avenue Suite 2200  
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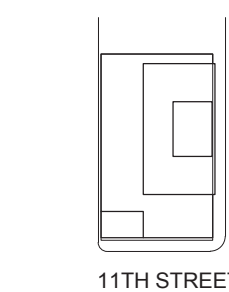
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15301 Van Korman, Suite 490  
Irvine, CA 92617  
T: (949) 474-1581

#### KEY PLAN

1033, 1041, 1045, 1053, 1057 S. OLIVE ST  
LOS ANGELES, CA 90015



#### 1045 OLIVE

#### NEW CONSTRUCTION

#### SITE SURVEY

A-003

# ALTA/ACSM LAND TITLE SURVEY

#### OWNERS:

THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS: A FEE

TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

REPORT A: 00023367, DATED AS OF JANUARY 14, 2015

1045 OLIVE, LLC, A DELAWARE LIMITED LIABILITY COMPANY

REPORT B: 00026831, DATED AS OF MAY 12, 2015

1045 OLIVE, LLC, A DELAWARE LIMITED LIABILITY COMPANY

REPORT C: 00045265, DATED AS OF DECEMBER 10, 2015

1045 OLIVE, LLC, A DELAWARE LIMITED LIABILITY COMPANY

#### LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

REPORT A: 00023367

PARCEL 1:

THAT PORTION OF LOTS 2 AND 3 IN BLOCK 70 OF ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 43 PAGE 74 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING ON THE WEST LINE OF OLIVE STREET AT A POINT DISTANT 100 FEET NORTHERLY FROM THE NORTHEAST CORNER OF OLIVE STREET AND ELEVENTH STREET RUNNING THENCE NORTHERLY ON SAID WEST LINE OF OLIVE STREET 50 FEET; THENCE AT RIGHT ANGLES WESTERLY ON A LINE PARALLEL WITH ELEVENTH STREET 165 FEET AT RIGHT ANGLES SOUTHERLY ON A LINE PARALLEL WITH OLIVE STREET 50 FEET; AND THENCE AT RIGHT ANGLES EASTERLY ON A LINE PARALLEL WITH ELEVENTH STREET 165 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PROPERTY IS SHOWN AS A PORTION OF LOT "A" ON THE MAP OF TRACT NO. 1011, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 18 PAGE 26 OF MAPS.

(APN: 5139-010-010)

PARCEL 2:

THE SOUTHEASTERLY 165 FEET OF TRACT NO. 62, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13 PAGE 104 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

(APN: 5139-010-011)

PARCEL 3:

THE SOUTHERLY 50 FEET OF LOT 1, IN BLOCK 70 OF ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 43 PAGE 74 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

(APN: 5139-010-001)

REPORT B: 00026831

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF LOS ANGELES, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PART OF LOTS 3 AND 4 IN BOOK 70 OF THE SUBDIVISION OF BLOCKS 62, 70 AND 78 OF ORD'S SURVEY, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 43 PAGE 74 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

BEGINNING AT A POINT IN THE NORTHWESTERLY LINE OF OLIVE STREET, DISTANT 150 FEET NORTHEASTERLY FROM ITS INTERSECTION, WITH THE NORTHEASTERLY LINE OF ELEVENTH STREET; THENCE NORTHWESTERLY AT RIGHT ANGLES TO A POINT WHICH WOULD BE INTERSECTED BY THE SOUTHWESTERLY PROLONGATION OF THE NORTHWESTERLY LINE OF LOT 4 OF HAYWARD'S SUBDIVISION, AS PER MAP RECORDED IN BOOK 1 PAGE 33 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE NORTHEASTERLY 50 FEET MORE OR LESS, TO THE WESTERLY CORNER OF SAID LOT 4 OF HAYWARD'S SUBDIVISION; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE THEREOF, 167.30 FEET TO THE NORTHEASTERLY LINE OF OLIVE STREET; THENCE SOUTHWESTERLY ALONG SAID LINE OF OLIVE STREET, 50 FEET TO THE POINT OF BEGINNING.

APN: 5139-010-002

REPORT C: 00045265

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF LOS ANGELES, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOT 4 OF HAYWARD'S SUBDIVISION OF PART OF BLOCK 70 OF ORD'S SURVEY, IN THE CITY OF LOS ANGELES, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1, PAGE 33 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM ALL OIL, GAS, MINERALS, HYDROCARBON SUBSTANCES AND ALL ASSOCIATED SUBSTANCES IN AND UNDER SAID LAND BELOW A DEPTH OF 100 FEET FROM THE SURFACE OF SAID LAND, WITHOUT ANY RIGHT OF SURFACE ENTRY OR SUBSURFACE ENTRY TO A DEPTH OF 100 FEET TO DEVELOP OR PRODUCE THE SUBSTANCES HEREBY RESERVED, AS EXCEPTED AND RESERVED IN THE DEED FROM CHARLES H. ENDY, A MARRIED MAN AS HIS SEPARATE PROPERTY AS TO AN UNDIVIDED ONE-HALF INTEREST, AND PAUL S. ENDY, JR., A MARRIED MAN AS HIS SEPARATE PROPERTY AS TO AN UNDIVIDED ONE-HALF INTEREST, RECORDED MAY 16, 1973.

#### TITLE REPORT:

BOUNDARY AND EASEMENTS SHOWN HEREON ARE PER THE FOLLOWING TITLE REPORTS:

A) REPORT A: CHICAGO TITLE COMPANY NO. 00023367, DATED AS OF DECEMBER 8, 2014.

B) REPORT B: CHICAGO TITLE COMPANY NO. 00026831, DATED AS OF MAY 12, 2015.

C) REPORT C: CHICAGO TITLE COMPANY NO. 00045265, DATED AS OF DECEMBER 10, 2015.

THE ITEMS REFERRED TO BELOW ARE EXCEPTIONS TO COVERAGE AS CITED IN SCHEDULE B OF SAID REPORT.

REPORT A: NO. 00023367

1A) AN EASEMENT AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, CONDEMNED BY FINAL DECREE.  
PURPOSE: PUBLIC ALLEY  
CASE NO.: 158500  
RECORDED: MAY 3, 1927 IN BOOK 6696 PAGE 46, OF OFFICIAL RECORDS  
AFFECTS: THAT PORTION OF SAID LAND AS DESCRIBED IN THE DOCUMENT ATTACHED HERETO.

2A) AN EASEMENT AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, CONDEMNED BY FINAL DECREE.  
PURPOSE: STREET  
CASE NO.: 172836  
RECORDED: JANUARY 11, 1929 IN BOOK 7374 PAGE 205, OF OFFICIAL RECORDS  
AFFECTS: THAT PORTION OF SAID LAND AS DESCRIBED IN THE DOCUMENT ATTACHED HERETO.

3A) AN OIL AND GAS LEASE FOR THE TERM THEREIN PROVIDED WITH CERTAIN COVENANTS, CONDITIONS AND PROVISIONS, TOGETHER WITH EASEMENTS, IF ANY AS SET FORTH THEREIN.

LESSOR: ACME DISPLAY FIXTURE COMPANY  
LESSEE: STANDARD OIL COMPANY OF CALIFORNIA, A CORPORATION  
RECORDED: APRIL 15, 1964 AS INSTRUMENT NO. 5458, OF OFFICIAL RECORDS  
REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS.

AFFECTS THAT PORTION OF SAID LAND LYING BELOW A DEPTH OF 500 FEET FROM THE SURFACE THEREOF, WITHOUT THE RIGHT TO ENTER UPON OR USE ANY PORTION OF SAID LAND LYING ABOVE SAID DEPTH.  
NO ASSURANCE IS MADE AS TO THE PRESENT OWNERSHIP OF THE LEASEHOLD CREATED BY SAID LEASE, NOR AS TO OTHER MATTERS AFFECTING THE RIGHTS OR INTERESTS OF THE LESSOR OR LESSEE IN SAID LEASE.

AFFECTS: PARCEL 2

#### TITLE REPORT (CONTINUED):

4A. AN OIL AND GAS LEASE FOR THE TERM THEREIN PROVIDED WITH CERTAIN COVENANTS, CONDITIONS AND PROVISIONS, TOGETHER WITH EASEMENTS, IF ANY AS SET FORTH THEREIN.

LESSOR: GROVER T. CARLAND, A MARRIED MAN AS HIS SEPARATE PROPERTY  
LESSEE: STANDARD OIL COMPANY OF CALIFORNIA  
RECORDED: JUNE 25, 1965 IN BOOK M-1901 PAGE 867, OF OFFICIAL RECORDS  
REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS.

AFFECTS THAT PORTION OF SAID LAND LYING BELOW A DEPTH OF 500 FEET FROM THE SURFACE THEREOF, WITHOUT THE RIGHT TO ENTER UPON OR USE ANY PORTION OF SAID LAND LYING ABOVE SAID DEPTH.

NO ASSURANCE IS MADE AS TO THE PRESENT OWNERSHIP OF THE LEASEHOLD CREATED BY SAID LEASE, NOR AS TO OTHER MATTERS AFFECTING THE RIGHTS OR INTERESTS OF THE LESSOR OR LESSEE IN SAID LEASE.

AFFECTS: PARCEL 3

5A. AN OIL AND GAS LEASE FOR THE TERM THEREIN PROVIDED WITH CERTAIN COVENANTS, CONDITIONS AND PROVISIONS, TOGETHER WITH EASEMENTS, IF ANY AS SET FORTH THEREIN.

LESSOR: RALPH M. SPROWLS, STEPHEN C. TURNER, MARY T. PALMER AND ALVA B. TURNER  
LESSEE: STANDARD OIL COMPANY OF CALIFORNIA, A CORPORATION  
RECORDED: JULY 2, 1965 IN BOOK M1909 PAGE 59, OF OFFICIAL RECORDS  
REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS.

AN AGREEMENT TO MODIFY CERTAIN PROVISIONS OF SAID LEASE, AS SET FORTH IN THE DOCUMENT

RECORDED: MARCH 7, 1967 AS INSTRUMENT NO. 1796, OF OFFICIAL RECORDS.

REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS.

AFFECTS THAT PORTION OF SAID LAND LYING BELOW A DEPTH OF 500 FEET FROM THE SURFACE THEREOF, WITHOUT THE RIGHT TO ENTER UPON OR USE ANY PORTION OF SAID LAND LYING ABOVE SAID DEPTH.

NO ASSURANCE IS MADE AS TO THE PRESENT OWNERSHIP OF THE LEASEHOLD CREATED BY SAID LEASE, NOR AS TO OTHER MATTERS AFFECTING THE RIGHTS OR INTERESTS OF THE LESSOR OR LESSEE IN SAID LEASE.

AFFECTS: PARCEL 1

6A. THE FACT THAT SAID LAND IS INCLUDED WITHIN THE CENTRAL DISTRICT BUSINESS DISTRICT REDEVELOPMENT PROJECT AREA, AND THAT PROCEEDINGS FOR REDEVELOPMENT HAVE BEEN INSTITUTED

RECORDED: JULY 22, 1975 AS INSTRUMENT NO. 3675, OF OFFICIAL RECORDS, AND  
RE-CORDED: JULY 30, 1975 AS INSTRUMENT NO. 3668, OF OFFICIAL RECORDS

A DOCUMENT SUBJECT TO ALL THE TERMS, PROVISIONS AND CONDITIONS THEREIN CONTAINED.

ENTITLED: NOTICE OF BUILDINGS WITHIN THE SCOPE OF DIVISION 88 - EARTHQUAKE HAZARD REDUCTION IN EXISTING BUILDINGS  
RECORDED: JANUARY 4, 2015

AFFECTS: PARCEL 2

8A. A COVENANT AND AGREEMENT WHEREIN THE OWNERS OF SAID LAND COVENANT AND AGREE THAT SAID LAND SHALL BE HELD AS ONE PARCEL, AND NO PORTION SHALL BE SOLD SEPARATELY, WHICH COVENANT IS EXPRESSED TO RUN WITH THE LAND AND BE BINDING UPON FUTURE OWNERS.

RECORDED: OCTOBER 3, 1989 AS INSTRUMENT NO. 89-1594800, OF OFFICIAL RECORDS  
AFFECTS: PARCELS 2 AND 3

9A. A DEED OF TRUST

10A. A COVENANT AND AGREEMENT UPON AND SUBJECT TO THE TERMS AND CONDITIONS THEREIN

RECORDED: MAY 17, 2001 AS INSTRUMENT NO. 01-0850225, OF OFFICIAL RECORDS

REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS.

THIS COVENANT AND AGREEMENT SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON ANY FUTURE OWNERS, ENCUMBRANCES, THEIR SUCCESSORS, HEIRS OR ASSIGNS AND SHALL CONTINUE IN EFFECT UNTIL THE PROPER GOVERNMENT AGENCY APPROVES ITS TERMINATION.

AFFECTS: PARCELS 1 AND 2

11A. INTENTIONALLY DELETED

12A. INTENTIONALLY DELETED

13A. INTENTIONALLY DELETED

14A. INTENTIONALLY DELETED

15A. WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT DISCLOSED BY THE PUBLIC RECORDS.

16A. ANY FACTS, RIGHTS, INTERESTS, OR CLAIMS WHICH MAY EXIST OR ARISE BY REASON OF A SURVEY, JOB NO. 1382.002.01, DATED JANUARY 8, 2015, PREPARED BY JERRY L. USELTON, LS NO. 5347 FOR FUSCOE ENGINEERING.

17A. THE TENANCY RIGHTS ONLY OF ACME DISPLAY FIXTURE CO. UNDER AN UNRECORDED LEASE AGREEMENT BETWEEN 1045 OLIVE, LLC, AS LESSOR, AND ACME DISPLAY FIXTURE CO., AS LESSEE, DATED JANUARY 4, 2015.

18A. A DOCUMENT SUBJECT TO ALL THE TERMS, PROVISIONS AND CONDITIONS THEREIN CONTAINED.

ENTITLED: RECIPROCAL TEMPORARY LICENSE AGREEMENT  
RECORDED: DECEMBER 16, 2014 AS INSTRUMENT NO. 20141586065, OF OFFICIAL RECORDS

REPORT B: NO. 00026831

1B) EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.

PURPOSE: ALLEY  
RECORDED: IN BOOK 6696, PAGE(S) 46, OFFICIAL RECORDS  
AFFECTS: THAT PORTION OF SAID LAND AS DESCRIBED IN THE DOCUMENT ATTACHED HERETO

2B. INTENTIONALLY DELETED

3B) THE EFFECT OF A PARTY WALL AGREEMENT AFFECTING THE SOUTHWESTERLY 0.43 FEET OF THE NORTHWESTERLY 80 FEET OF THE PROPERTY HEREIN DESCRIBED, BY AND BETWEEN TITLE INSURANCE AND TRUST COMPANY, AND KATHERINE B. GRAVES, WILLIAM P. BANNING, JOSEPH B. BANNING, JR. AND ALICE M. MORSE BANNING, HIS WIFE, AND CITIZENS NATIONAL TRUST AND SAVINGS BANK OF LOS ANGELES, AS TRUSTEE.

RECORDING DATE: APRIL 10, 1939  
RECORDING NO: IN BOOK 16519 PAGE 185 OF OFFICIAL RECORDS  
AFFECTS: THAT PORTION OF SAID LAND AS DESCRIBED IN THE DOCUMENT ATTACHED HERETO

4B. THE LAND DESCRIBED HEREIN IS INCLUDED WITHIN A PROJECT AREA OF THE REDEVELOPMENT AGENCY SHOWN BELOW, AND THAT PROCEEDINGS FOR THE REDEVELOPMENT OF SAID PROJECT HAVE BEEN INSTITUTED UNDER THE REDEVELOPMENT LAW (SUCH REDEVELOPMENT TO PROCEED ONLY AFTER THE ADOPTION OF THE REDEVELOPMENT PLAN) AS DISCLOSED BY A DOCUMENT.

REDEVELOPMENT AGENCY: CENTRAL BUSINESS DISTRICT REDEVELOPMENT AGENCY  
RECORDING DATE: JULY 22, 1975  
RECORDING NO: 3675  
RECORDING DATE: JULY 30, 1975  
RECORDING NO: 3668, BOTH OF OFFICIAL RECORDS

5B. INTENTIONALLY DELETED

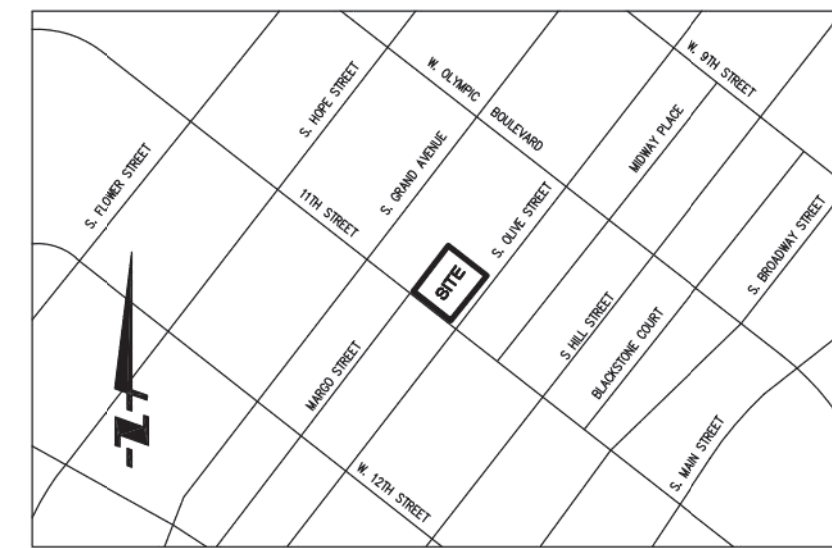
6B. INTENTIONALLY DELETED

7B. WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT DISCLOSED BY THE PUBLIC RECORDS.

8B. ANY FACTS, RIGHTS, INTERESTS, OR CLAIMS WHICH MAY EXIST OR ARISE BY REASON OF A SURVEY, JOB NO. 1382.002.01, DATED FEBRUARY 6, 2015, PREPARED BY JERRY L. USELTON, LS NO. 5347 FOR FUSCOE ENGINEERING.

9B. LICENSE RIGHTS OF EDNA Y. CHANN, AS TRUSTEE OF THE EDNA Y. CHANN FAMILY TRUST DATED DECEMBER 6, 1975 ("SELLER"), UNDER SECTION 2.13 OF AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE AND ESROW INSTRUCTIONS BETWEEN SELLER AND CH ACQUISITIONS 2, LLC, DATED JANUARY 23, 2015, AS ASSIGNED TO 1045 OLIVE, LLC, AND AS MODIFIED BY AMENDMENT DATED MAY 8, 2015.

10B. INTENTIONALLY DELETED.



VICINITY MAP  
N.T.S.

#### TITLE REPORT (CONTINUED):

REPORT C: NO. 00045265

1C. WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT DISCLOSED BY THE PUBLIC RECORDS.

2C) EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS CONDEMNED BY AN INSTRUMENT,

COURT: SUPERIOR COURT  
CASE NO.: 158500  
PURPOSE: ALLEY  
RECORDING DATE: IN BOOK 6696 PAGE 46 OF OFFICIAL RECORDS  
AFFECTS: A PORTION OF SAID LAND

REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS.

3C. AN OIL AND GAS LEASE FOR THE TERM THEREIN PROVIDED WITH CERTAIN COVENANTS, CONDITIONS AND PROVISIONS, TOGETHER WITH EASEMENTS, IF ANY, AS SET FORTH THEREIN.

DATED: APRIL 24, 1968  
LESSOR: PAUL S. ENDY, SR.  
LESSEE: STANDARD OIL COMPANY OF CALIFORNIA, A CORPORATION  
RECORDING DATE: MAY 6, 1968  
RECORDING NO: 2955 OF OFFICIAL RECORDS

NO ASSURANCE IS MADE AS TO THE PRESENT OWNERSHIP OF THE LEASEHOLD CREATED BY SAID LEASE, NOR AS TO OTHER MATTERS AFFECTING THE RIGHTS OR INTERESTS OF THE LESSOR OR LESSEE IN SAID LEASE.

SAID LEASE AFFECTS THAT PORTION OF SAID LAND LYING BELOW A DEPTH OF 500 FEET FROM THE SURFACE THEREOF.

SAID LEASE PROVIDES FOR NO RIGHT OF SURFACE ENTRY.

4C. THE LAND DESCRIBED HEREIN IS INCLUDED WITHIN A PROJECT AREA OF THE REDEVELOPMENT AGENCY SHOWN BELOW, AND THAT PROCEEDINGS FOR THE REDEVELOPMENT OF SAID PROJECT HAVE BEEN INSTITUTED UNDER THE REDEVELOPMENT LAW (SUCH REDEVELOPMENT TO PROCEED ONLY AFTER THE ADOPTION OF THE REDEVELOPMENT PLAN) AS DISCLOSED BY A DOCUMENT.

REDEVELOPMENT AGENCY: CENTRAL BUSINESS DISTRICT REDEVELOPMENT PROJECT AREA  
RECORDING DATE: JULY 22, 1975  
RECORDING NO: 3675 OF OFFICIAL RECORDS

AN AGREEMENT TO MODIFY THE TERMS AND PROVISIONS OF THE SAID DOCUMENT, AS THEREIN PROVIDED

RECORDING DATE: JULY 30, 1975  
RECORDING NO: 3668 OF OFFICIAL RECORDS

AN AGREEMENT TO MODIFY THE TERMS AND PROVISIONS OF THE SAID DOCUMENT, AS THEREIN PROVIDED

RECORDING DATE: NOVEMBER 30, 2007  
RECORDING NO: 20072836449 OF OFFICIAL RECORDS

5C. INTENTIONALLY DELETED.

6C. ANY INVALIDITY OR DEFECT IN THE TITLE OF THE VESTES IN THE EVENT THAT THE TRUST REFERRED TO HEREIN IS INVALID OR FAILS TO GRANT SUFFICIENT POWERS TO THE TRUSTEE(S) OR IN THE EVENT THERE IS A LACK OF COMPLIANCE WITH THE TERMS AND PROVISIONS OF THE TRUST INSTRUMENT.

IF TITLE IS TO BE INSURED IN THE TRUSTEE(S) OF A TRUST, (OR IF THEIR ACT IS TO BE INSURED), THIS COMPANY WILL REQUIRE A TRUST CERTIFICATION PURSUANT TO CALIFORNIA PROBATE CODE SECTION 18100.5.

7C. THE COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL ITEMS OR MAKE FURTHER REQUIREMENTS AFTER REVIEW OF THE REQUESTED DOCUMENTATION.

8C. MATTERS WHICH MAY BE DISCLOSED BY AN INSPECTION AND/OR BY A CORRECT ALTA/ACSM LAND TITLE SURVEY OF SAID LAND THAT IS SATISFACTORY TO THE COMPANY, AND/OR BY INQUIRY OF THE PARTIES IN POSSESSION THEREOF.

9C. ANY RIGHTS OF THE PARTIES IN POSSESSION OF A PORTION OF, OR ALL OF, SAID LAND, WHICH RIGHTS ARE NOT DISCLOSED BY THE PUBLIC RECORDS.

THE COMPANY WILL REQUIRE, FOR REVIEW, A FULL AND COMPLETE COPY OF ANY UNRECORDED AGREEMENT, CONTRACT, LICENSE AND/OR LEASE, TOGETHER WITH ALL SUPPLEMENTS, ASSIGNMENTS AND AMENDMENTS THERETO, BEFORE ISSUING ANY POLICY OF TITLE INSURANCE, WITHOUT EXCEPTING THIS ITEM FROM COVERAGE.

THE COMPANY RESERVES THE RIGHT TO EXCEPT ADDITIONAL ITEMS AND/OR MAKE ADDITIONAL REQUIREMENTS AFTER REVIEWING SAID DOCUMENTS.

10C. MATTERS CONTAINED IN THAT CERTAIN DOCUMENT

ENTITLED: MEMORANDUM OF AGREEMENT  
RECORDING DATE: DECEMBER 23, 2015  
RECORDING NO: 2015617727

REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS.

#### SURVEYOR'S CERTIFICATE:

TO: CH ACQUISITIONS 2, LLC, 1045 OLIVE, LLC, AND CHICAGO TITLE COMPANY:  
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS AND ADOPTED BY ALTA AND NSRS, AND INCLUDES ITEMS 2, 3, 4, 6(a), 7(a), 7(b)(1), 8, 11(a), 13, 14, 16, AND 21 (\$2,000,000.00) OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON DECEMBER 26, 2014.

DATE OF PLAT OR MAP: JANUARY 8, 2015.

PREPARED BY ME OR UNDER MY DIRECTION:

*Jerry L. Usselton* 3/03/2016  
JERRY L. USELTON, L.S. 5347



#### ALTA/ACSM LAND TITLE SURVEY

of: 11TH & SOUTH OLIVE STREET  
LOS ANGELES COUNTY, CALIFORNIA

for: CH ACQUISITIONS 2, LLC  
2200 BISCAYNE BOULEVARD  
MIAMI, FL 33137

NO.	DATE	REVISION
1	1/11/18	UPDATED REPORTS A, B, C, AND OWNERS NOTE
2	7/15/17	UPDATED OWNERS TO REFLECT OWNERSHIP CHANGE PER DOCUMENT RECORDED ON 3/02/16, AS INST NO. 20160228663, OR.

[illegible]

1045 OLIVE, LLC  
2200 BISCAYNE BLVD  
MIAMI, FL 33137

**LANDSCAPE ARCHITECT:**  
ODA Architecture P.C.  
250 Park Avenue South 3rd Fl  
New York, NY 10003  
T. (646) 478-7455

**STRUCTURAL ENGINEER:**  
MAGNUSSON KLEMENCIC ASSOCIATES  
1301 Fifth Avenue Suite 3200  
Seattle, WA 98101-2699  
T. (206) 292-1200

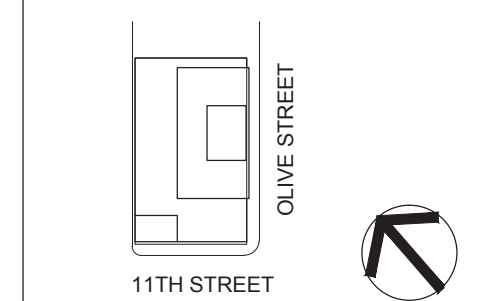
MEP ENGINEER:  
CB ENGINEERS  
449 10th Street  
San Francisco, CA 94103  
T. (415) 437-7330

**ELEVATOR CONSULTANT:**  
GVK ELEVATOR CONSULTING SERVICES Inc  
50 California Street Suite 3510  
San Francisco, CA 94111  
T. (415) 412-5232

LAND USE COUNSEL:  
LATHAM & WATKINS LLP  
355 South Grand Avenue, Suite 100  
Los Angeles, CA 90071  
T. (213) 485-1234

**TRAFFIC ENGINEER:**  
**THE MOBILITY GROUP**  
18301 Von Karman, Suite 490  
Irvine CA 91612  
T. (949) 474-1591

1033, 1041, 1045, 1053, 1057 S. OLIVE ST  
LOS ANGELES, CA 90015



NEW CONSTRUCTION

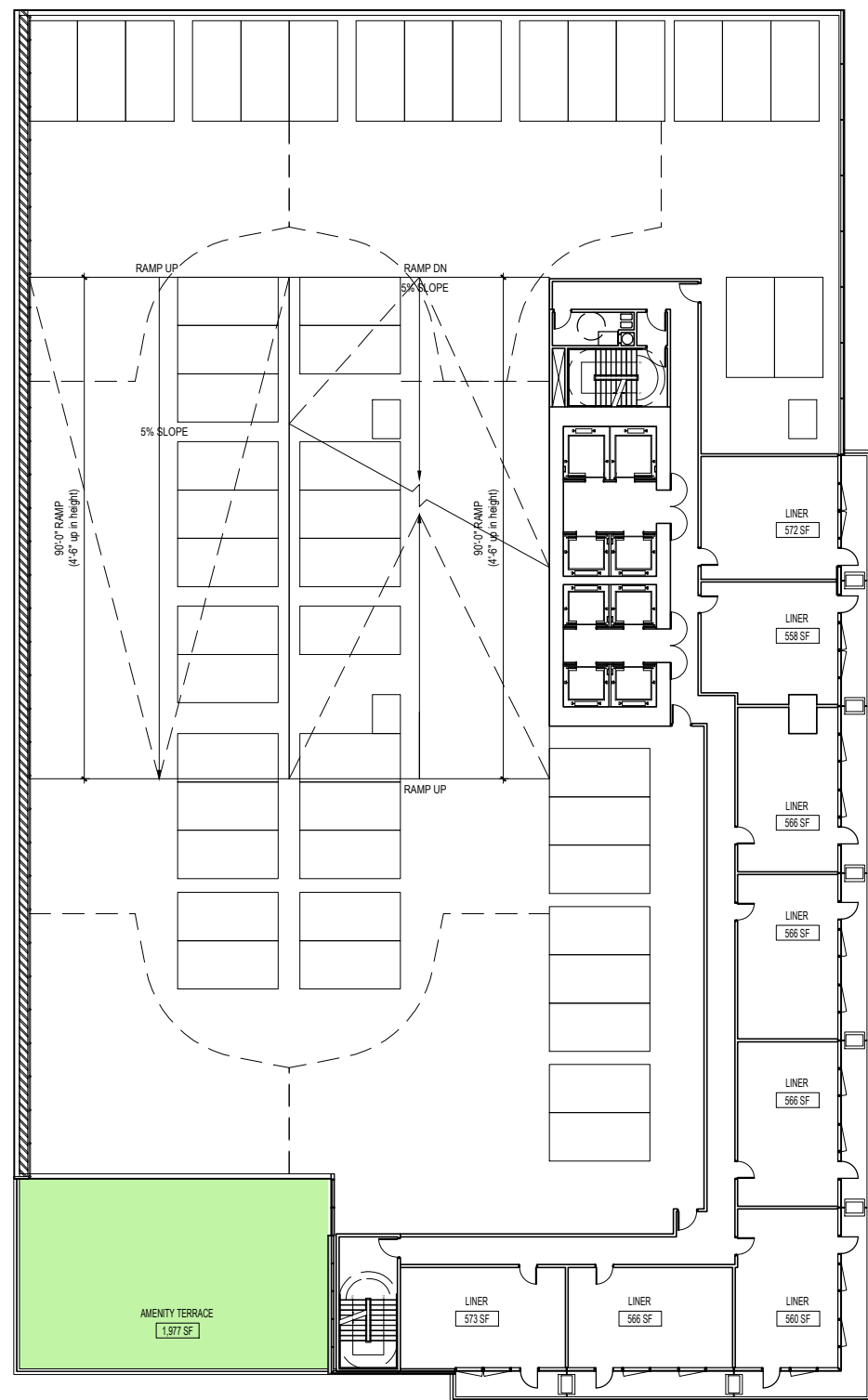
A-004

NO.	DATE	REVISION
1	1/11/16	UPDATED REPORTS A, B, C, AND OWNERS NOTE
2	7/13/17	UPDATED OWNERS TO REFLECT OWNERSHIP CHANGE PER DOCUMENT RECORDED ON 3/02/16, AS INST NO. 20160225863, O.R.

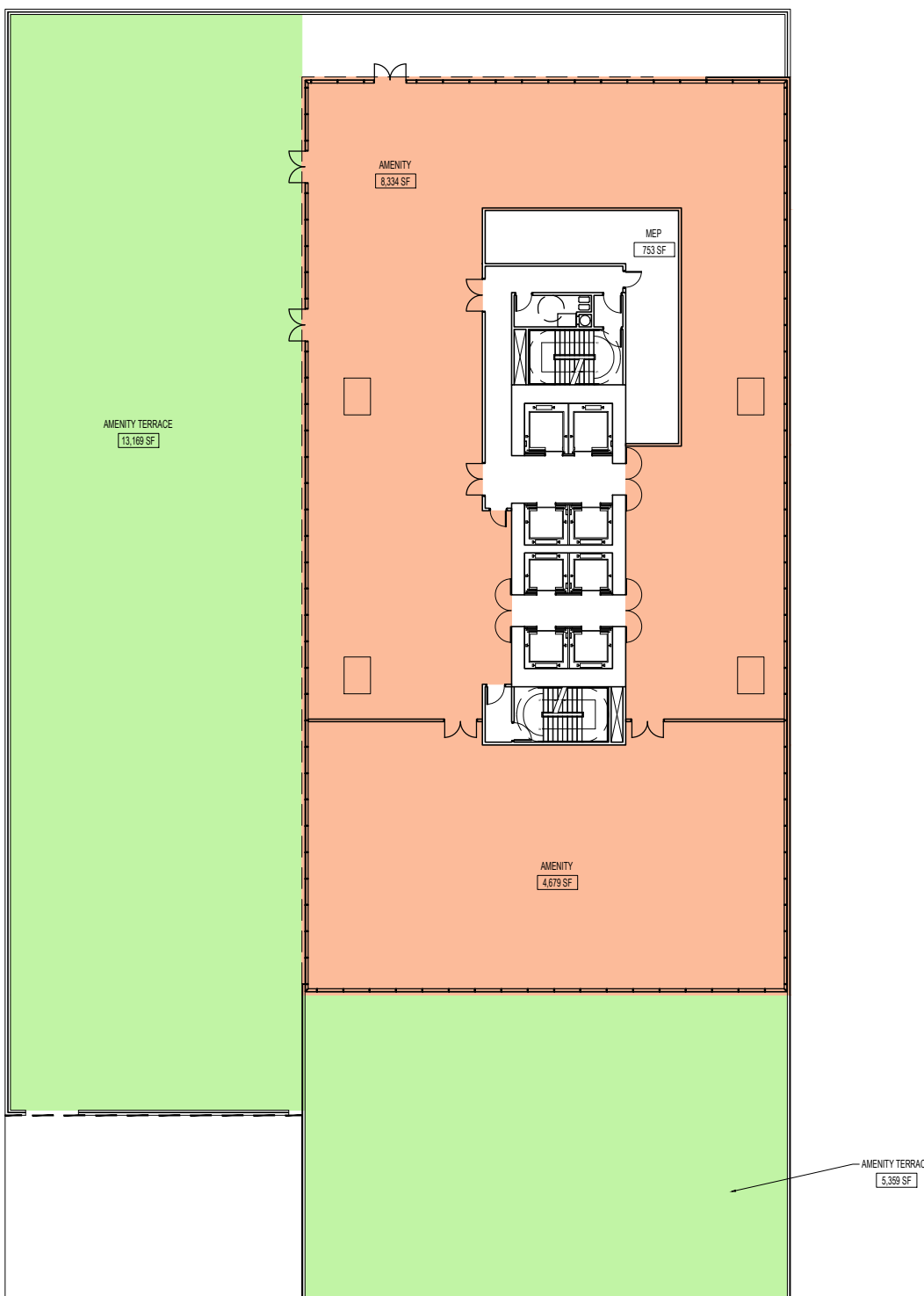
<b>ALTA/ACSM LAND TITLE SURVEY</b>	
<b>of:</b>	<b>11TH &amp; SOUTH OLIVE STREET LOS ANGELES COUNTY, CALIFORNIA</b>
<b>for:</b>	<b>CH ACQUISITIONS 2, LLC 2200 BISCAYNE BOULEVARD MIAMI, FL 33137</b>



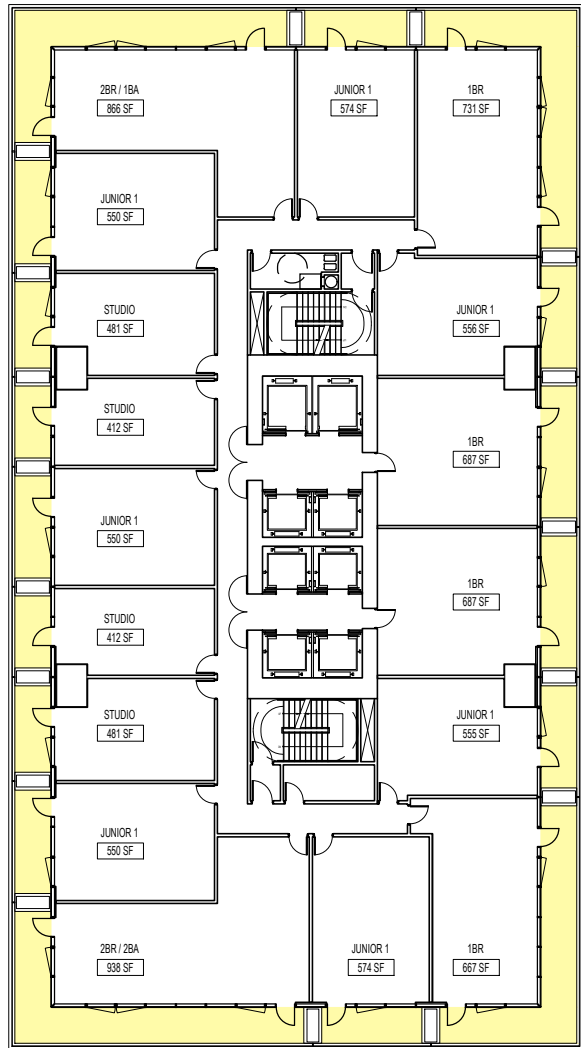
DATE: FEBRUARY 6, 2015  
SCALE: 1" = 10'  
FN: 1382-003 ALTA3.dwg  
JN: 1382.003.01  
DRAWN BY: RJL  
CHECKED BY: JLU  
**SHEET 2 OF 2**



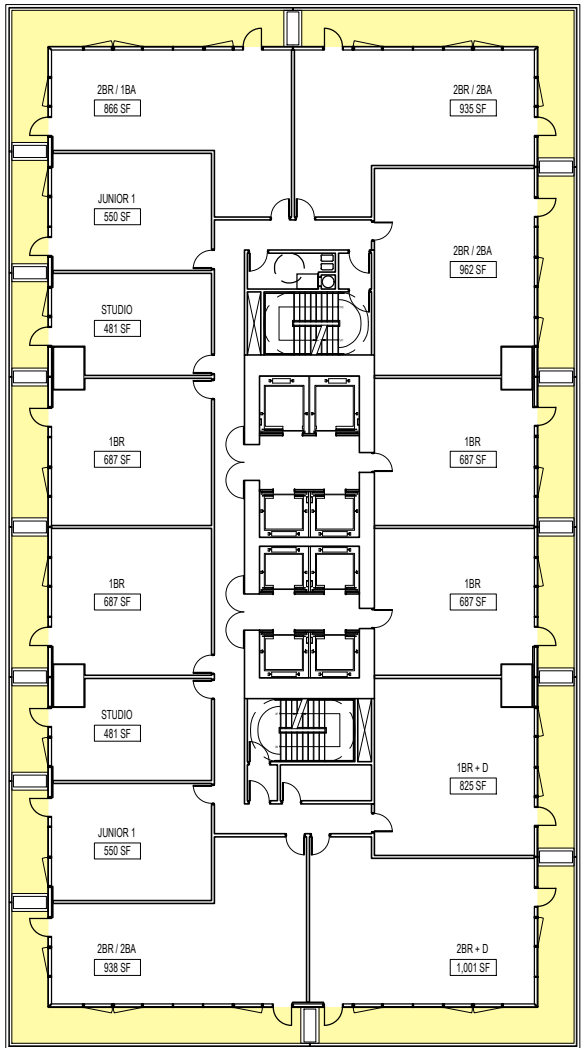
2 LEVEL 8  
SCALE: 1/32" = 1'-0"  
EXTERIOR COMMON OPEN SPACE: 1,972 SF



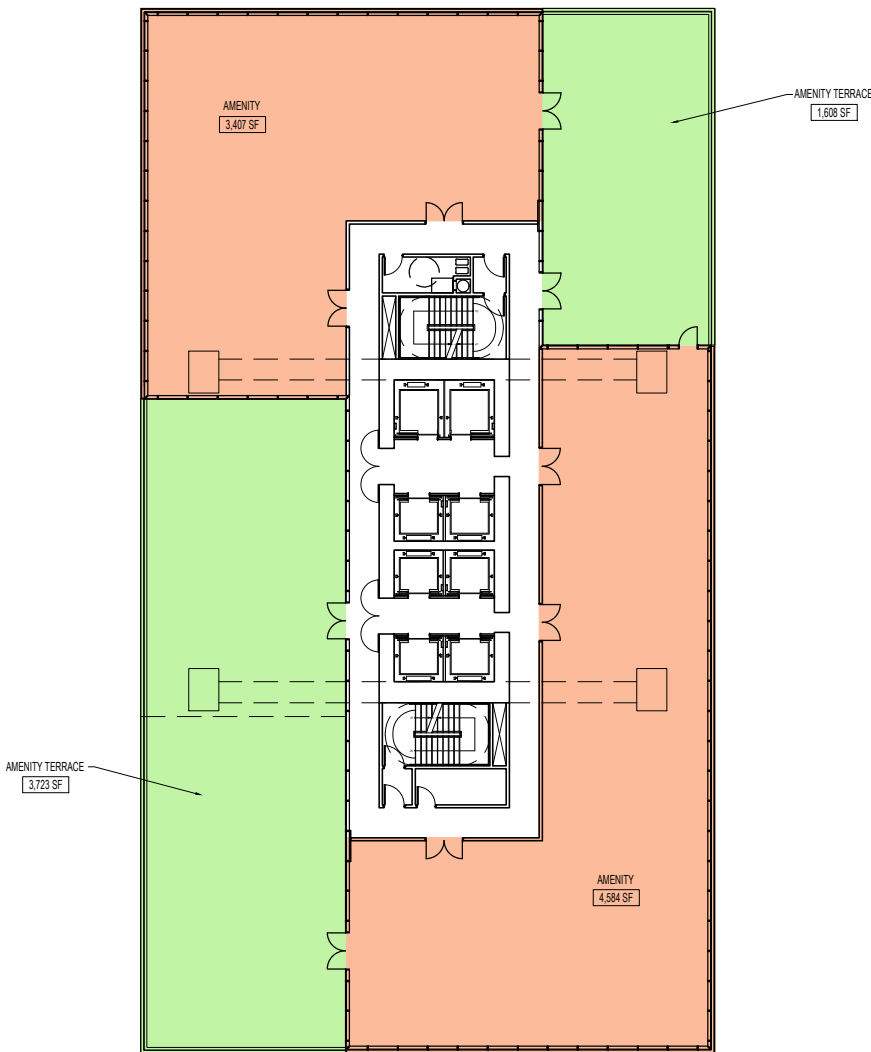
3 LEVEL 10  
SCALE: 1/32" = 1'-0"  
INTERIOR COMMON OPEN SPACE: 13,013 SF  
EXTERIOR COMMON OPEN SPACE: 16,751 SF



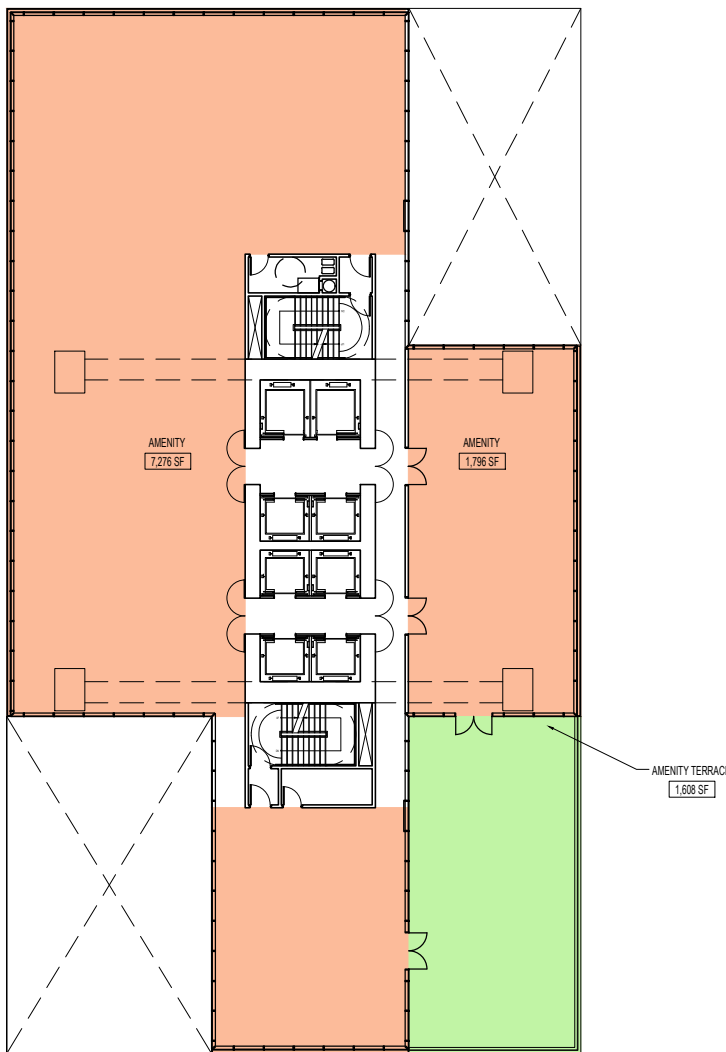
4 LEVELS 11-20  
SCALE: 1/32" = 1'-0"  
PRIVATE OPEN SPACE: 2,740 SF  
(50 SF MAX PER BALCONY)  
QUALIFIED AS PRIVATE OPEN SPACE / FLOOR: 17 X 50 SF = 850 SF  
10 FLOORS X 850 SF = 8,500 SF TOTAL



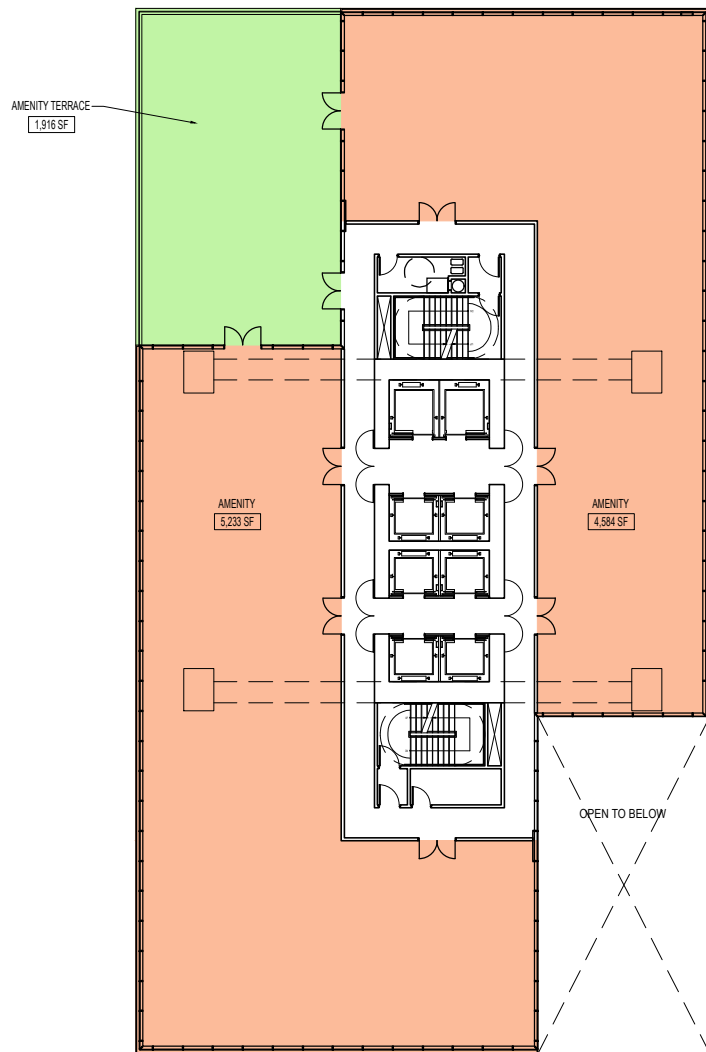
5 LEVELS 21-51, 56-60  
SCALE: 1/32" = 1'-0"  
PRIVATE OPEN SPACE: 2,794 SF  
(50 SF MAX PER BALCONY)  
QUALIFIED AS PRIVATE OPEN SPACE / FLOOR: 14 X 50 SF = 700 SF  
36 FLOORS X 700 SF = 25,200 SF



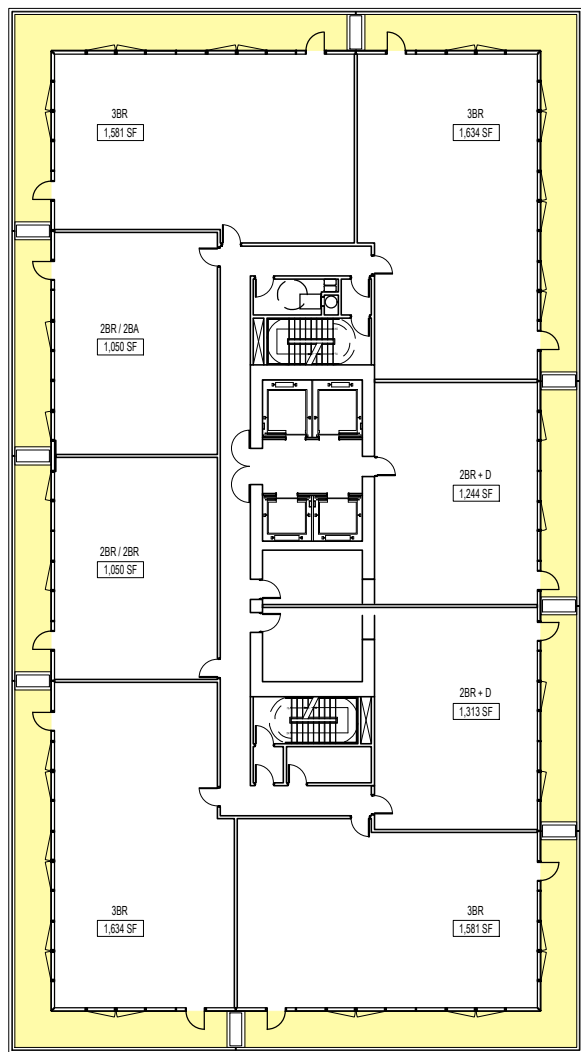
6 LEVEL 53  
SCALE: 1/32" = 1'-0"  
INTERIOR COMMON OPEN SPACE: 8,000 SF  
EXTERIOR COMMON OPEN SPACE: 5,331 SF



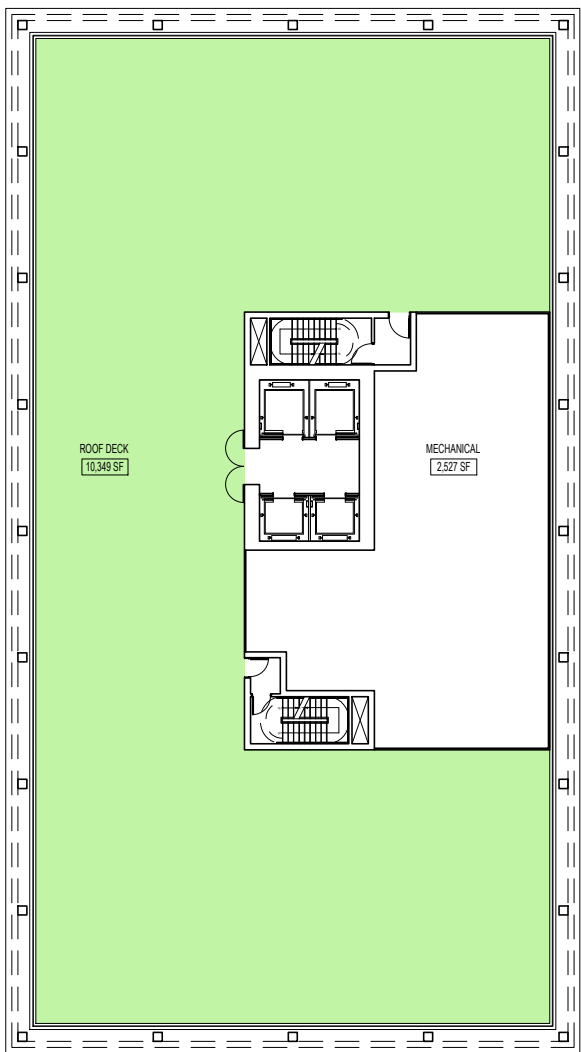
7 LEVEL 54  
SCALE: 1/32" = 1'-0"  
INTERIOR COMMON OPEN SPACE: 8,474 SF  
EXTERIOR COMMON OPEN SPACE: 1,608 SF



8 LEVEL 55  
SCALE: 1/32" = 1'-0"  
INTERIOR COMMON OPEN SPACE: 9,759 SF  
EXTERIOR COMMON OPEN SPACE: 1,916 SF



9 LEVELS 61-70  
SCALE: 1/32" = 1'-0"  
PRIVATE OPEN SPACE: 2,902 SF  
(50 SF MAX PER BALCONY)  
QUALIFIED AS PRIVATE OPEN SPACE / FLOOR: 8 X 50 SF = 400 SF  
10 FLOORS X 400 SF = 4,000 SF



10 ROOF  
SCALE: 1/32" = 1'-0"  
EXTERIOR COMMON OPEN SPACE: 10,349 SF

OPEN SPACE REQUIREMENTS:  
LAMC sec. 12.21 G

COMMON OPEN SPACE:  
1. MIN. AREA OF 400 SF AND NO HORIZONTAL DIMENSION LESS THAN 15'.  
2. RECREATION ROOM AT LEAST 600 SF

PRIVATE OPEN SPACE  
1. 50 SF MIN. AND NO HORIZONTAL DIMENSION LESS THAN 6'  
2. 8' MIN. VERTICAL CLEARANCE

EXTERIOR COMMON OPEN SPACE  
INTERIOR COMMON OPEN SPACE  
PRIVATE OPEN SPACE

USABLE OPEN SPACE REQUIRED (PER LAMC 12.21.G):

	UNIT COUNT	SF PER UNIT	AREA
UNITS WITH LESS THAN 3 HABITABLE ROOMS	478	100	47,800SF
UNITS WITH 3 HABITABLE ROOMS	220	125	27,500SF
UNITS WITH 4 OR MORE HABITABLE ROOMS	96	175	16,800SF
<b>TOTAL USABLE OPEN SPACE REQUIRED</b>			<b>92,100SF</b>

CREDITED OPEN SPACE PROVIDED

COMMON OPEN SPACE [EXTERIOR]**	AREA
8TH FLOOR	1,972SF
10TH FLOOR	16,751SF
53RD FLOOR	5,331SF
54TH FLOOR	1,608SF
55TH FLOOR	1,916SF
ROOF DECK	10,349SF
<b>SUBTOTAL</b>	<b>37,927SF</b>

\*\*Per ZA 2017 4745-ZAI, tower cutouts are counted as open space

CREDITED COMMON OPEN SPACE [INTERIOR]

PROVIDED INTERIOR COMMON SPACE (compliant with LAMC 12.21 G)	39,246SF
INTERIOR COMMON SPACE CREDITED TO OPEN SPACE (max 25% of required open space)	
<b>SUBTOTAL</b>	<b>23,025SF</b>

TOTAL USABLE COMMON OPEN SPACE PROVIDED (excluded private open space)	<b>60,952SF</b>
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PRIVATE OPEN SPACE

TOTAL CREDITED (754* Units x 50 SF)	<b>37,700SF</b>
* 100% of tower units with private balcony compliant with LAMC 12.21 G	

TOTAL USABLE OPEN SPACE PROVIDED (common & private)	<b>98,652SF</b>
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LANDSCAPED AREA:

REQUIRED (25% of EXTERIOR common open space)	9,482SF
<b>PROVIDED</b>	<b>11,290SF</b>

TREES REQUIREMENTS:

TREES REQUIRED	CRITERIA	UNIT COUNT	# of TREES
TOTAL TREES	1 TREE / 4 DWELLING UNITS	794	199
CANOPY TREES	50 % OF TOTAL TREES		99
Per Downtown Design Guide			
<b>TREES PROPOSED:</b>			
TOTAL TREES			<b>539</b>
CANOPY TREES			<b>137</b>

NO.	DATE	REVISION
08/15/2017	ENTITLEMENT SUBMISSION	
11/06/2018	CITY PLANNING SUBMISSION	
03/12/2020	CITY PLANNING SUBMISSION	
12/17/2020	CITY PLANNING SUBMISSION	

OWNER / APPLICANT

1045 OLIVE, LLC  
2200 BISCAYNE BLVD  
MIAMI, FL 33137

CONSULTANTS

LANDSCAPE ARCHITECT:

ODA Architecture P.C.  
250 Park Avenue South 3rd Fl  
New York, NY 10003  
T: (646) 478-7455

STRUCTURAL ENGINEER:

MACHOUSSON KLEINCOIC ASSOCIATES  
1301 Fifth Avenue Suite 3200  
Seattle, WA 98101-2699  
T: (206) 292-1200

MEP ENGINEER:

GB ENGINEERS  
448 10th Street  
San Francisco, CA 94103  
T: (415) 437-7330

ELEVATOR CONSULTANT:

GVK ELEVATOR CONSULTING SERVICES Inc  
50 California Street Suite 3510  
San Francisco, CA 94111  
T: (415) 412-5232

LAND USE COUNSEL:

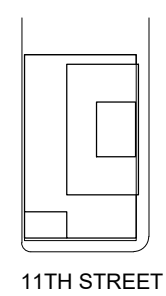
LATHAM & WATKINS LLP  
355 South Grand Avenue, Suite 100  
Los Angeles, CA 90071  
T: (213) 485-1234

TRAFFIC ENGINEER:

THE MOBILITY GROUP  
15301 Von Karman, Suite 490  
Irvine, CA 92612  
T: (949) 474-1581

KEY PLAN

1033, 1041, 1045, 1053, 1057 S. OLIVE ST  
LOS ANGELES, CA 90015



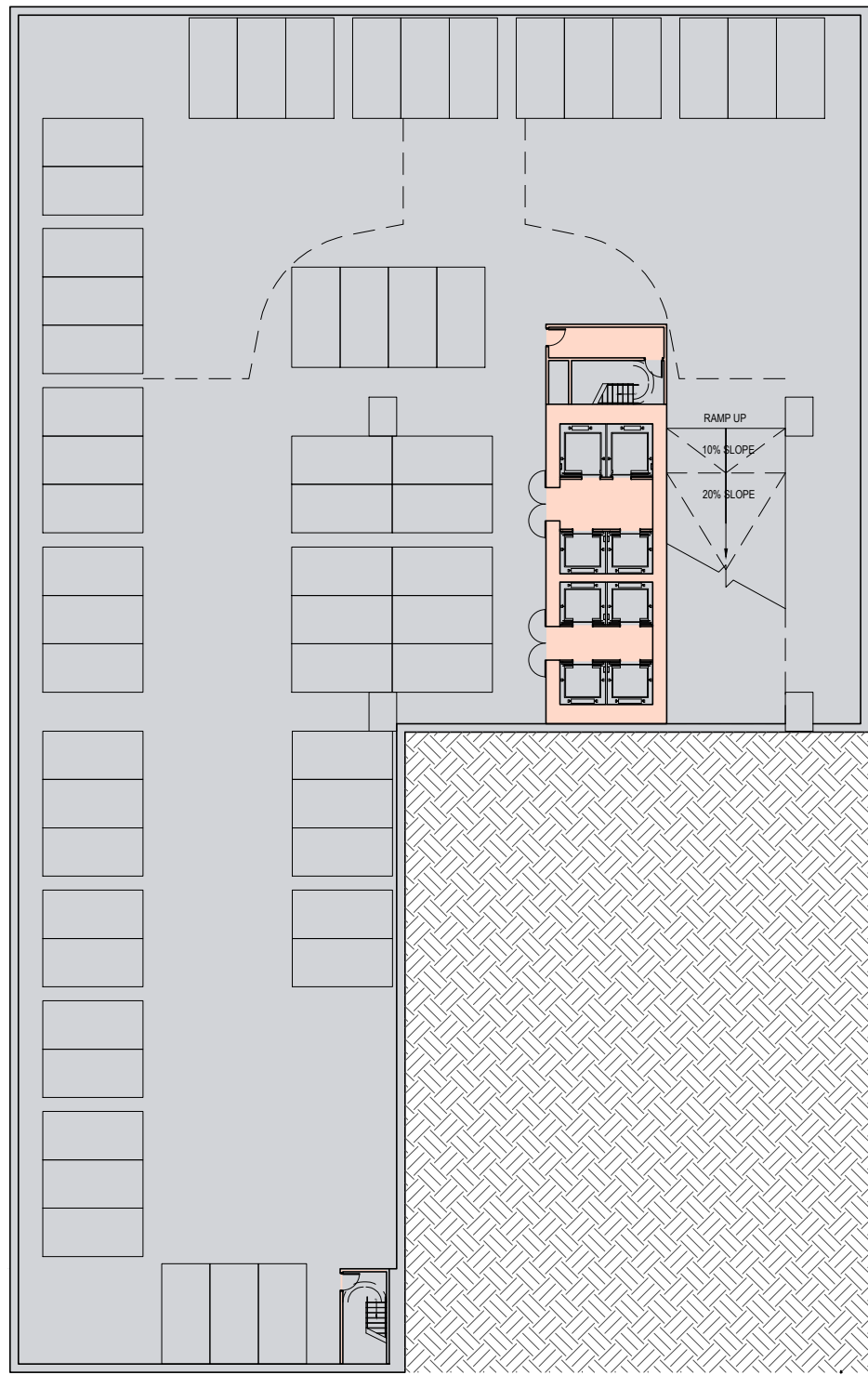
1045 OLIVE

NEW CONSTRUCTION

PROJECT NO:1658.00 SCALE: 1/32" = 1'-0"

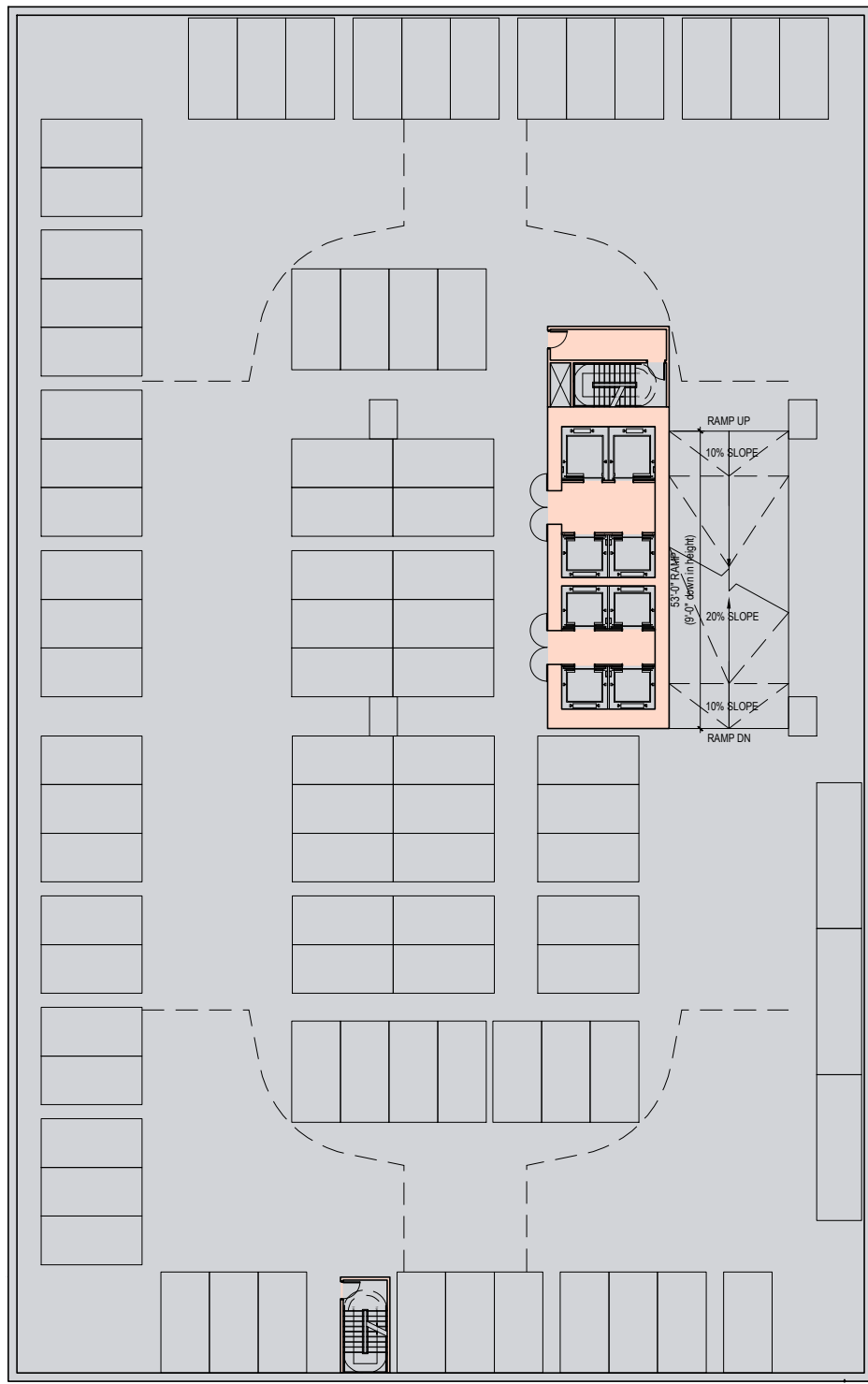
OPEN SPACE  
DIAGRAMS

A-005



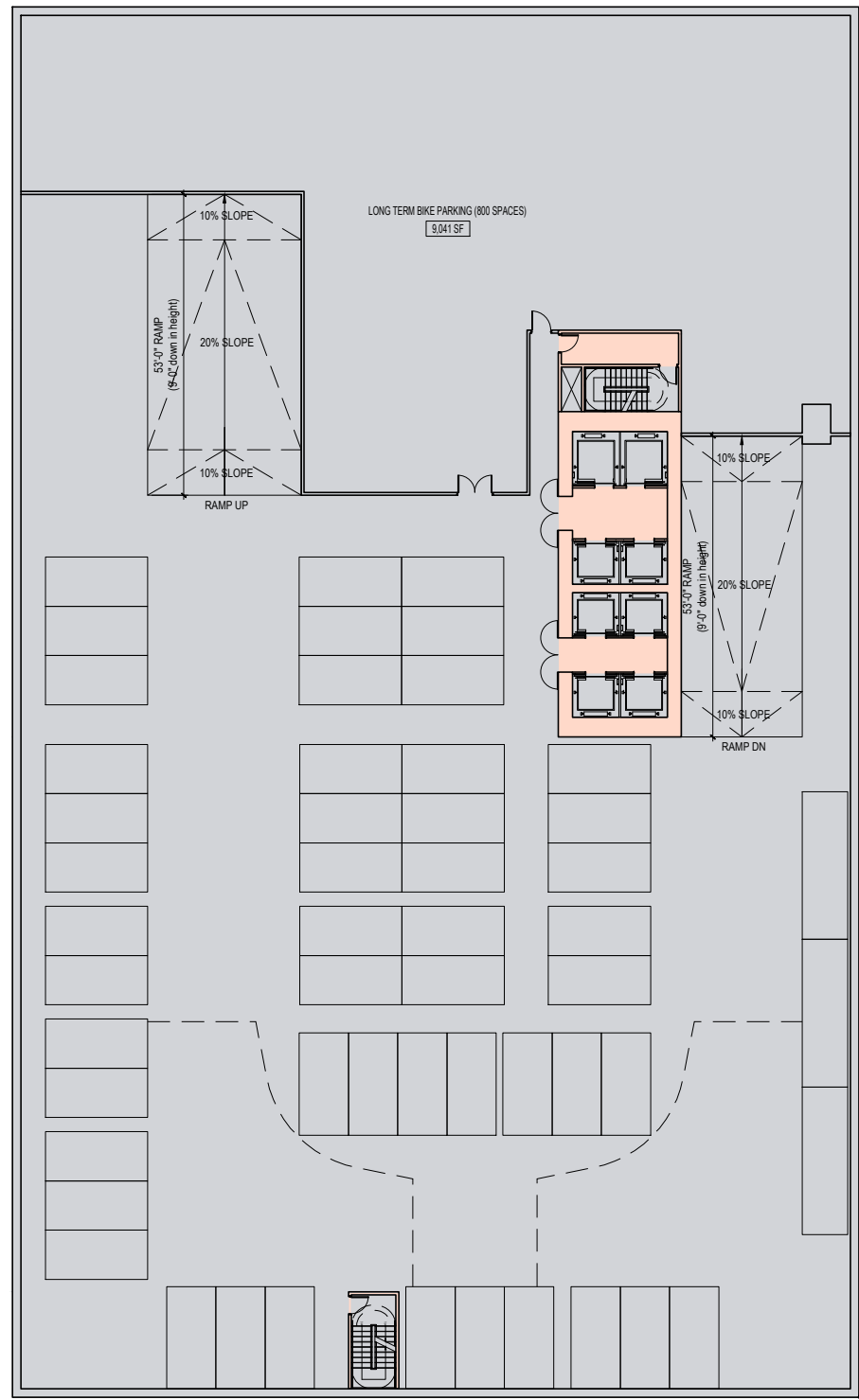
1 LEVEL B6  
SCALE: 1/32" = 1'-0"

FLOOR	GFA	DEDUCTIONS					FA
		Mech.	Ext. Wall	Stairs & Elev.	Parking		
B6	28,159	0	1,219	541	25,388		1,011



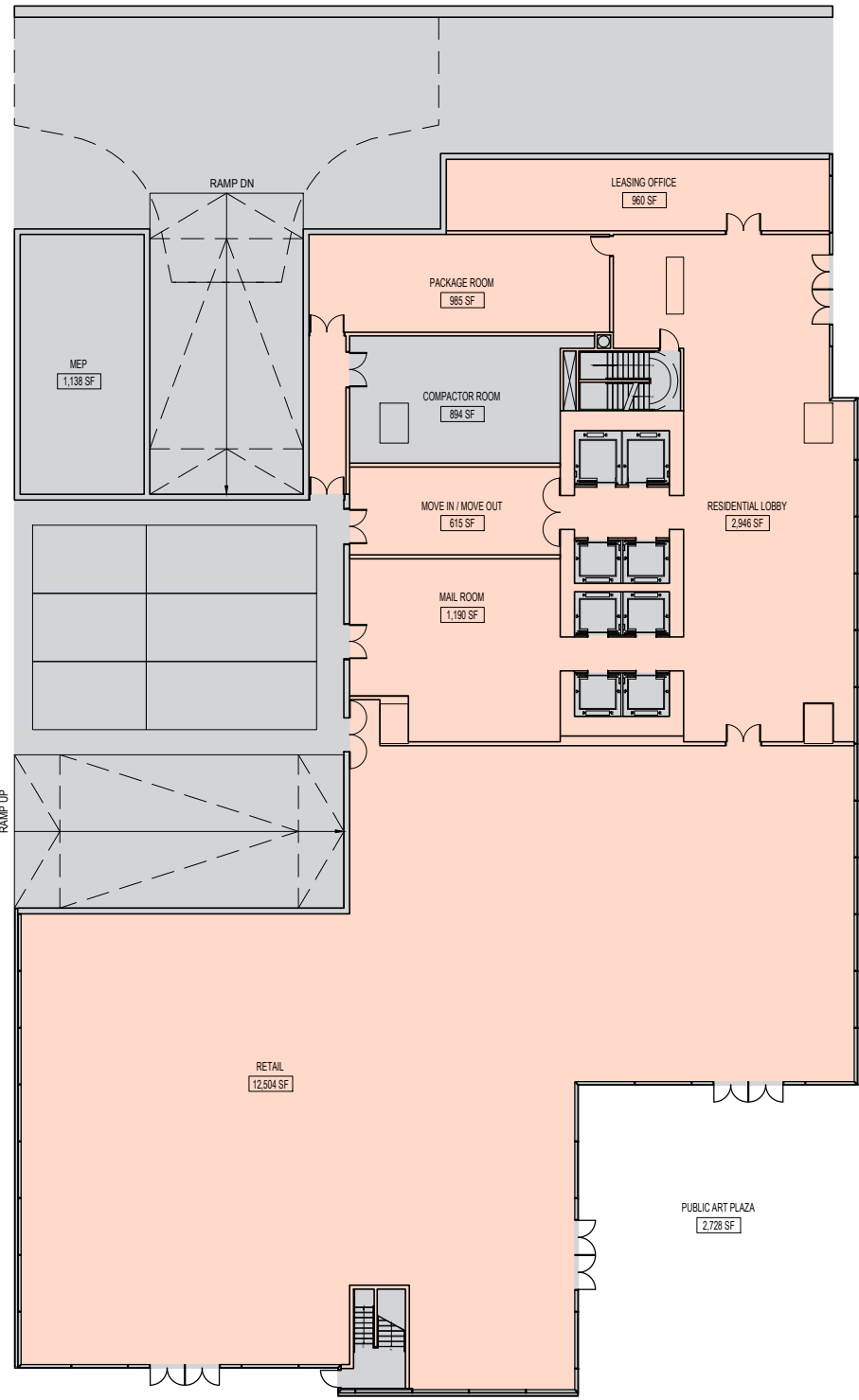
2 LEVELS B2-B5  
SCALE: 1/32" = 1'-0"

FLOOR	GFA	DEDUCTIONS					FA
		Mech.	Ext. Wall	Stairs & Elev.	Parking		
B2-B5	37,704	0	1,187	829	34,965		723



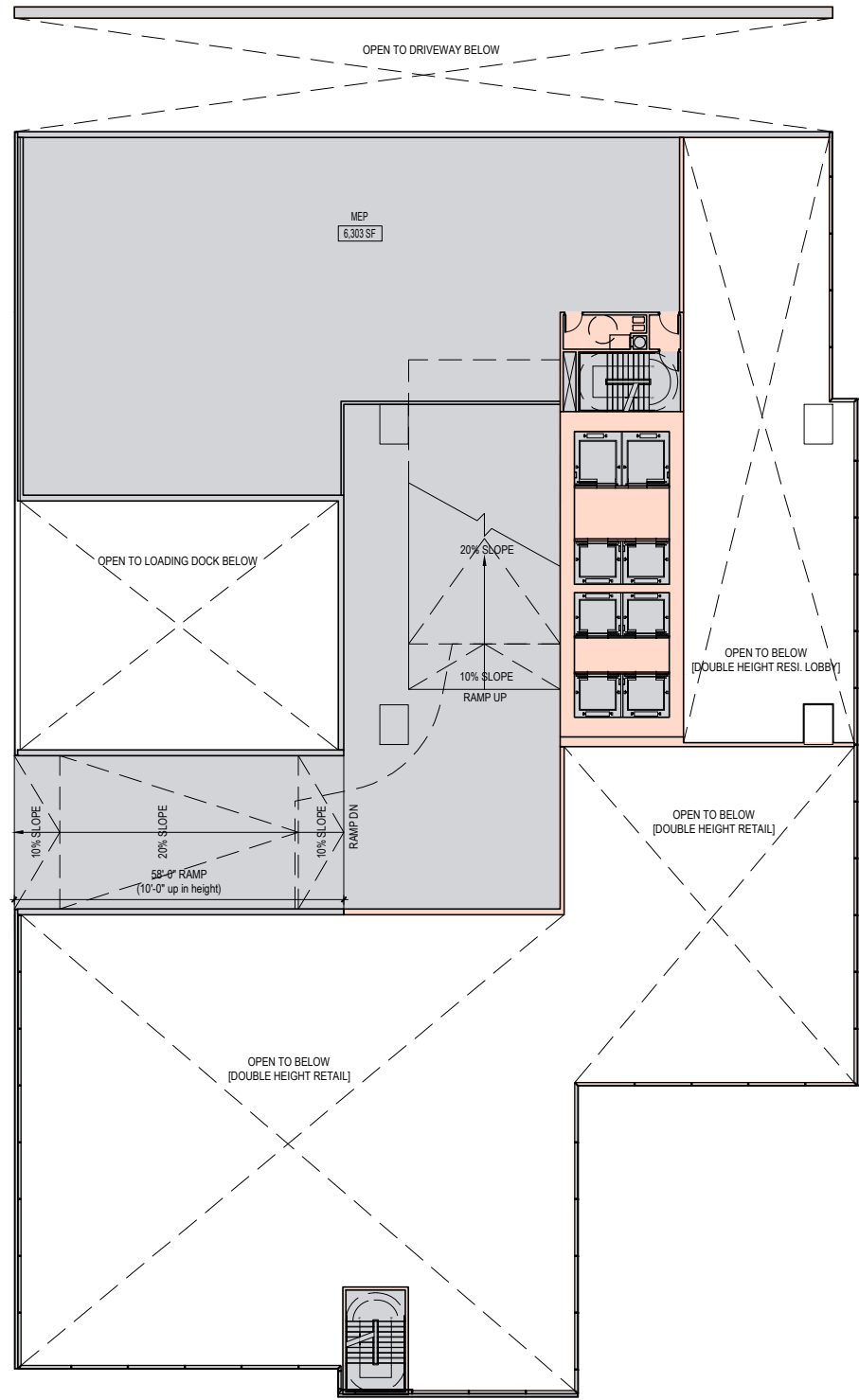
3 LEVEL B1  
SCALE: 1/32" = 1'-0"

FLOOR	GFA	DEDUCTIONS					FA
		Mech.	Ext. Wall	Stairs & Elev.	Parking		
B1	36,480	0	1,172	829	33,756		723



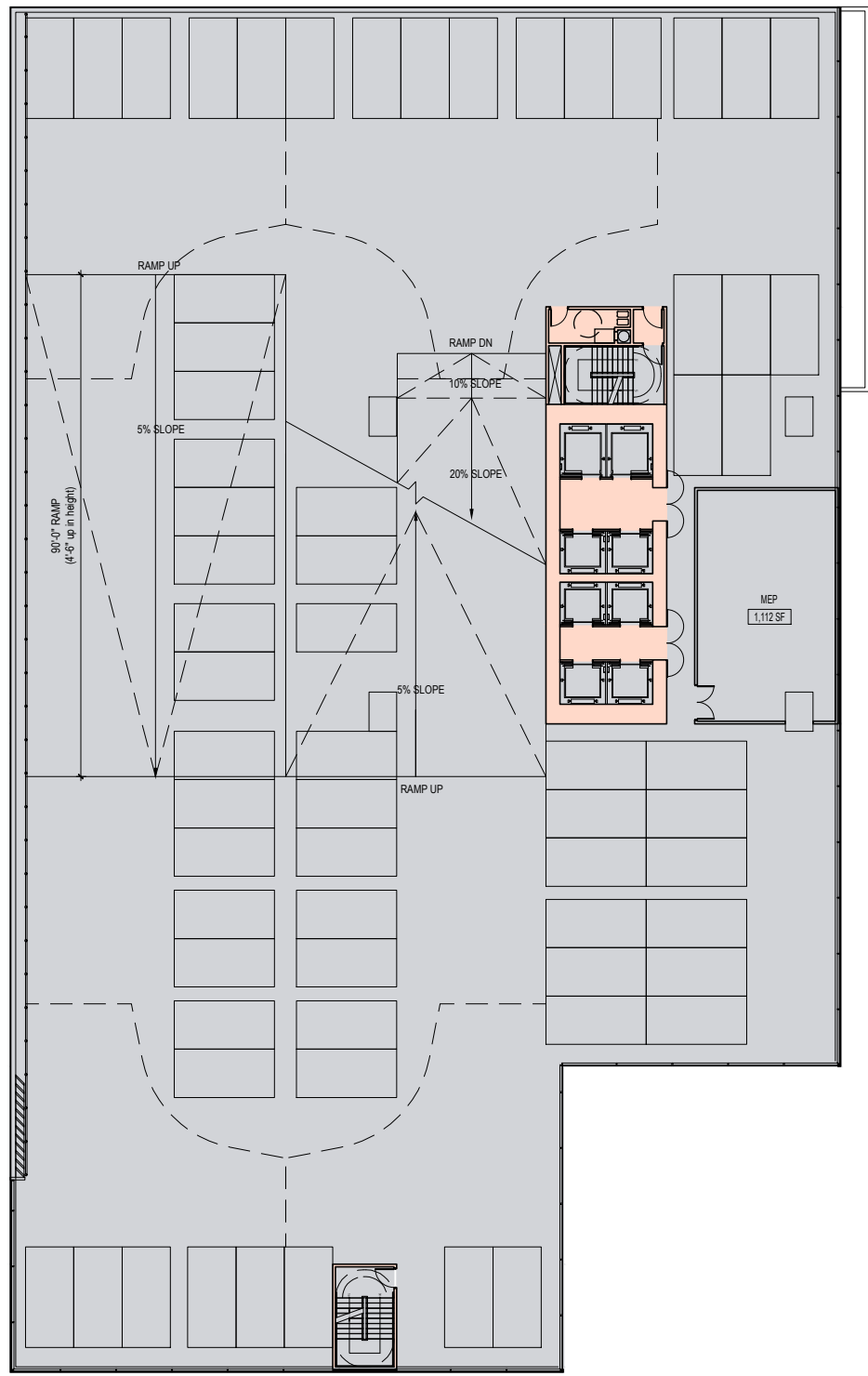
4 LEVEL 1  
SCALE: 1/32" = 1'-0"

FLOOR	GFA	DEDUCTIONS					FA
		Mech.	Ext. Wall	Stairs & Elev.	Parking		
1st Fl.	33,123	1,939	995	900	9,905		19,384



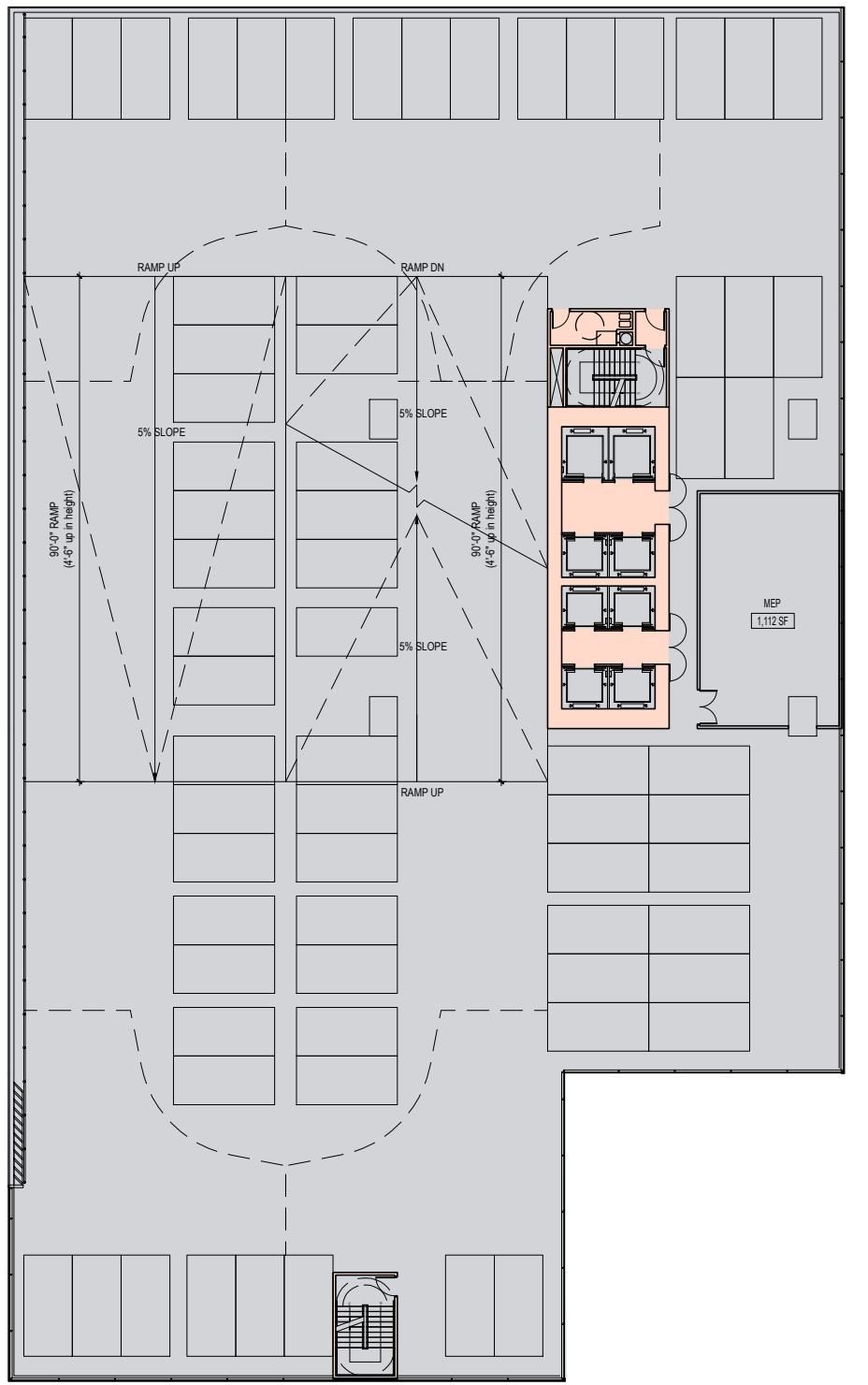
5 MEZZANINE LEVEL  
SCALE: 1/32" = 1'-0"

FLOOR	GFA	DEDUCTIONS					FA
		Mech.	Ext. Wall	Stairs & Elev.	Parking		
Mezzanine	14,110	6,028	1,168	900	4,950		1,064



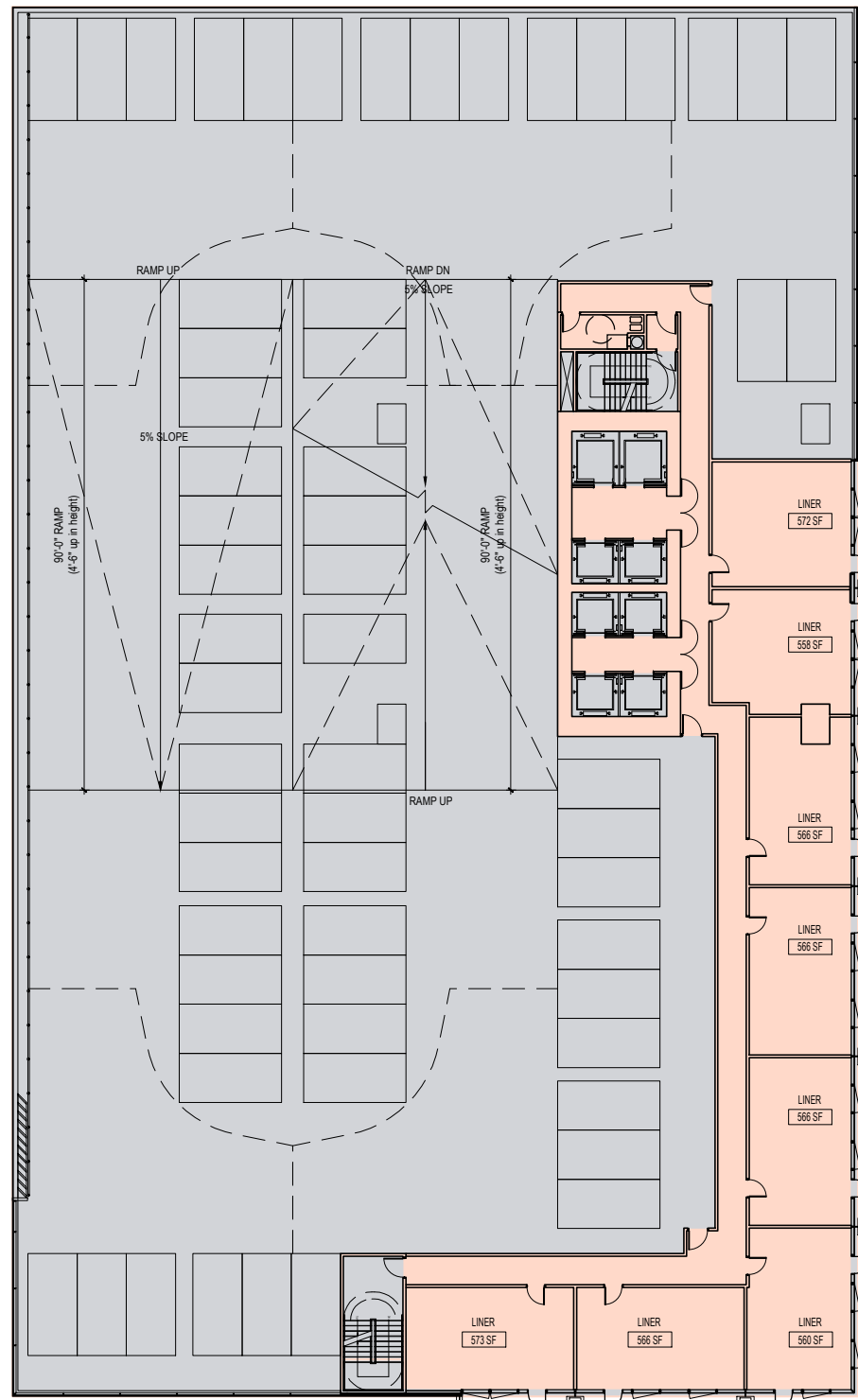
6 LEVEL 2  
SCALE: 1/32" = 1'-0"

FLOOR	GFA	DEDUCTIONS					FA
		Mech.	Ext. Wall	Stairs & Elev.	Parking		
2nd Fl.	33,752	1,070	784	900	30,060		938



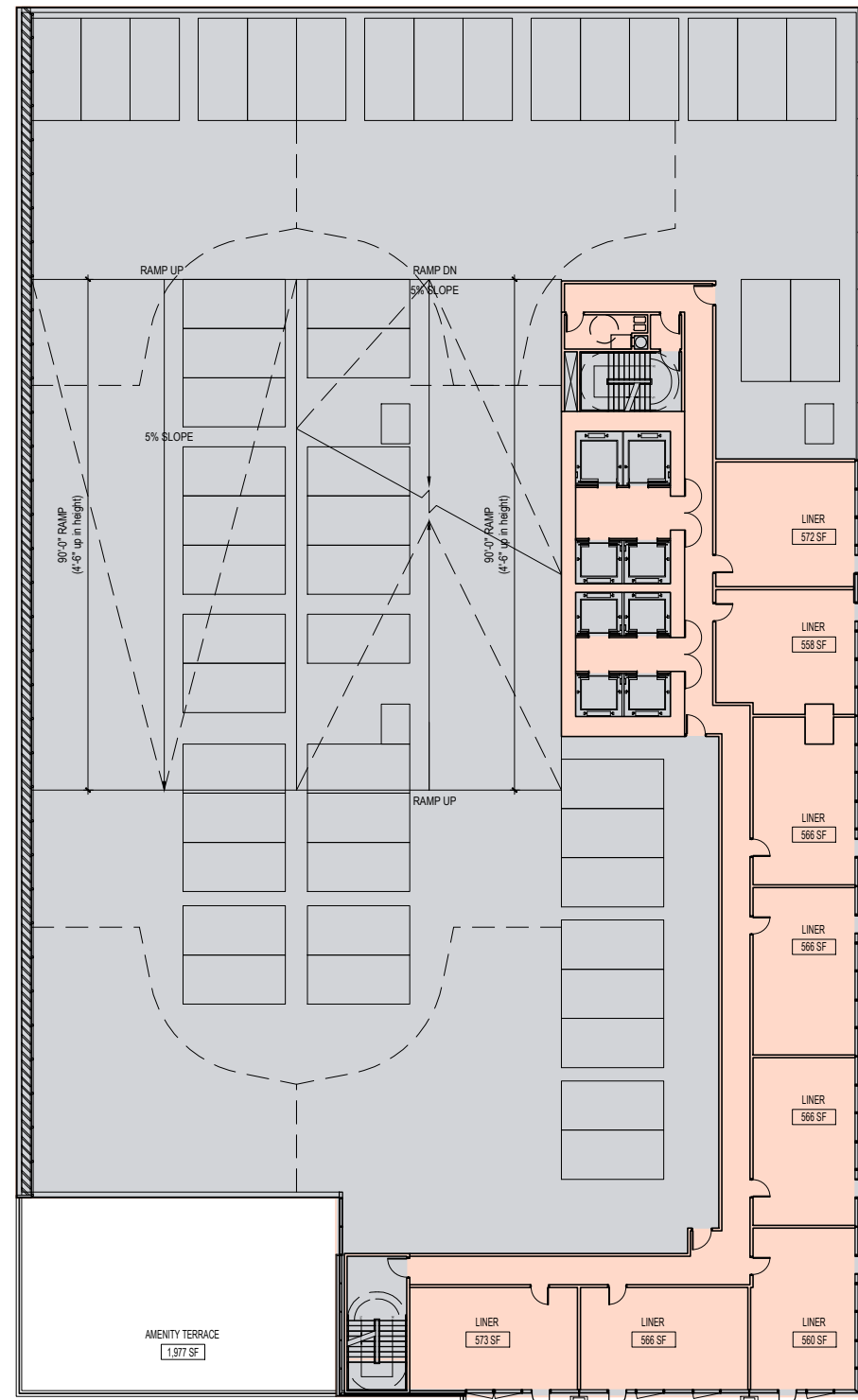
7 LEVELS 3-4  
SCALE: 1/32" = 1'-0"

FLOOR	GFA	DEDUCTIONS					FA
		Mech.	Ext. Wall	Stairs & Elev.	Parking		
3rd - 4th Fl.	33,752	1,070	784	900	30,060		938



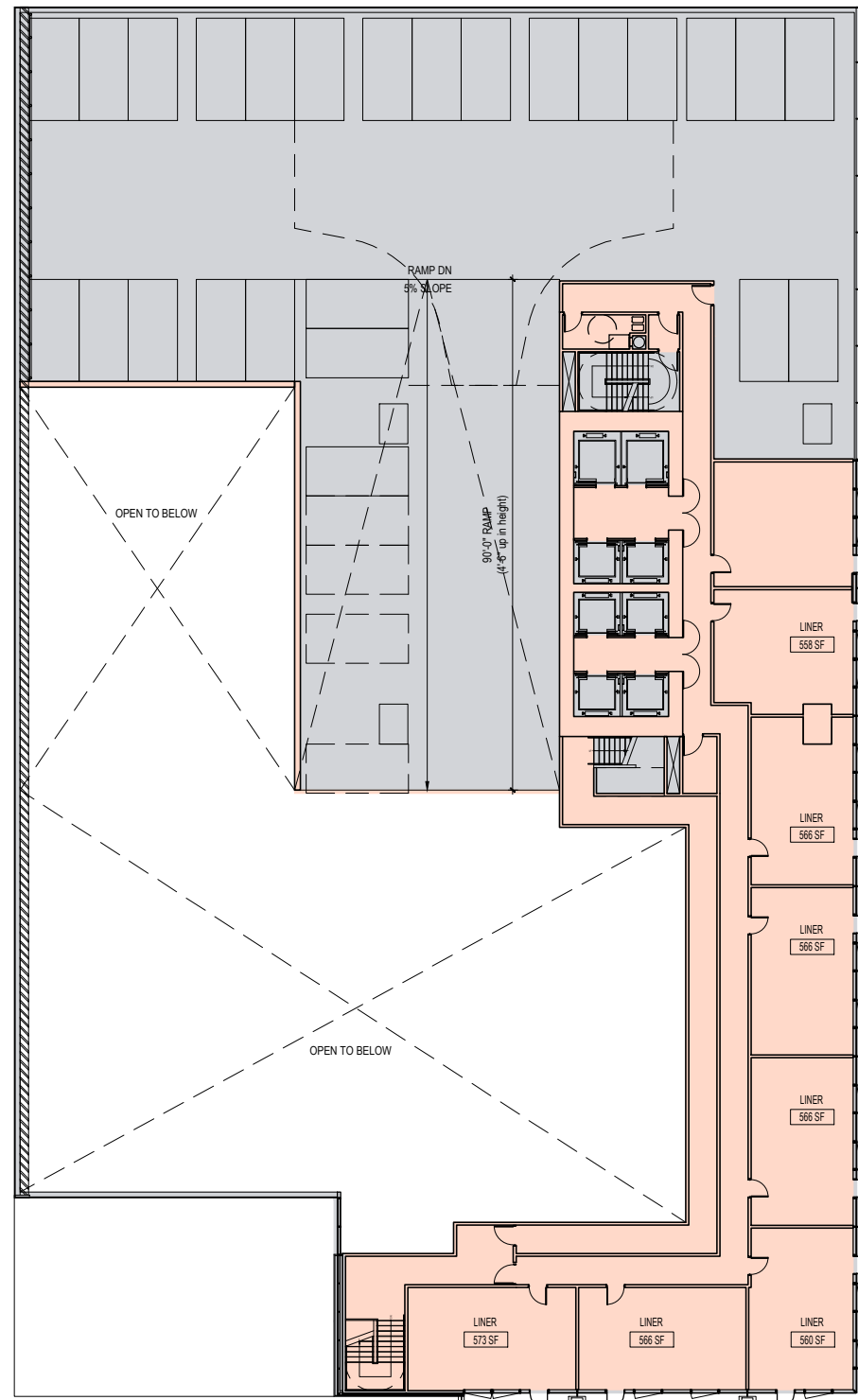
8 LEVELS 5-7  
SCALE: 1/32" = 1'-0"

FLOOR	GFA	DEDUCTIONS					FA
		Mech.	Ext. Wall	Stairs & Elev.	Parking		
5th - 7th Fl.	36,344	206	691	900	27,896		6,651



9 LEVEL 8  
SCALE: 1/32" = 1'-0"

FLOOR	GFA	DEDUCTIONS					FA
		Mech.	Ext. Wall	Stairs & Elev.	Parking		
8th Fl.	34,372	205	718	900	25,911		6,638



10 LEVEL 9  
SCALE: 1/32" = 1'-0"

FLOOR	GFA	DEDUCTIONS					FA
		Mech.	Ext. Wall	Stairs & Elev.	Parking		
9th Fl.	22,338	237	718	900	12,820		7,663

FLOOR AREA  
DEDUCTIONS

NO.	DATE	REVISION
08/15/2017	ENTITLEMENT SUBMISSION	
11/06/2018	CITY PLANNING SUBMISSION	
03/12/2020	CITY PLANNING SUBMISSION	
12/17/2020	CITY PLANNING SUBMISSION	

OWNER / APPLICANT

1045 OLIVE, LLC  
2200 BISCAYNE BLVD  
MIAMI, FL 33137

CONSULTANTS

LANDSCAPE ARCHITECT:

ODA Architecture P.C.  
250 Park Avenue South 3rd Fl  
New York, NY 10003  
T: (646) 478-7455

STRUCTURAL ENGINEER:

MACHOUSSON KLEINENCO ASSOCIATES  
1301 Fifth Avenue Suite 3200  
Seattle, WA 98101-2699  
T: (206) 292-1200

MEP ENGINEER:

GB ENGINEERS  
449 10th Street  
San Francisco, CA 94103  
T: (415) 437-7330

ELEVATOR CONSULTANT:

GVK ELEVATOR CONSULTING SERVICES Inc  
50 California Street Suite 3510  
San Francisco, CA 94111  
T: (415) 412-5232

LAND USE COUNSEL:

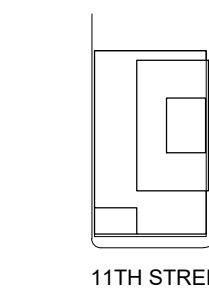
LATHAM & WATKINS LLP  
355 South Grand Avenue, Suite 100  
Los Angeles, CA 90071  
T: (213) 485-1234

TRAFFIC ENGINEER:

THE MOBILITY GROUP  
15301 Von Karman, Suite 490  
Irvine CA 92612  
T: (949) 474-1581

KEY PLAN

1033, 1041, 1045, 1053, 1057 S. OLIVE ST  
LOS ANGELES, CA 90015



1045 OLIVE

NEW CONSTRUCTION

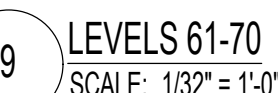
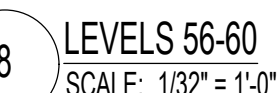
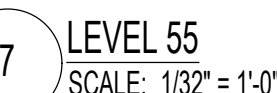
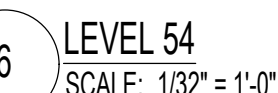
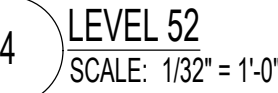
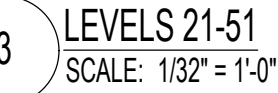
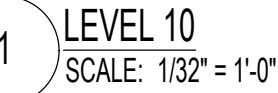
PROJECT NO:1658.00 SCALE: 1/8" = 1'-0"

FLOOR AREA DIAGRAMS

A-006


[illegible]


45 OLIVE, LLC  
100 BISCAYNE BLVD  
MIAMI, FL 33137

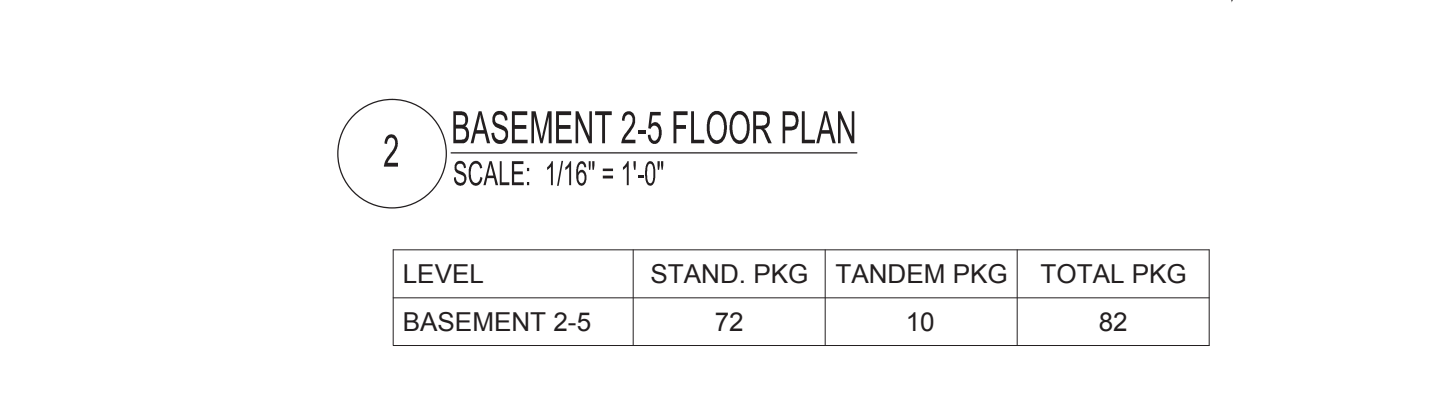
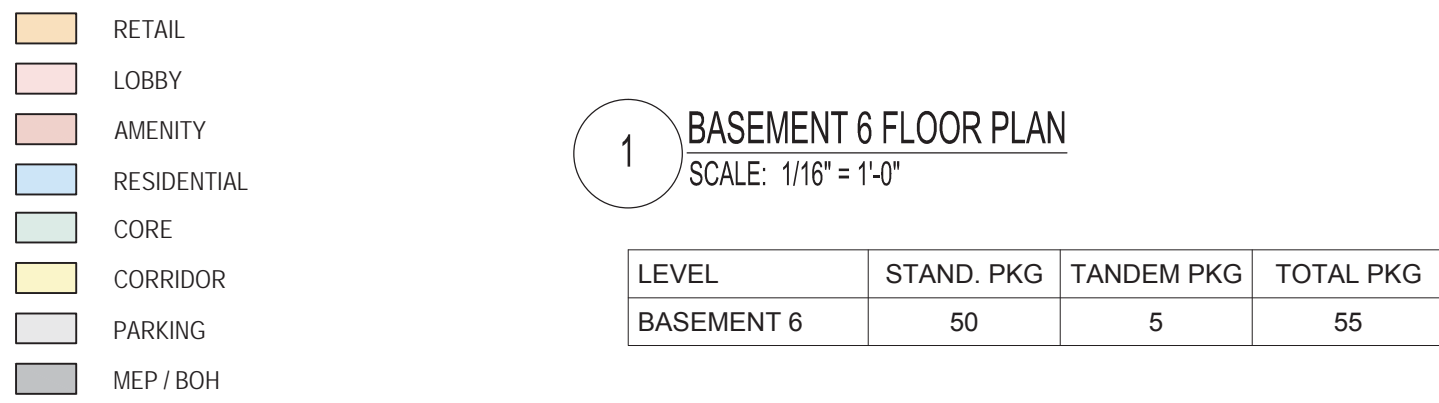


## TH STREET

PAGE: 09 OF 35

 FLOOR AREA

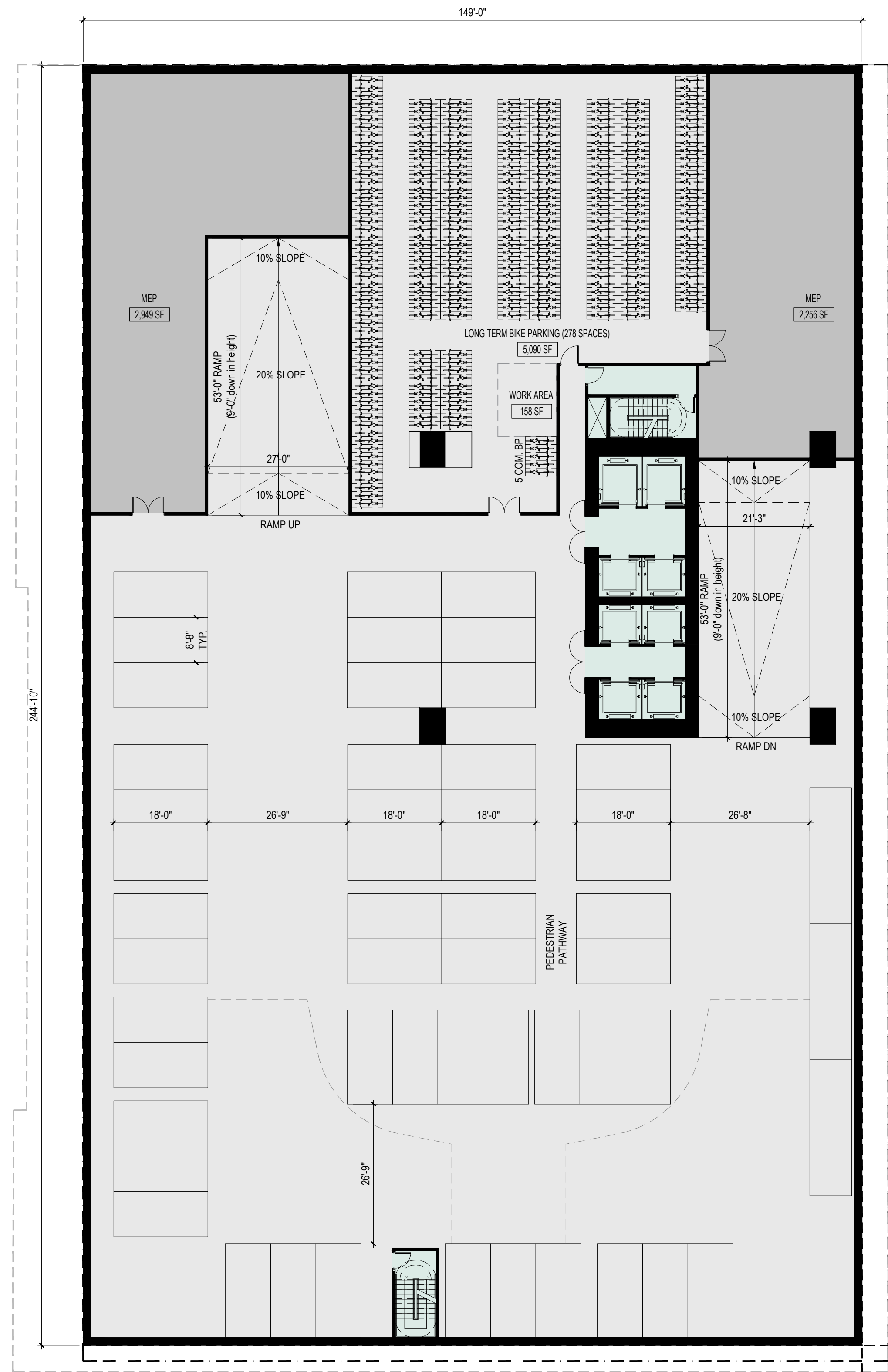
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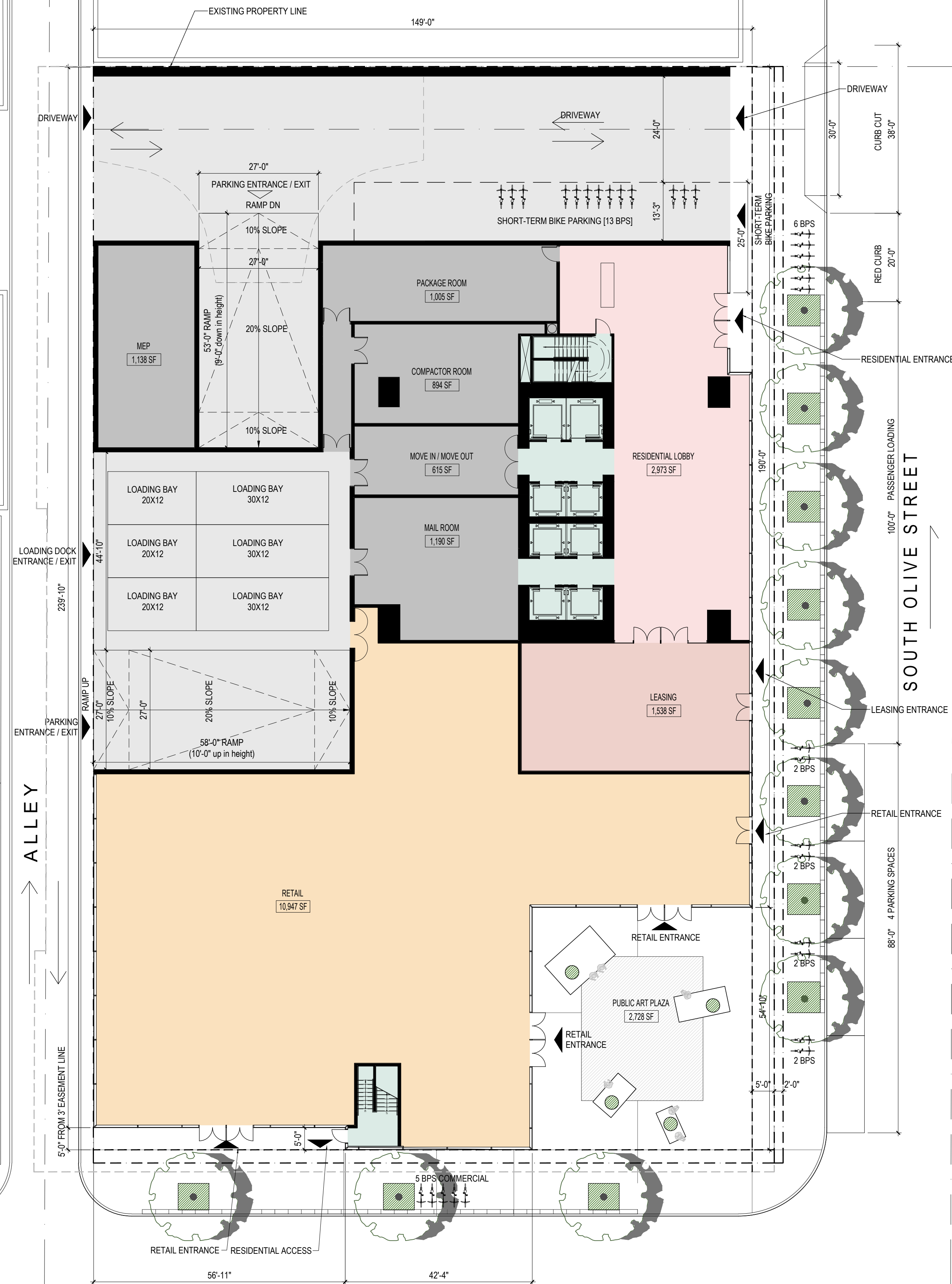
- RETAIL
- LOBBY
- AMENITY
- RESIDENTIAL
- CORE
- CORRIDOR
- PARKING
- MEP / BOH

1 BASEMENT 1 FLOOR PLAN  
SCALE: 1/16" = 1'-0"

LEVEL	STAND. PKG	TANDEM PKG	TOTAL PKG
BASEMENT 1	45	8	53



2 1ST FLOOR PLAN  
SCALE: 1/16" = 1'-0"



NO.	DATE	REVISION
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03/12/2020	CITY PLANNING SUBMISSION	
12/17/2020	CITY PLANNING SUBMISSION	

OWNER / APPLICANT

1045 OLIVE, LLC  
2200 BISCAYNE BLVD  
MIAMI, FL 33137

CONSULTANTS

LANDSCAPE ARCHITECT:  
ODA Architecture P.C.  
250 Park Avenue South 3rd Fl  
New York, NY 10003  
T: (646) 478-7455

STRUCTURAL ENGINEER:  
KARLSSON KLEINCOV ASSOCIATES  
1301 Fifth Avenue Suite 3200  
Seattle, WA 98101-2699  
T: (206) 292-1200

MEP ENGINEER:  
GB ENGINEERS  
448 10th Street  
San Francisco, CA 94103  
T: (415) 437-7330

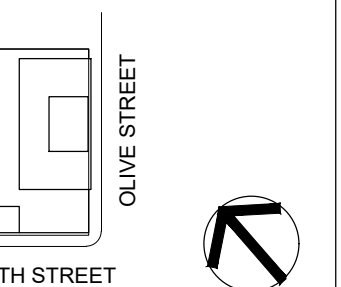
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GVK ELEVATOR CONSULTING SERVICES Inc  
50 California Street Suite 3510  
San Francisco, CA 94111  
T: (415) 412-5232

LAND USE COUNSEL:  
LATHAM & WATKINS LLP  
355 South Grand Avenue, Suite 100  
Los Angeles, CA 90071  
T: (213) 485-1234

TRAFFIC ENGINEER:  
THE MOBILITY GROUP  
16301 Von Karman, Suite 490  
Irvine CA 92612  
T: (949) 474-1581

KEY PLAN

1033, 1041, 1045, 1053, 1057 S. OLIVE ST  
LOS ANGELES, CA 90015



1045 OLIVE

NEW CONSTRUCTION

FLOOR PLANS:  
BASEMENT 1 & 1ST FLOOR

A-101

NO.	DATE	REVISION
08/15/2017	ENTITLEMENT SUBMISSION	
11/06/2018	CITY PLANNING SUBMISSION	
03/12/2020	CITY PLANNING SUBMISSION	
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2200 BISCAYNE BLVD  
MIAMI, FL 33137

CONSULTANTS

LANDSCAPE ARCHITECT:  
ODA Architecture P.C.  
250 Park Avenue South 3rd Fl  
New York, NY 10003  
T: (646) 478-7455

STRUCTURAL ENGINEER:  
MAGNUSSON KLEINENCIO ASSOCIATES  
1301 Fifth Avenue Suite 3200  
Seattle, WA 98101-2699  
T: (206) 292-1200

MEP ENGINEER:  
GB ENGINEERS  
449 10th Street  
San Francisco, CA 94103  
T: (415) 437-7330

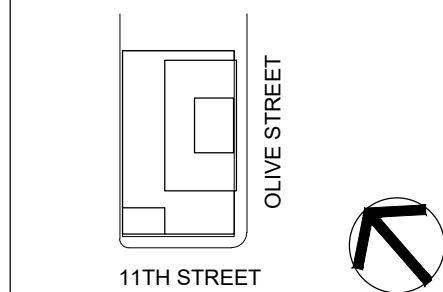
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LATHAM & WATKINS LLP  
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Los Angeles, CA 90071  
T: (213) 485-1234

TRAFFIC ENGINEER:  
THE MOBILITY GROUP  
15301 Von Karman, Suite 490  
Irvine CA 92617  
T: (949) 474-1581

KEY PLAN

1033, 1041, 1045, 1053, 1057 S. OLIVE ST  
LOS ANGELES, CA 90015



1045 OLIVE

NEW CONSTRUCTION

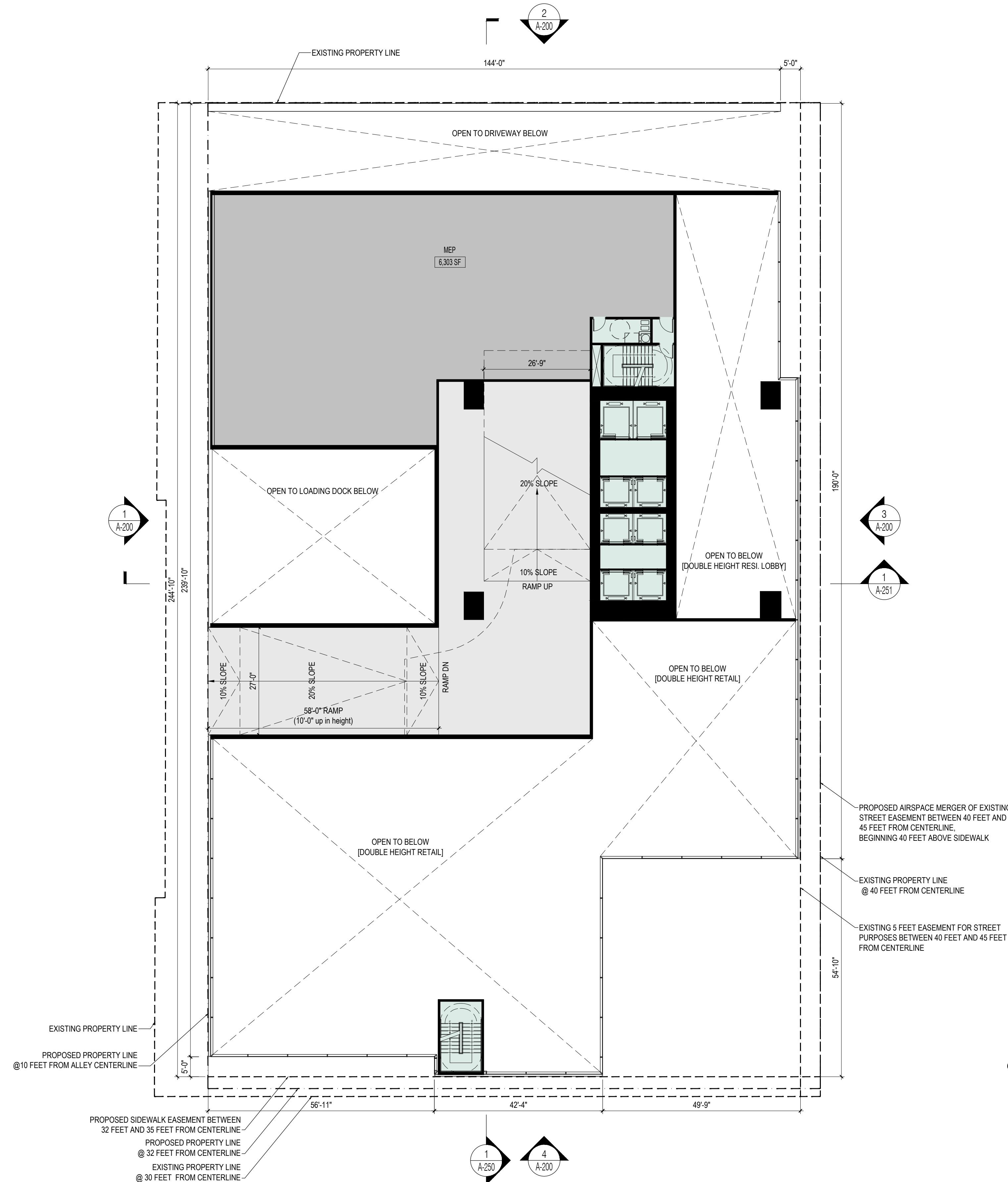
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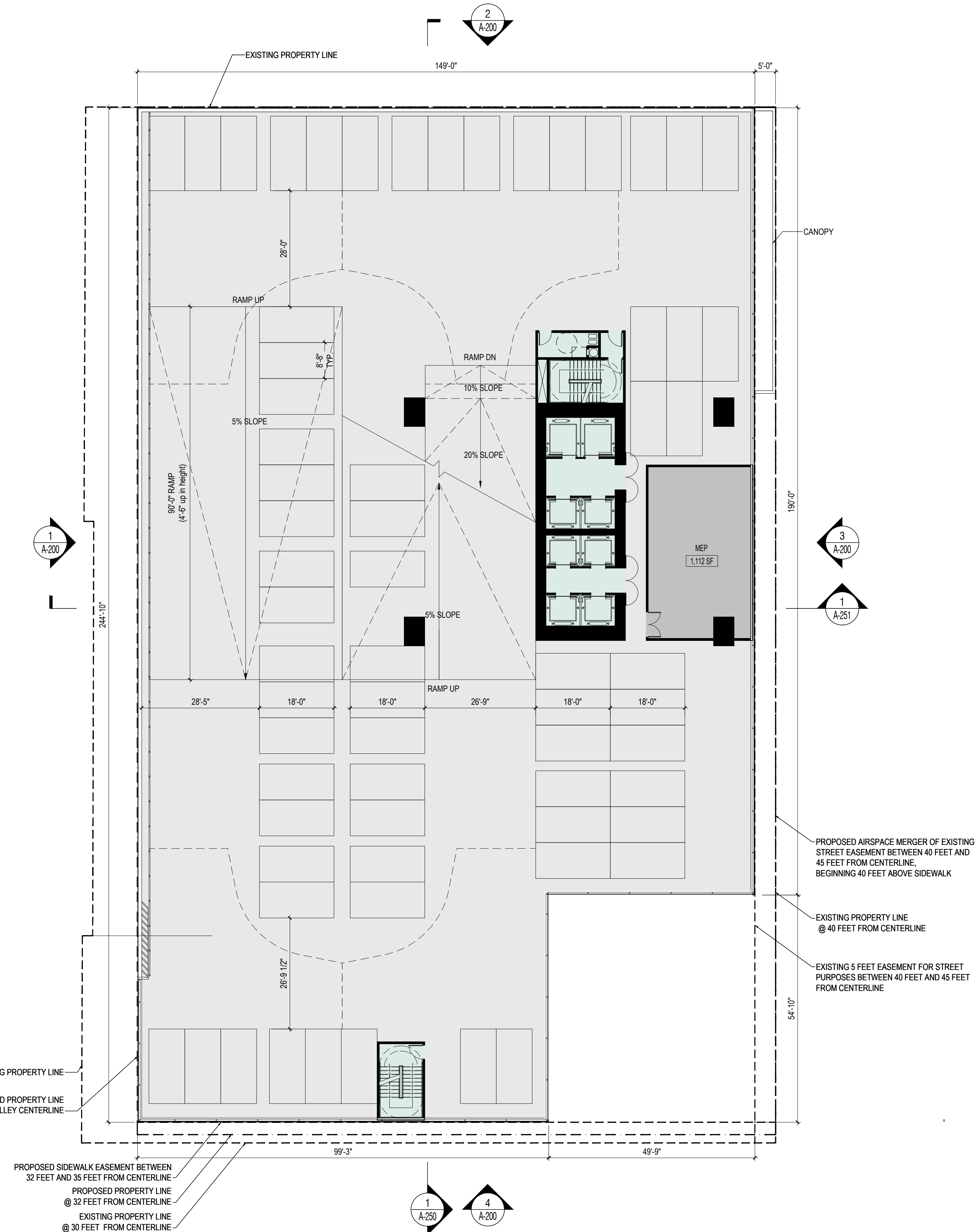
FLOOR PLANS:  
MEZZANINE & 2ND FLOOR

A-102

PAGE: 11 OF 35



1 MEZZANINE FLOOR PLAN  
SCALE: 1/16" = 1'-0"



2 2ND FLOOR PLAN  
SCALE: 1/16" = 1'-0"

LEVEL	STAND. PKG	TANDEM PKG	TOTAL PKG
LEVEL 2	57	8	65

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1045 OLIVE, LLC  
2200 BISCAYNE BLVD  
MIAMI, FL 33137

CONSULTANTS

LANDSCAPE ARCHITECT:  
ODA Architecture P.C.  
250 Park Avenue South 3rd Fl  
New York, NY 10003  
T: (646) 478-7455

STRUCTURAL ENGINEER:  
MACHAUSSON KLEINCOVIC ASSOCIATES  
1301 Fifth Avenue Suite 3200  
Seattle, WA 98101-2699  
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GB ENGINEERS  
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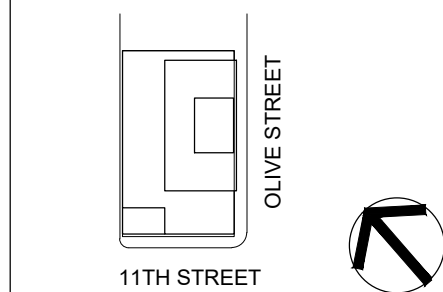
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GVK ELEVATOR CONSULTING SERVICES Inc  
90 California Street Suite 3510  
San Francisco, CA 94111  
T: (415) 412-5232

LAND USE COUNSEL:  
LATHAM & WATKINS LLP  
355 South Grand Avenue, Suite 100  
Los Angeles, CA 90071  
T: (213) 485-1234

TRAFFIC ENGINEER:  
THE MOBILITY GROUP  
15301 Von Karman, Suite 490  
Irvine CA 92612  
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KEY PLAN

1033, 1041, 1045, 1053, 1057 S. OLIVE ST  
LOS ANGELES, CA 90015



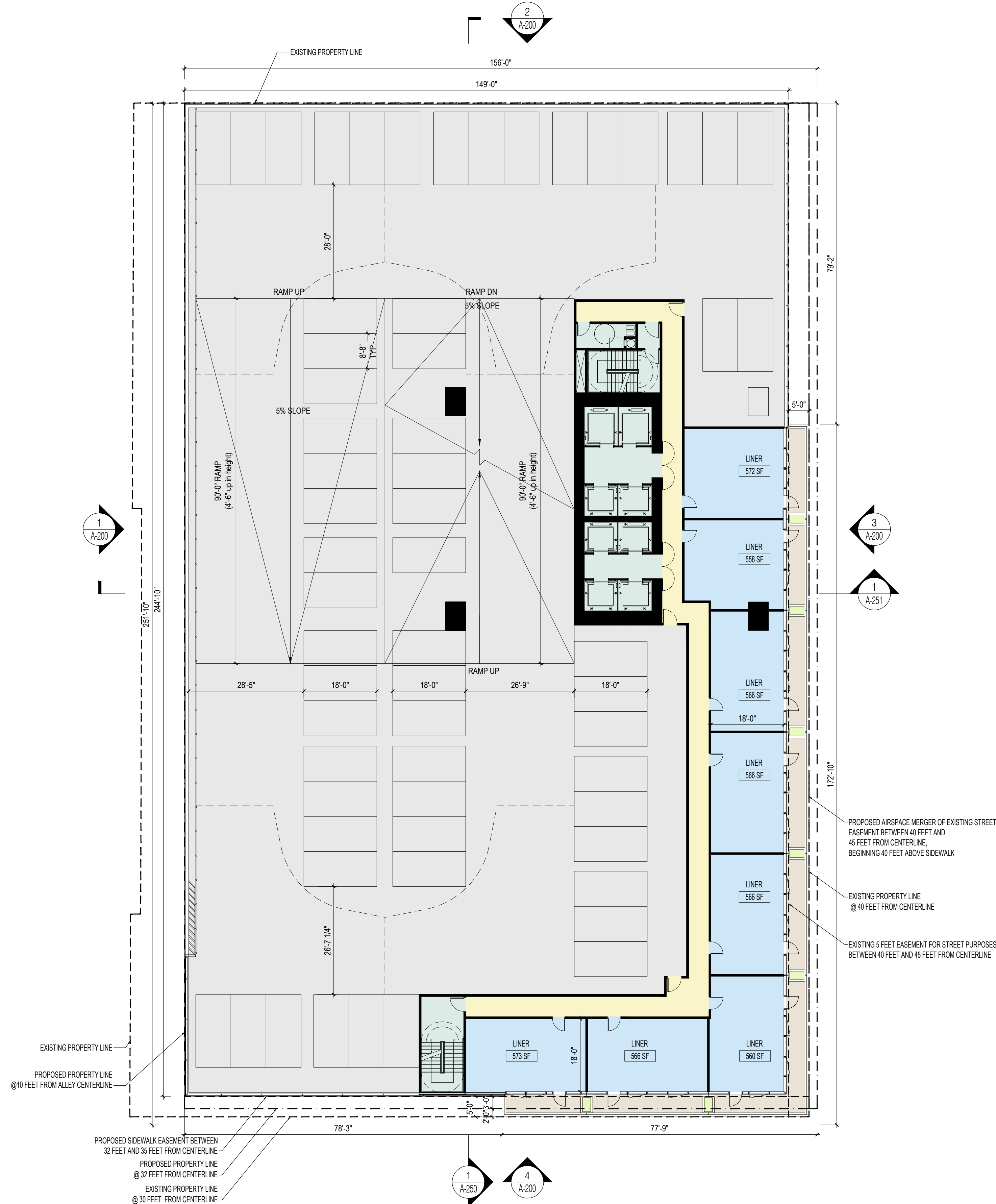
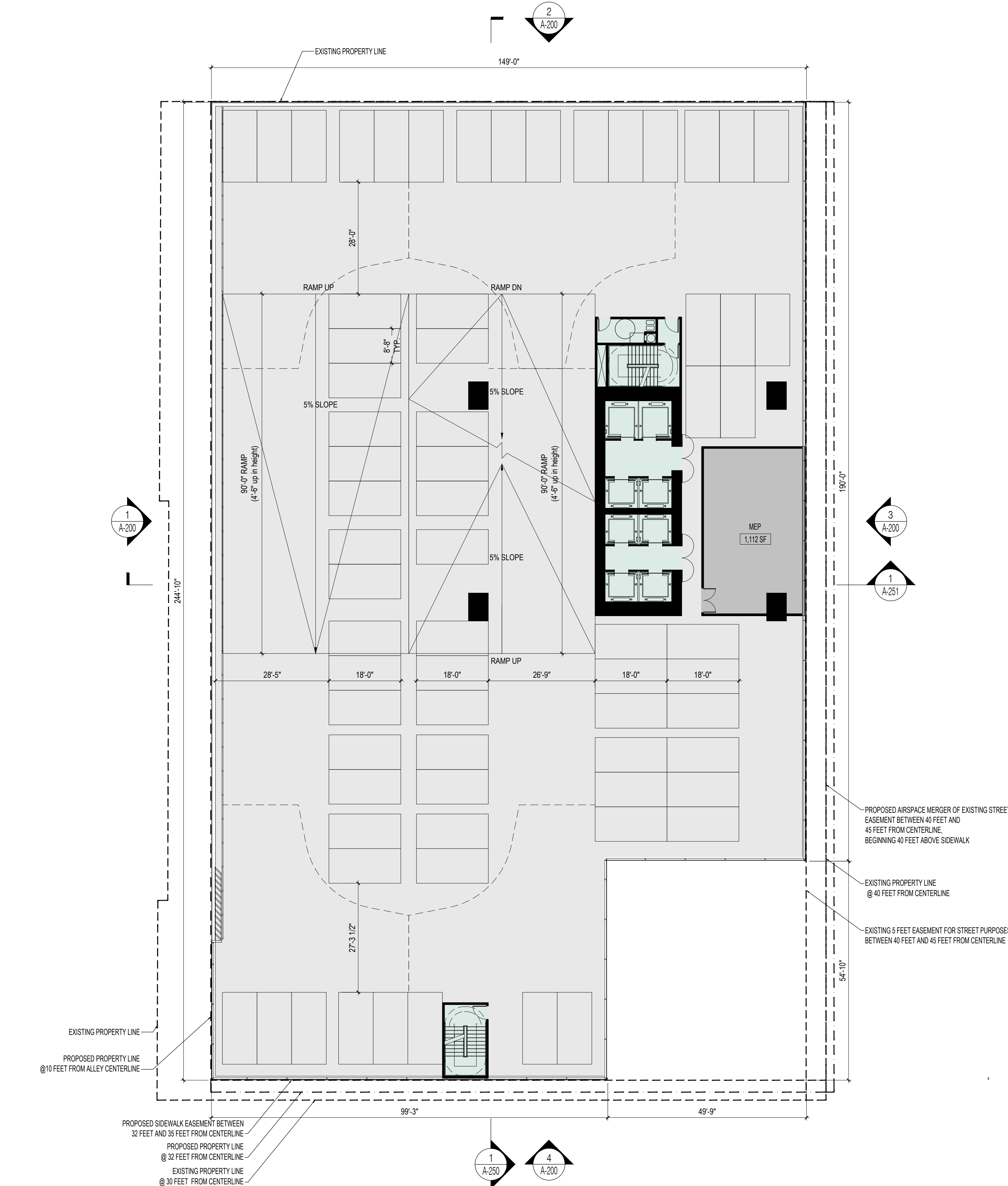
1045 OLIVE

NEW CONSTRUCTION

PROJECT NO:1658.00 SCALE: 1/8" = 1'-0"

FLOOR PLANS: 3RD-4TH &  
5TH-7TH FLOOR

A-103



NO.	DATE	REVISION
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11/06/2018	CITY PLANNING SUBMISSION	
03/12/2020	CITY PLANNING SUBMISSION	
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1045 OLIVE, LLC  
2200 BISCAYNE BLVD  
MIAMI, FL 33137

CONSULTANTS

LANDSCAPE ARCHITECT:  
ODA Architecture P.C.  
250 Park Avenue South 3rd Fl  
New York, NY 10003  
T: (646) 478-7455

STRUCTURAL ENGINEER:  
MACHOUSSON KLEINENCO ASSOCIATES  
1301 Fifth Avenue Suite 3200  
Seattle, WA 98101-2699  
T: (206) 292-1200

MEP ENGINEER:  
GB ENGINEERS  
448 10th Street  
San Francisco, CA 94103  
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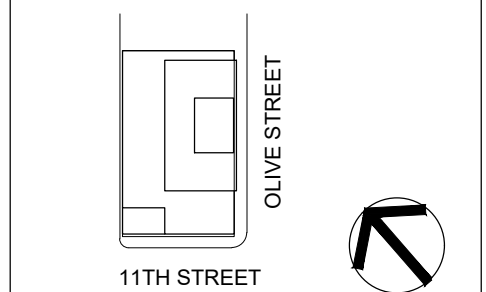
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90 California Street Suite 3510  
San Francisco, CA 94111  
T: (415) 412-5232

LAND USE COUNSEL:  
LATHAM & WATKINS LLP  
355 South Grand Avenue, Suite 100  
Los Angeles, CA 90071  
T: (213) 485-1234

TRAFFIC ENGINEER:  
THE MOBILITY GROUP  
16301 Von Karman, Suite 490  
Irvine, CA 92612  
T: (949) 474-1581

KEY PLAN

1033, 1041, 1045, 1053, 1057 S. OLIVE ST  
LOS ANGELES, CA 90015



1045 OLIVE

NEW CONSTRUCTION

PROJECT NO: 1658.00 SCALE: 1/8" = 1'-0"

FLOOR PLANS: 8TH & 9TH FLOOR

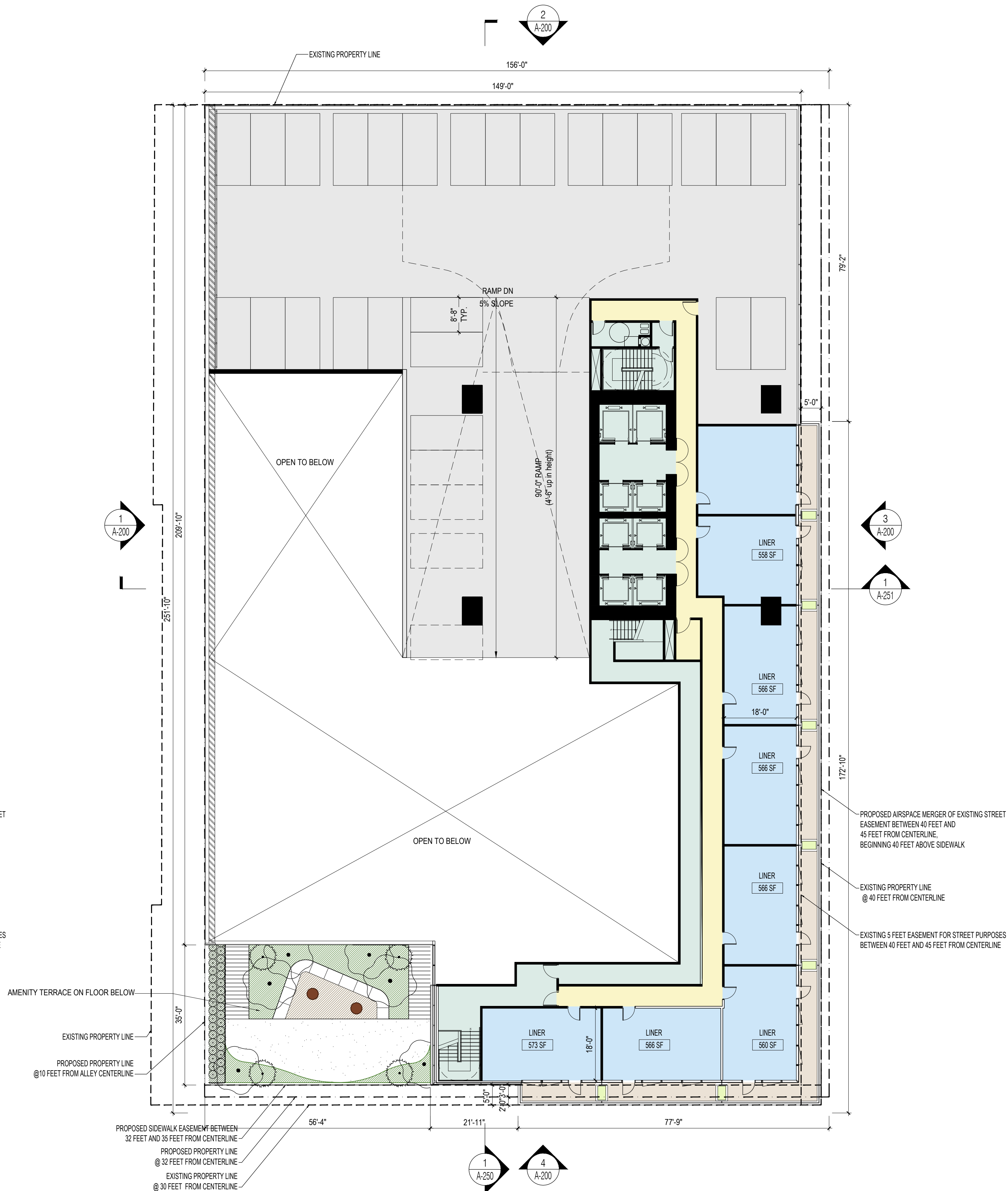
A-104



1 8TH FLOOR PLAN  
SCALE: 1/16" = 1'-0"

LEVEL	STAND. PKG	TANDEM PKG	TOTAL PKG
LEVEL 8	49		49

LEVEL	# OF FLOORS	TOTAL
LEVEL 8	1	8



2 9TH FLOOR PLAN  
SCALE: 1/16" = 1'-0"

LEVEL	STAND. PKG	TANDEM PKG	TOTAL PKG
LEVEL 9	25		25

LEVEL	# OF FLOORS	TOTAL
LEVEL 9	1	8

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2200 BISCAYNE BLVD  
MIAMI, FL 33137

CONSULTANTS

LANDSCAPE ARCHITECT:  
ODA Architecture P.C.  
250 Park Avenue South 3rd Fl  
New York, NY 10003  
T: (646) 478-7455

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Seattle, WA 98101-2699  
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San Francisco, CA 94103  
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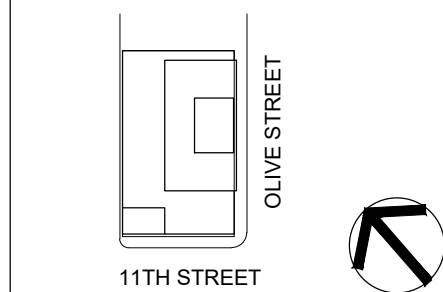
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San Francisco, CA 94111  
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Los Angeles, CA 90071  
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15301 Von Karman, Suite 490  
Irvine, CA 92612  
T: (949) 474-1581

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1045 OLIVE

NEW CONSTRUCTION

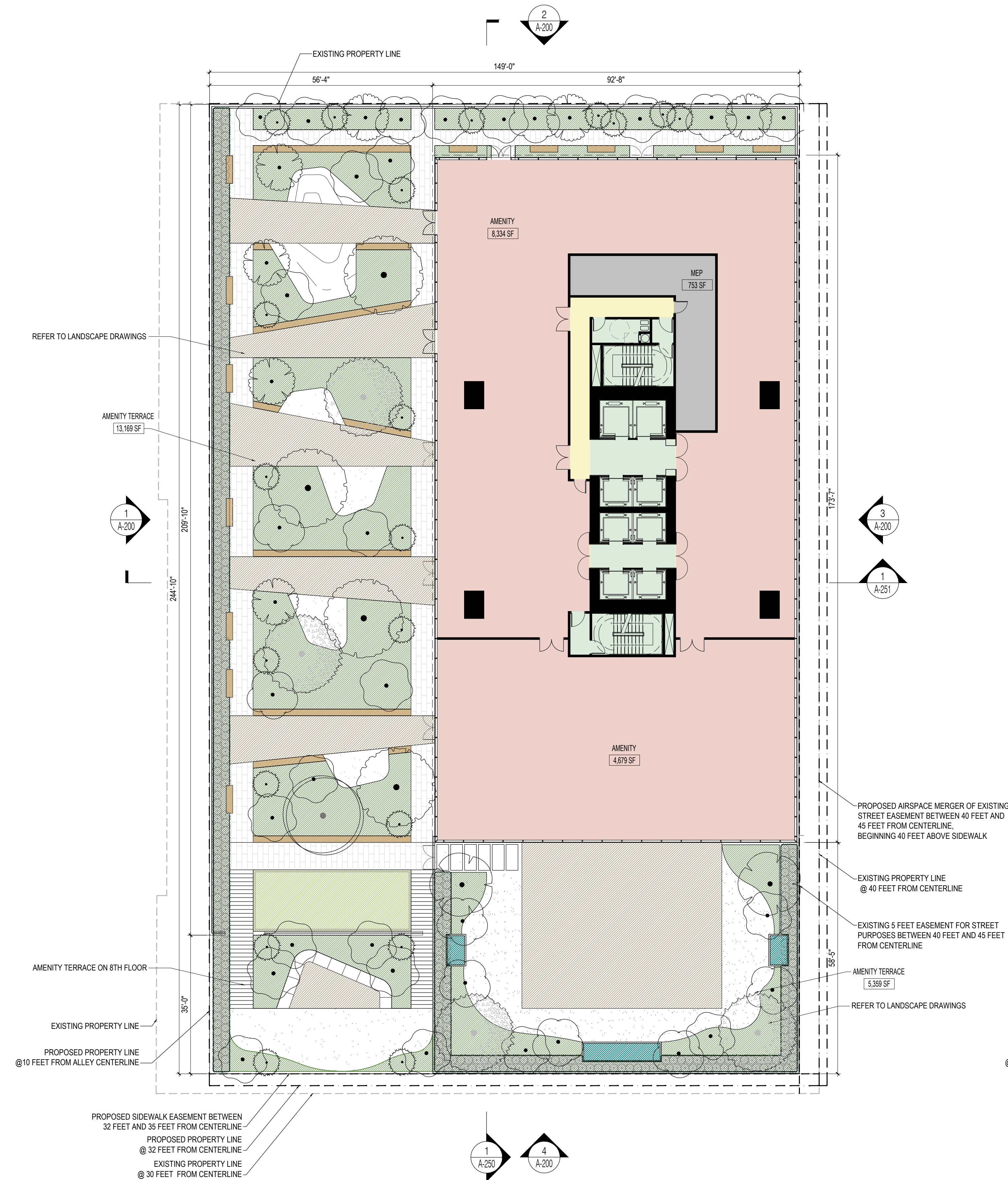
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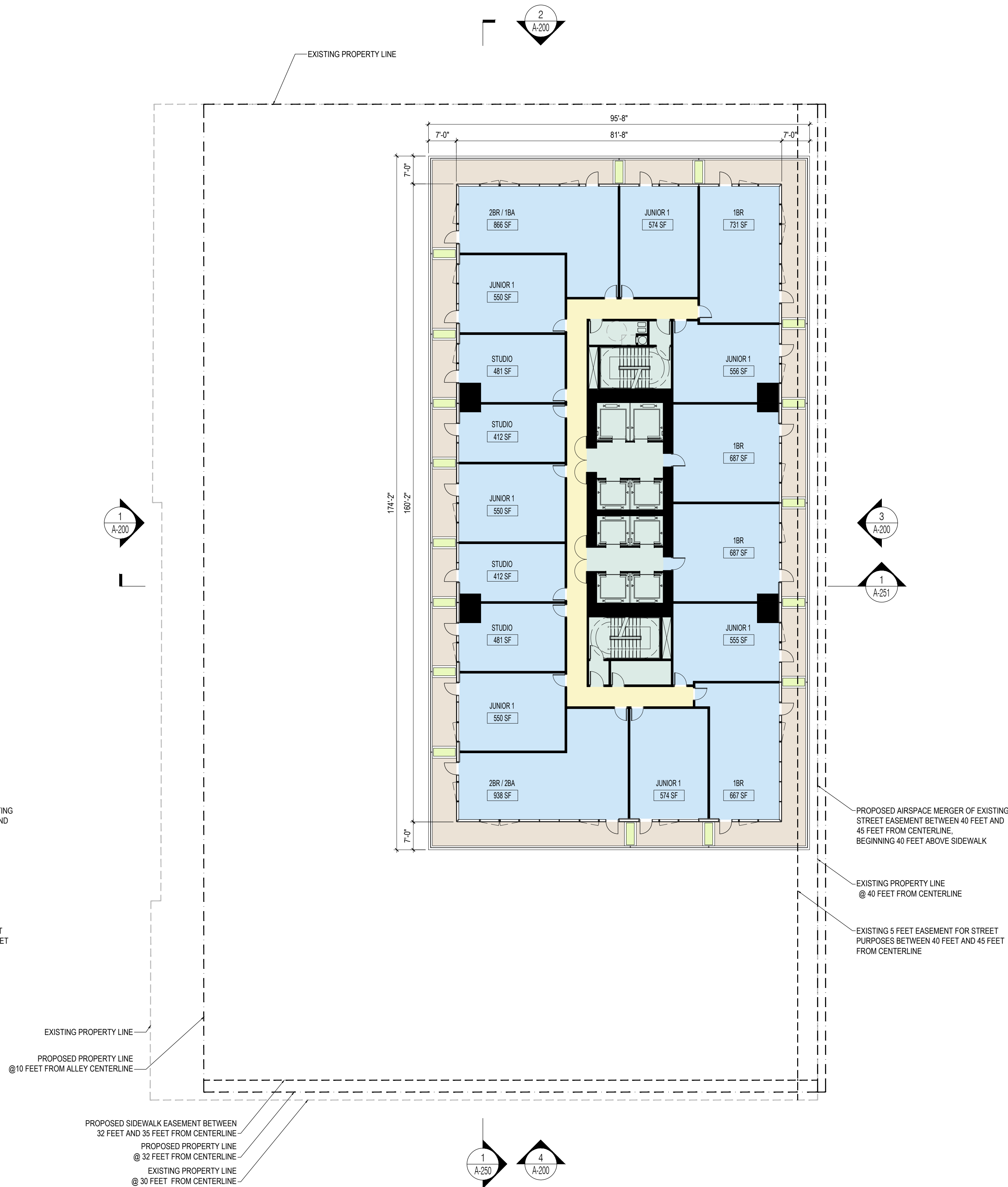
FLOOR PLANS: 10TH &  
11TH-20TH FLOOR

A-105

PAGE: 15 OF 35



1 10TH FLOOR PLAN  
SCALE: 1/16" = 1'-0"



2 11TH-20TH FLOOR PLAN  
SCALE: 1/16" = 1'-0"

LEVELS 11-20							UNITS/FL.	# OF FLOORS	TOTAL
STUDIO	JUNIOR 1BR	1BR	1BR+D	2BR	2BR+D	3BR			
4	7	4		2			17	10	170

1045 OLIVE, LLC  
2200 BISCAYNE BLVD  
MIAMI, FL 33137

## LANDSCAPE ARCHITECT:

**LANDSCAPE ARCHITECT:**  
ODA Architecture P.C.  
250 Park Avenue South 3rd fl.  
New York, NY 10003  
T. (646) 478-7455

**STRUCTURAL ENGINEER:**  
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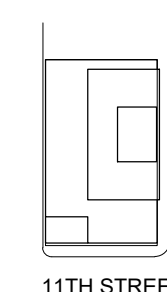
MEP ENGINEER:  
CB ENGINEERS  
449 10th Street  
San Francisco, CA 94103  
T. (415) 437-7330

**ELEVATOR CONSULTANT:**  
GVK ELEVATOR CONSULTING SERVICES Inc.  
50 California Street Suite 3510  
San Francisco, CA 94111  
T. (415) 412-5232

**LAND USE COUNSEL:**  
**LATHAM & WATKINS LLP**  
355 South Grand Avenue, Suite 100  
Los Angeles, CA 90071  
T. (213) 485-1234

**TRAFFIC ENGINEER:**  
**THE MOBILITY GROUP**  
18301 Von Karman, Suite 49  
Irvine CA 91612  
T. (949) 474-1591

1033, 1041, 1045, 1053, 1057 S. OLIVE ST  
LOS ANGELES, CA 90015

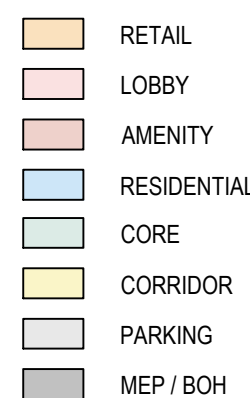


NEW CONSTRUCTION

PROJECT NO:1658.00	SCALE: $\frac{1}{16}" = 1'-0"$
FLOOR PLANS: 21ST-51ST & 52ND FLOOR	

A-106

PAGE: 16 OF 35



1 21ST-51ST FLOOR PLAN  
SCALE: 1/16" = 1'-0"

LEVELS 21-51							UNITS/FL.	# OF FLOORS	TOTAL
STUDIO	JUNIOR 1BR	1BR	1BR+D	2BR	2BR+D	3BR			
2	2	4	1	4	1		14	31	434



NO.	DATE	REVISION
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12/17/2020	CITY PLANNING SUBMISSION	

OWNER / APPLICANT

1045 OLIVE, LLC  
2200 BISCAYNE BLVD  
MIAMI, FL 33137

CONSULTANTS

LANDSCAPE ARCHITECT:

ODA Architecture P.C.  
250 Park Avenue South 3rd Fl  
New York, NY 10003  
T: (646) 478-7455

STRUCTURAL ENGINEER:

MARGAUSON KLEINBOIC ASSOCIATES  
1301 5th Avenue Suite 3200  
Seattle, WA 98101-2699  
T: (206) 292-1200

MEP ENGINEER:

GB ENGINEERS  
448 10th Street  
San Francisco, CA 94103  
T: (415) 437-7330

ELEVATOR CONSULTANT:

GVA ELEVATOR CONSULTING SERVICES Inc.  
50 California Street Suite 3510  
San Francisco, CA 94111  
T: (415) 412-5232

LAND USE COUNSEL:

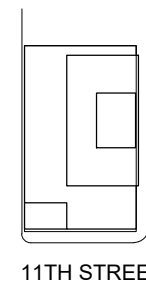
LATHAM & WATKINS LLP  
355 South Grand Avenue, Suite 100  
Los Angeles, CA 90071  
T: (213) 485-1234

TRAFFIC ENGINEER:

THE MOBILITY GROUP  
15301 Von Karman, Suite 490  
Irvine, CA 92612  
T: (949) 474-1581

KEY PLAN

1033, 1041, 1045, 1053, 1057 S. OLIVE ST  
LOS ANGELES, CA 90015



1045 OLIVE

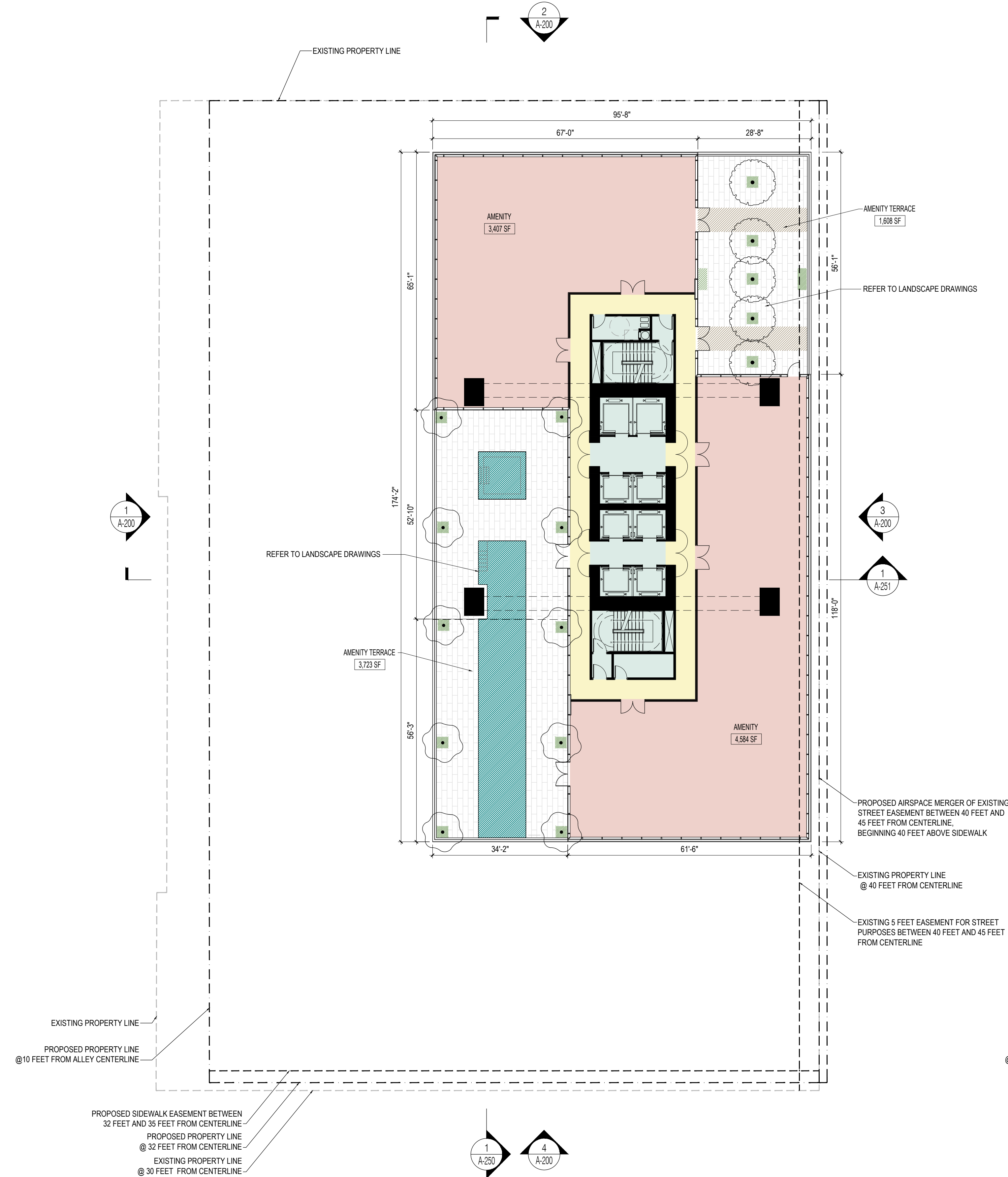
NEW CONSTRUCTION

PROJECT NO:1658.00

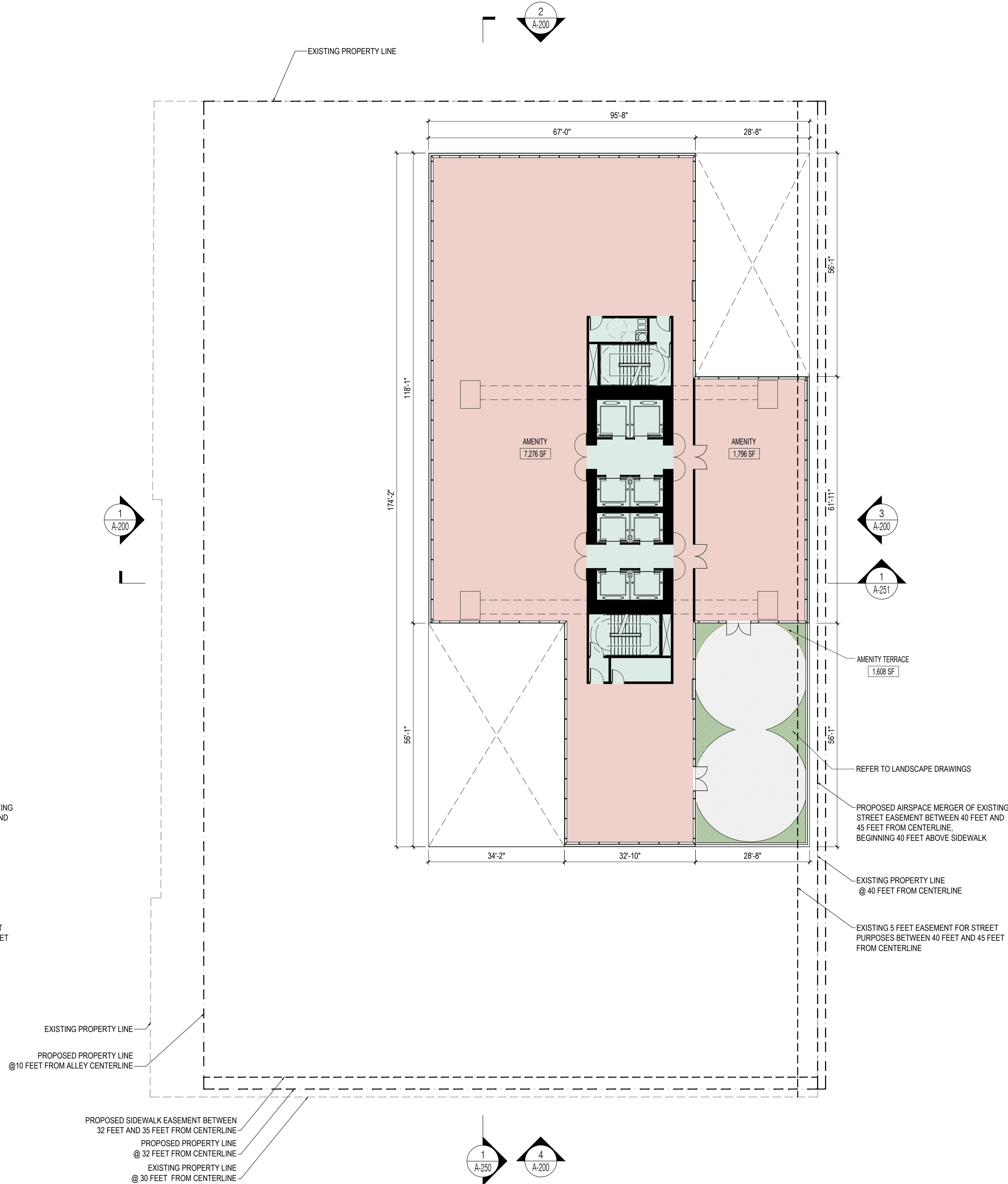
SCALE: 1/8" = 1'-0"

FLOOR PLANS: 53RD &  
54TH FLOOR

A-107



1 53RD FLOOR PLAN  
SCALE: 1/16" = 1'-0"



2 54TH FLOOR PLAN  
SCALE: 1/16" = 1'-0"

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1045 OLIVE, LLC  
2200 BISCAYNE BLVD  
MIAMI, FL 33137

CONSULTANTS

LANDSCAPE ARCHITECT:  
ODA Architecture P.C.  
250 Park Avenue South 3rd Fl  
New York, NY 10003  
T: (646) 478-7455

STRUCTURAL ENGINEER:  
MAGNUSSON KLEINER & ASSOCIATES  
1301 Fifth Avenue Suite 3200  
Seattle, WA 98101-2699  
T: (206) 292-1200

MEP ENGINEER:  
GB ENGINEERS  
448 10th Street  
San Francisco, CA 94103  
T: (415) 437-7330

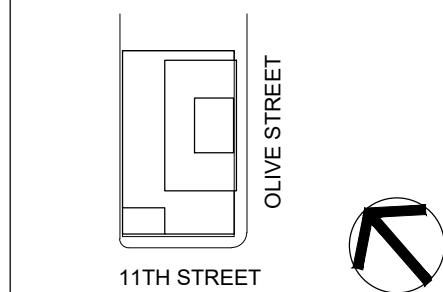
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GVK ELEVATOR CONSULTING SERVICES Inc.  
50 California Street Suite 3510  
San Francisco, CA 94111  
T: (415) 412-5232

LAND USE COUNSEL:  
LATHAM & WATKINS LLP  
355 South Grand Avenue, Suite 100  
Los Angeles, CA 90071  
T: (213) 485-1234

TRAFFIC ENGINEER:  
THE MOBILITY GROUP  
15301 Von Karman, Suite 490  
Irvine, CA 92612  
T: (949) 474-1581

KEY PLAN

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1045 OLIVE

NEW CONSTRUCTION

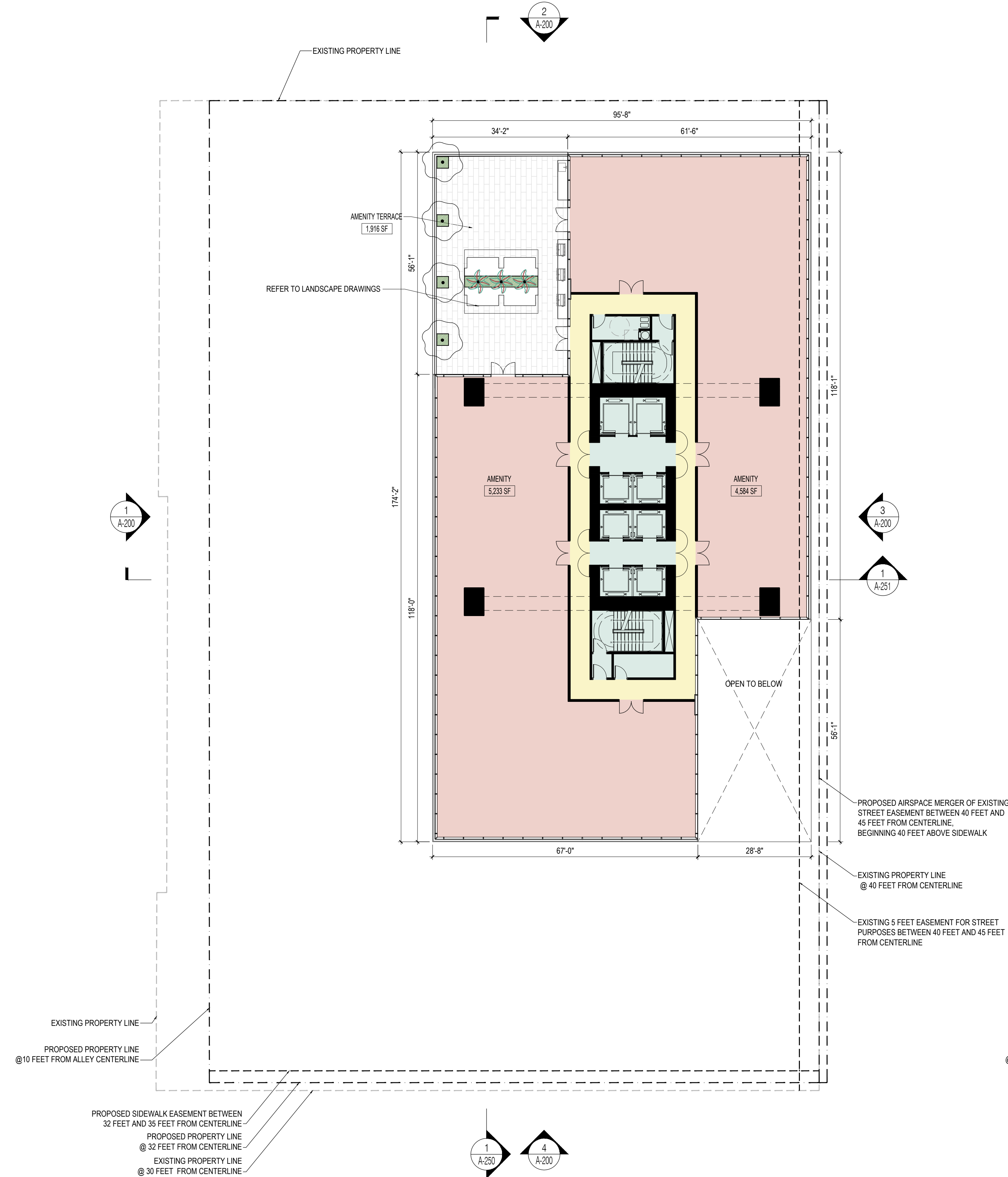
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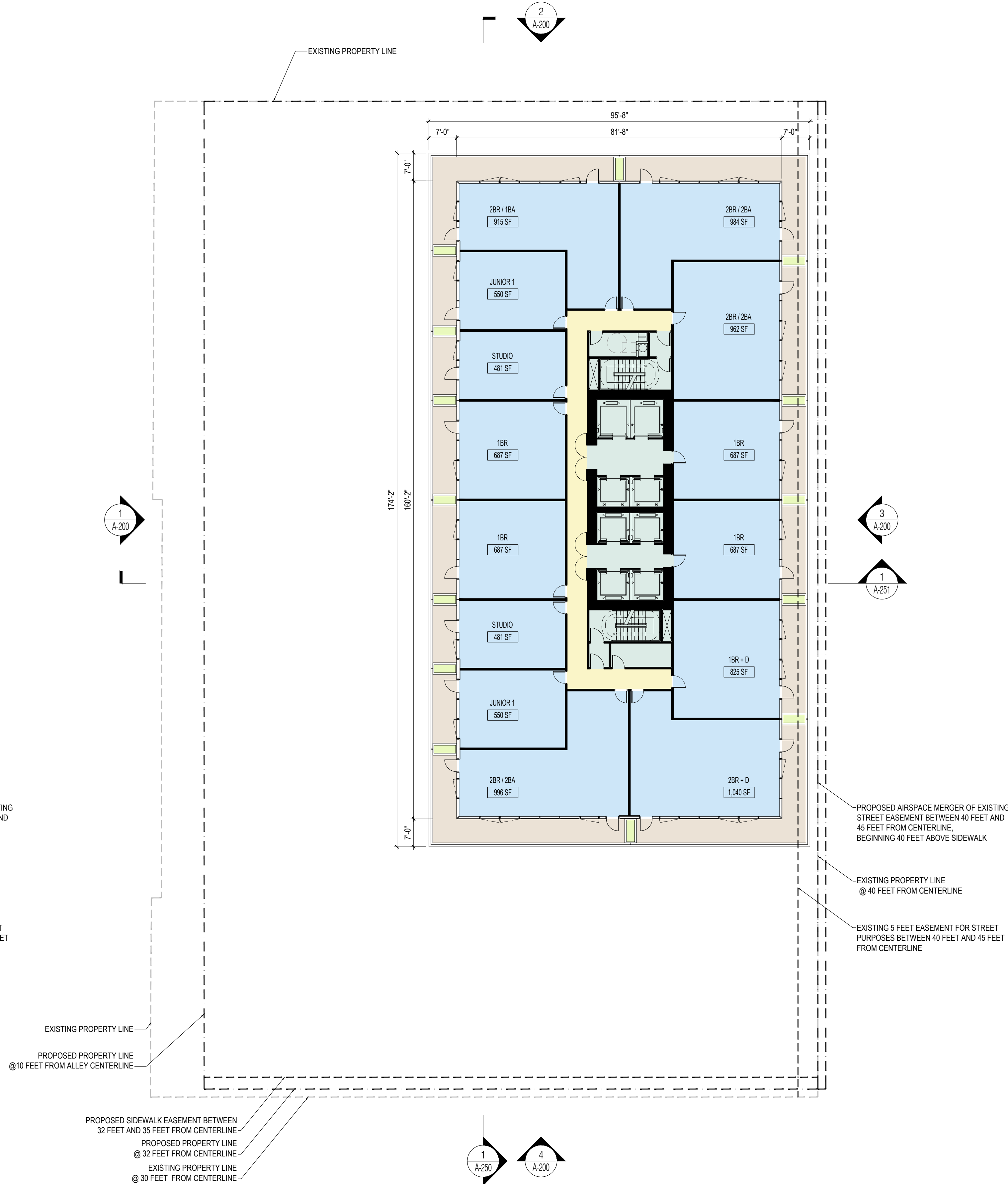
FLOOR PLANS: 55TH &  
56TH-60TH FLOOR

A-108

PAGE: 18 OF 35



1 55TH FLOOR PLAN  
SCALE: 1/16" = 1'-0"



2 56TH-60TH FLOOR PLAN  
SCALE: 1/16" = 1'-0"

LEVELS 56-60							UNITS/FL.	# OF FLOORS	TOTAL
STUDIO	JUNIOR 1BR	1BR	1BR+D	2BR	2BR+D	3BR			
2	2	4	1	4	1		14	5	70

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OWNER / APPLICANT

1045 OLIVE, LLC  
2200 BISCAYNE BLVD  
MIAMI, FL 33137

CONSULTANTS

LANDSCAPE ARCHITECT:  
ODA Architecture P.C.  
250 Park Avenue South 3rd Fl  
New York, NY 10003  
T: (646) 478-7455

STRUCTURAL ENGINEER:  
MAGNUSSON KLEINENCIC ASSOCIATES  
1301 Fifth Avenue Suite 3200  
Seattle, WA 98101-2699  
T: (206) 292-1200

MEP ENGINEER:  
GB ENGINEERS  
448 10th Street  
San Francisco, CA 94103  
T: (415) 437-7330

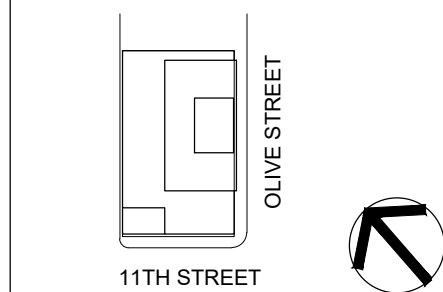
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GVK ELEVATOR CONSULTING SERVICES Inc  
50 California Street Suite 3510  
San Francisco, CA 94111  
T: (415) 412-5232

LAND USE COUNSEL:  
LATHAM & WATKINS LLP  
355 South Grand Avenue, Suite 100  
Los Angeles, CA 90071  
T: (213) 485-1234

TRAFFIC ENGINEER:  
THE MOBILITY GROUP  
16301 Von Karman, Suite 490  
Irvine CA 92612  
T: (949) 474-1581

KEY PLAN

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1045 OLIVE

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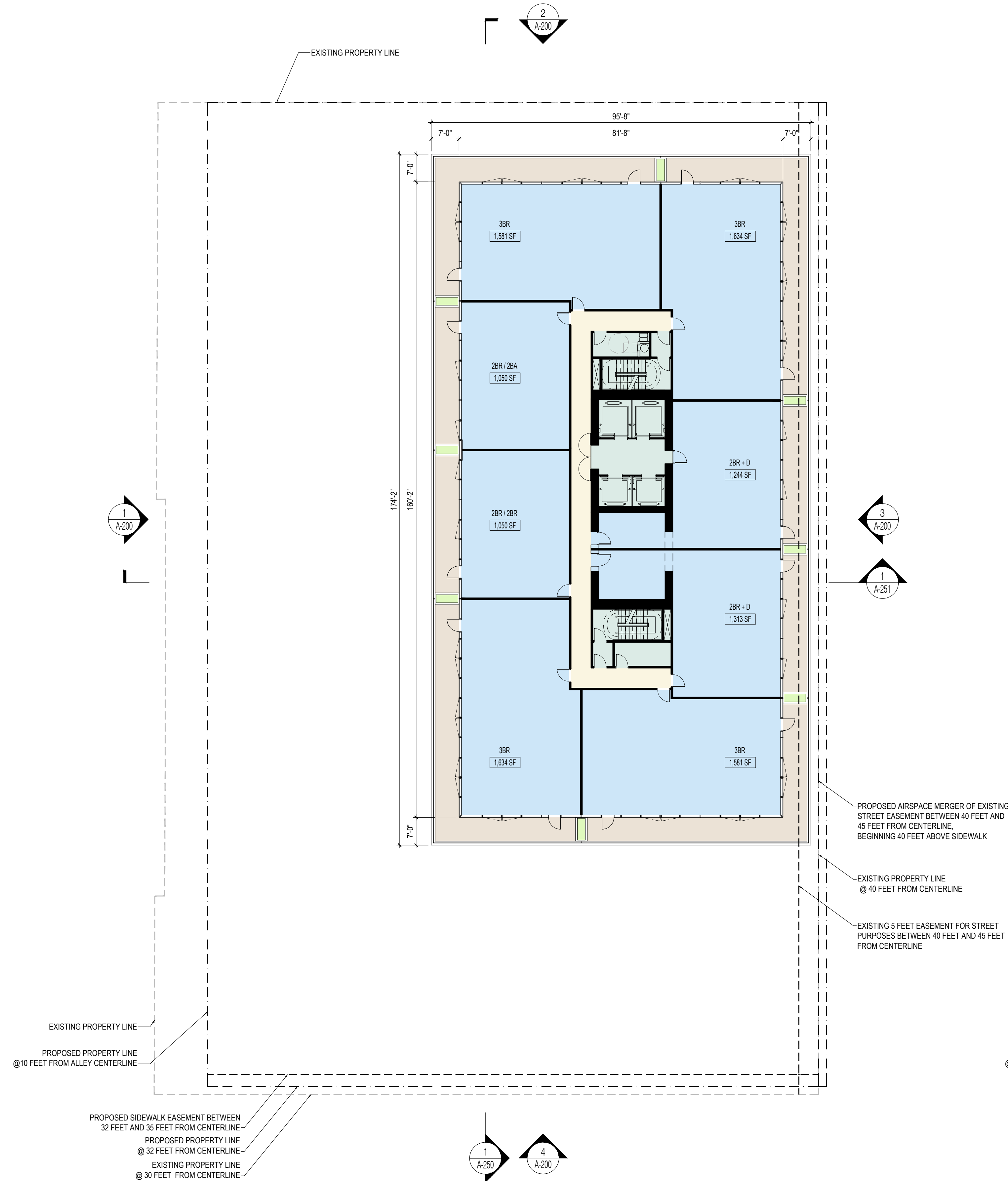
PROJECT NO:1658.00

SCALE: 1/8" = 1'-0"

FLOOR PLANS: 61ST-70TH  
FLOOR & ROOF

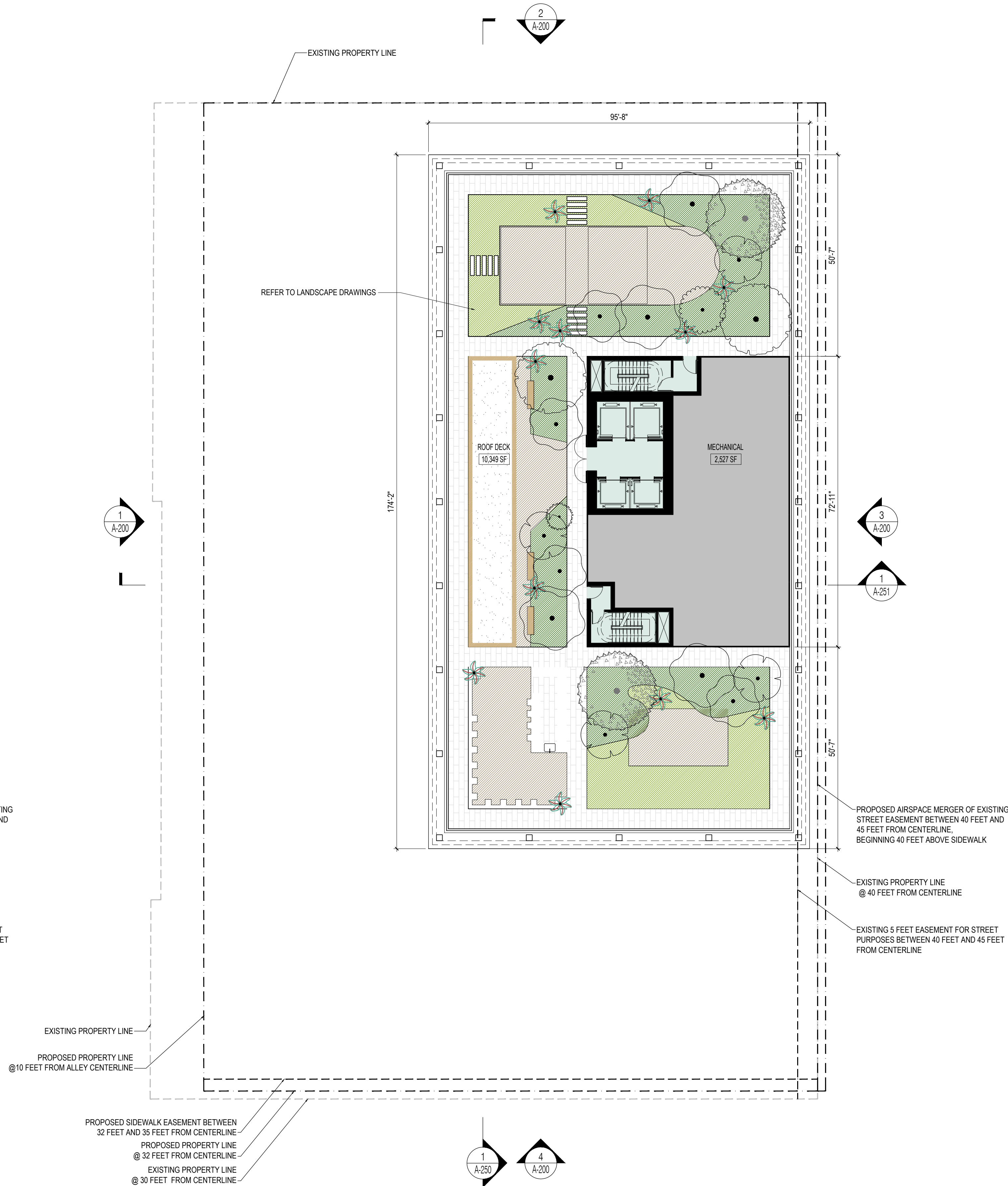
A-109

PAGE: 19 OF 35



1 61ST-70TH FLOOR PLAN  
SCALE: 1/16" = 1'-0"

LEVELS 61-70							UNITS/FL.	# OF FLOORS	TOTAL
STUDIO	JUNIOR 1BR	1BR	1BR+D	2BR	2BR+D	3BR			
				2	2	4	8	10	80



2 ROOF PLAN  
SCALE: 1/16" = 1'-0"

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**AFFIC ENGINEER:**  
E MOBILITY GROUP  
01 Von Karman, Suite 490  
e CA 91612  
(949) 474-1591

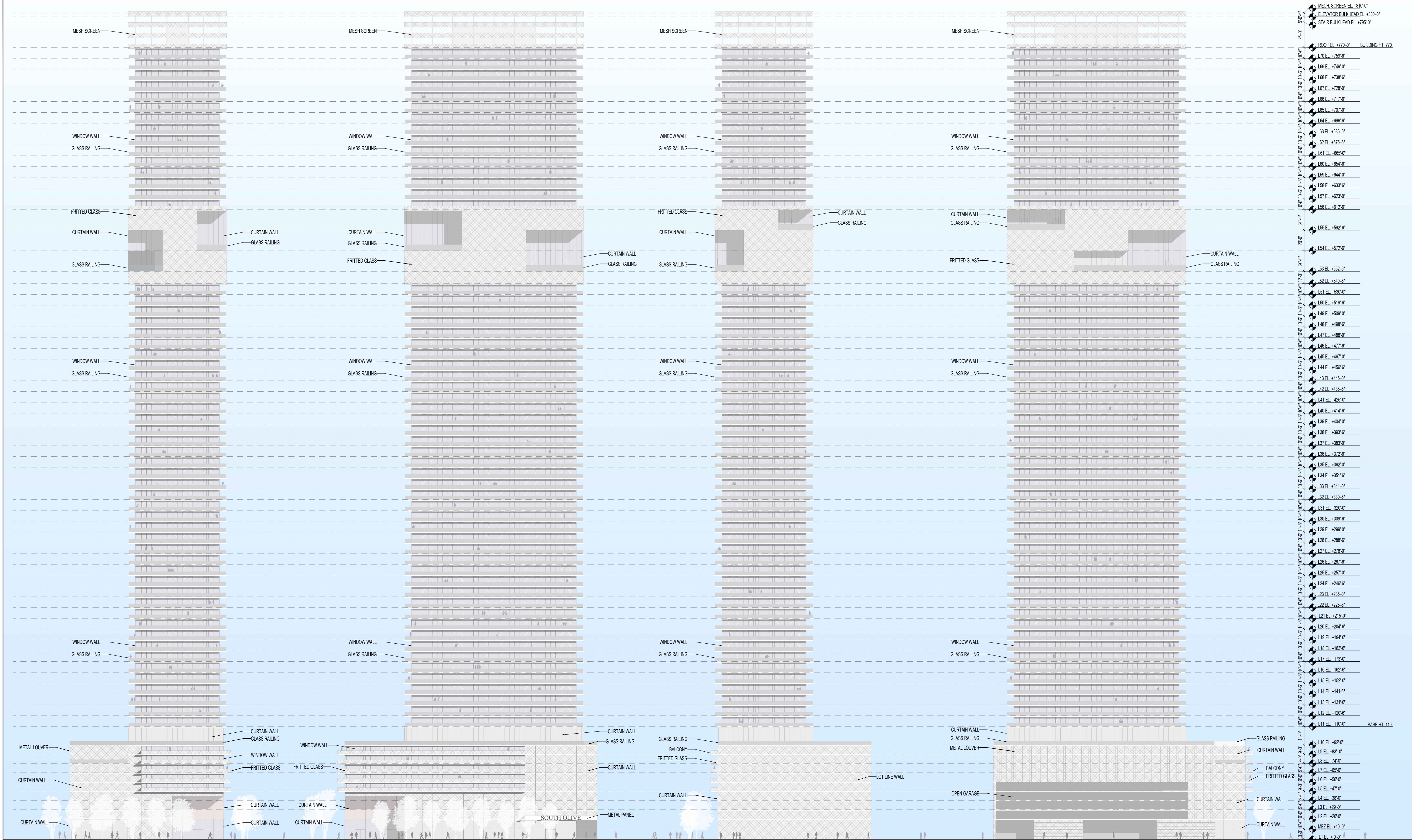
## KEY PLAN

045 OLIVE

## NEW CONSTRUCTION

## BUILDING ELEVATIONS

# A-200



4 WEST ELEVATION  
SCALE: 3/128" = 1'-0"

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08/15/2017	ENTITLEMENT SUBMISSION	
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1045 OLIVE, LLC  
2200 BISCAYNE BLVD  
MIAMI, FL 33137

CONSULTANTS

LANDSCAPE ARCHITECT:  
ODA Architecture P.C.  
250 Park Avenue South 3rd Fl  
New York, NY 10003  
T: (646) 478-7455

STRUCTURAL ENGINEER:  
MACHOUSSON KLEINENCIC ASSOCIATES  
1301 Fifth Avenue Suite 3200  
Seattle, WA 98101-2699  
T: (206) 292-1200

MEP ENGINEER:  
GB ENGINEERS  
448 10th Street  
San Francisco, CA 94103  
T: (415) 437-7330

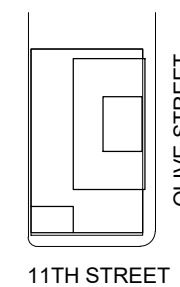
ELEVATOR CONSULTANT:  
GVK ELEVATOR CONSULTING SERVICES Inc  
50 California Street Suite 3510  
San Francisco, CA 94111  
T: (415) 412-5232

LAND USE COUNSEL:  
LATHAM & WATKINS LLP  
355 South Grand Avenue, Suite 100  
Los Angeles, CA 90071  
T: (213) 485-1234

TRAFFIC ENGINEER:  
THE MOBILITY GROUP  
16301 Von Karman, Suite 490  
Irvine CA 92612  
T: (949) 474-1581

KEY PLAN

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1045 OLIVE

NEW CONSTRUCTION

BUILDING SECTIONS

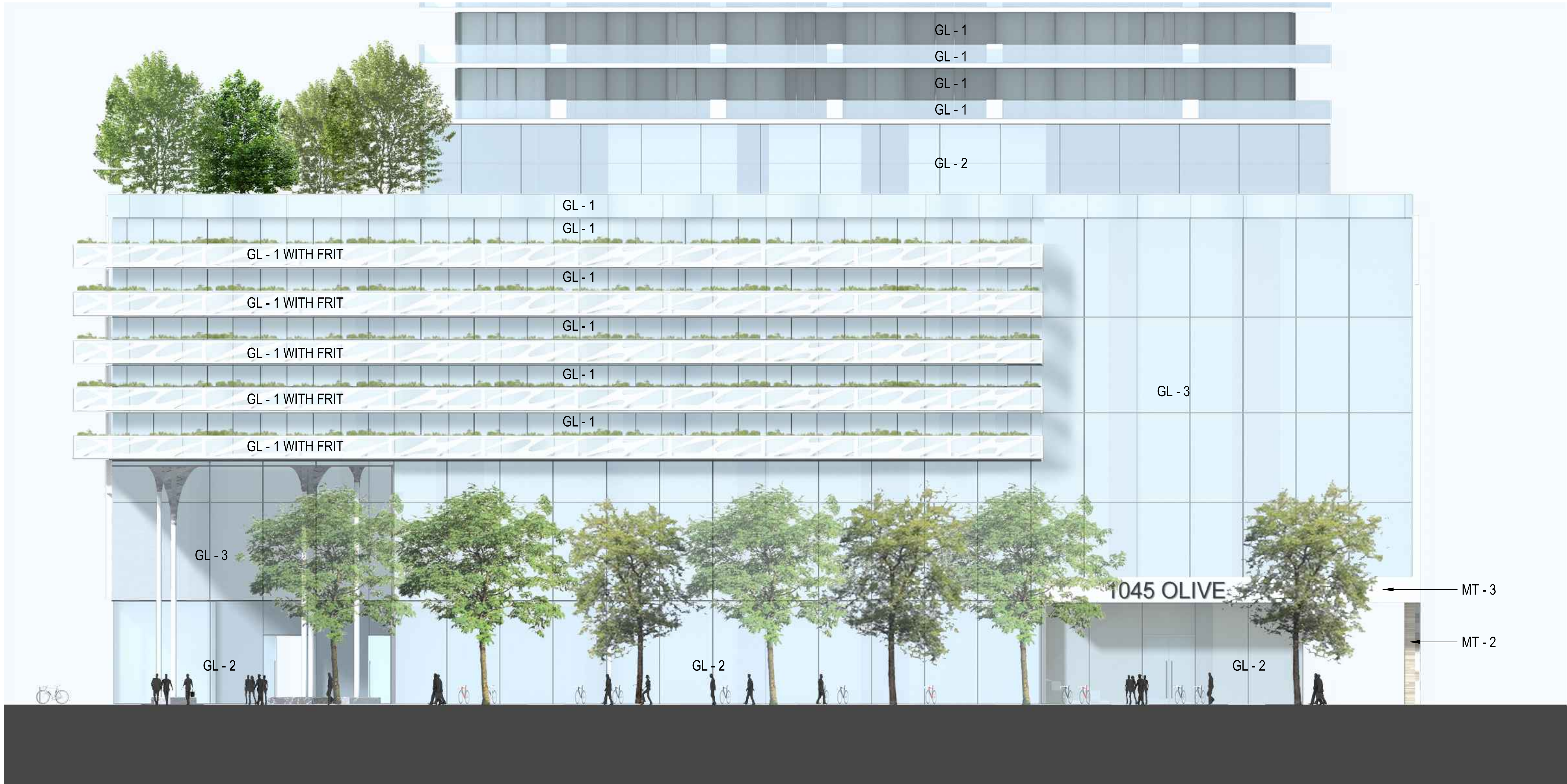
A-250

- RETAIL
- LOBBY
- AMENITY
- RESIDENTIAL
- PARKING / LINER UNITS
- CORE
- CORRIDOR
- PARKING
- MEP / BOH

1 TRANSVERSE SECTION  
SCALE: 3/128" = 1'-0"

2 LONGITUDINAL SECTION  
SCALE: 3/128" = 1'-0"





1 EAST ELEVATION  
SCALE:

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12/17/2020	12/17/2020	CITY PLANNING SUBMISSION

OWNER / APPLICANT

1045 OLIVE, LLC  
2200 BISCAYNE BLVD  
MIAMI, FL 33137

CONSULTANTS

LANDSCAPE ARCHITECT:  
ODA Architecture P.C.  
250 Park Avenue South 3rd Fl  
New York, NY 10003  
T: (646) 478-7455

STRUCTURAL ENGINEER:  
MAGNUSSON KLEINER & ASSOCIATES  
1301 Fifth Avenue Suite 3200  
Seattle, WA 98101-2699  
T: (206) 292-1200

MEP ENGINEER:  
GB ENGINEERS  
448 10th Street  
San Francisco, CA 94103  
T: (415) 437-7330

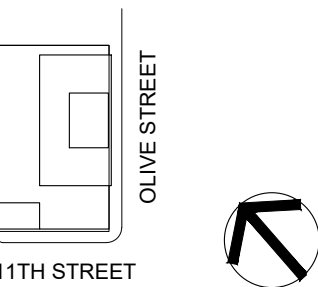
ELEVATOR CONSULTANT:  
GVA ELEVATOR CONSULTING SERVICES Inc  
50 California Street Suite 3510  
San Francisco, CA 94111  
T: (415) 412-5232

LAND USE COUNSEL:  
LATHAM & WATKINS LLP  
355 South Grand Avenue, Suite 100  
Los Angeles, CA 90071  
T: (213) 485-1234

TRAFFIC ENGINEER:  
THE MOBILITY GROUP  
15301 Von Karman, Suite 490  
Irvine, CA 92612  
T: (949) 474-1581

KEY PLAN

1033, 1041, 1045, 1053, 1057 S. OLIVE ST  
LOS ANGELES, CA 90015



1045 OLIVE

NEW CONSTRUCTION

PROJECT NO: 1658.00 SCALE:

EAST ELEVATION

A-301

1045 OLIVE, LLC  
2200 BISCAYNE BLVD  
MIAMI, FL 33137

**LANDSCAPE ARCHITECT:**  
ODA Architecture P.C.  
250 Park Avenue South 3rd Fl  
New York, NY 10003  
T. (646) 478-7455

**STRUCTURAL ENGINEER:**  
MAGNUSSON KLEMENCIC ASSOCIATES  
1301 Fifth Avenue Suite 3200  
Seattle, WA 98101-2699  
T. (206) 292-1200

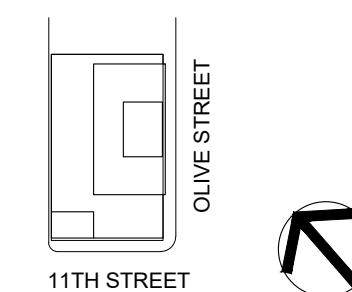
MEP ENGINEER:  
CB ENGINEERS  
449 10th Street  
San Francisco, CA 94103  
T. (415) 437-7330

**ELEVATOR CONSULTANT:**  
GVK ELEVATOR CONSULTING SERVICES Inc.  
50 California Street Suite 3510  
San Francisco, CA 94111  
T. (415) 412-5232

**LAND USE COUNSEL:**  
**LATHAM & WATKINS LLP**  
355 South Grand Avenue, Suite 101  
Los Angeles, CA 90071  
T. (213) 485-1234

**TRAFFIC ENGINEER:**  
**THE MOBILITY GROUP**  
18301 Von Karman, Suite 49  
Irvine CA 91612  
T. (949) 474-1591

1033, 1041, 1045, 1053, 1057 S. OLIVE ST  
LOS ANGELES, CA 90015



NEW CONSTRUCTION

A-302



1045 OLIVE, LLC  
2200 BISCAYNE BLVD  
MIAMI, FL 33137

## LANDSCAPE ARCHITECT:

**LANDSCAPE ARCHITECT:**  
ODA Architecture P.C.  
250 Park Avenue South 3rd fl.  
New York, NY 10003  
T. (646) 478-7455

**STRUCTURAL ENGINEER:**  
MAGNUSSON KLEMENCIC ASSOCIATES  
1301 Fifth Avenue Suite 3200  
Seattle, WA 98101-2699  
T. (206) 292-1200

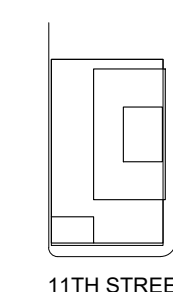
MEP ENGINEER:  
CB ENGINEERS  
449 10th Street  
San Francisco, CA 94103  
T. (415) 437-7330

**ELEVATOR CONSULTANT:**  
GVK ELEVATOR CONSULTING SERVICES Inc.  
50 California Street Suite 3510  
San Francisco, CA 94111  
T. (415) 412-5232

**LAND USE COUNSEL:**  
**LATHAM & WATKINS LLP**  
355 South Grand Avenue, Suite 101  
Los Angeles, CA 90071  
T. (213) 485-1234

**TRAFFIC ENGINEER:**  
**THE MOBILITY GROUP**  
18301 Von Karman, Suite 49  
Irvine CA 91612  
T. (949) 474-1591

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NEW CONSTRUCTION

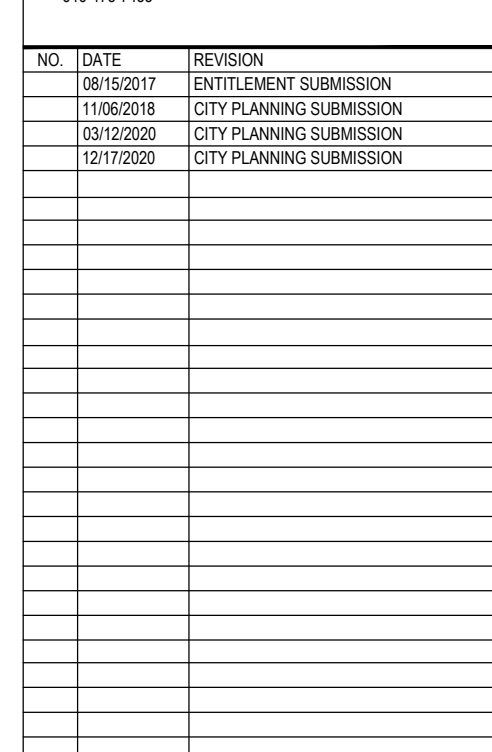
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WEST ELEVATION

A-303

PAGE: 25 OF 35





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2200 BISCAYNE BLVD  
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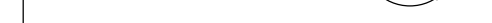
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STRUCTURAL ENGINEER:  
MAGNUSSON KLEMENCIC ASSOCIATES  
1301 Fifth Avenue Suite 3200  
Seattle, WA 98101-2699  
T. (206) 292-1200

**ELEVATOR CONSULTANT:**  
GVK ELEVATOR CONSULTING SERVICES Inc  
50 California Street Suite 3510  
San Francisco, CA 94111  
T. (415) 412-5232

TRAFFIC ENGINEER:  
THE MOBILITY GROUP  
18301 Von Karman, Suite 490  
Irvine CA 91612  
T. (949) 474-1591

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PAGE: 26 OF 35



1 MATERIAL FINISHES  
SCALE:





NO.	DATE	REVISION
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	11/06/2018	CITY PLANNING SUBMISSION
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	12/17/2020	CITY PLANNING SUBMISSION

## OWNER / APPLICANT

1045 OLIVE, LLC  
2200 BISCAYNE BLVD  
MIAMI, FL 33137

## CONSULTANTS

**LANDSCAPE ARCHITECT:**  
ODA Architecture P.C.  
250 Park Avenue South 3rd Fl  
New York, NY 10003  
T. (646) 478-7455

**STRUCTURAL ENGINEER:**  
MAGNUSSON KLEMENCIC ASSOCIATES  
1301 Fifth Avenue Suite 3200  
Seattle, WA 98101-2699  
T. (206) 292-1200

MEP ENGINEER:  
CB ENGINEERS  
449 10th Street  
San Francisco, CA 94103  
T. (415) 437-7330

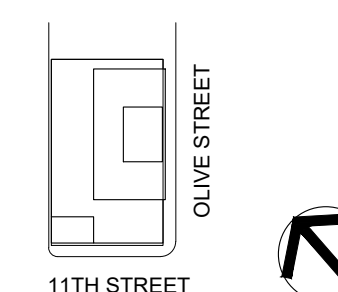
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GVK ELEVATOR CONSULTING SERVICES Inc  
50 California Street Suite 3510  
San Francisco, CA 94111  
T. (415) 412-5232

**LAND USE COUNSEL:**  
**LATHAM & WATKINS LLP**  
355 South Grand Avenue, Suite 100  
Los Angeles, CA 90071  
T. (213) 485-1234

**TRAFFIC ENGINEER:**  
THE MOBILITY GROUP  
18301 Von Karman, Suite 490  
Irvine CA 91612  
T. (949) 474-1591

## KEY PLAN

1033, 1041, 1045, 1053, 1057 S. OLIVE ST  
LOS ANGELES, CA 90015



## 1045 OLIVE

## NEW CONSTRUCTION

PROJECT NO:1658.00	SCALE:
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AERIAL VIEW

A-306

PAGE: 28 OF

[illegible]

## OWNER / APPLICANT

5 OLIVE, LLC  
00 BISCAYNE BLVD  
AMI, FL 33137

## CONSULTANTS

**LANDSCAPE ARCHITECT:**  
A Architecture P.C.  
1 Park Avenue South 3rd Fl  
New York, NY 10003  
(646) 478-7455

STRUCTURAL ENGINEER:  
G. G. KLEMMENCIC ASSOCIATES  
1111 Fifth Avenue Suite 3200  
Seattle, WA 98101-2699  
(206) 292-1200

P. ENGINEER:  
ENGINEERS  
10th Street  
San Francisco, CA 94103  
(415) 427-7320

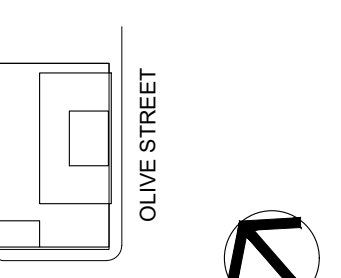
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 San Francisco, CA 94111  
 (415) 412-5232

ND USE COUNSEL:  
THAM & WATKINS LLP  
South Grand Avenue, Suite 100  
Angeles, CA 90071  
213) 485-1234

**TRAFFIC ENGINEER:**  
THE MOBILITY GROUP  
101 Von Karman, Suite 490  
Irvine CA 91612  
(949) 474-1591

## KEY PLAN

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045 OLIVE

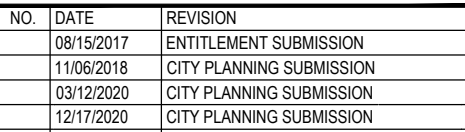
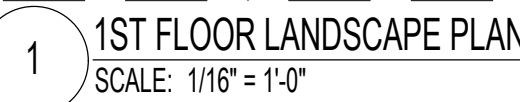
EW CONSTRUCTION

PROJECT NO:1658.00	SCALE:
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AFRIAL VIEW

A-307

TREES	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY	DETAIL	REMARKS
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1045 OLIVE, LLC  
2200 BISCAYNE BLVD  
MIAMI, FL 33137

LANDSCAPE ARCHITECT:

ODA Architecture P.C.  
250 Park Avenue South 3rd fl.  
New York, NY 10003  
T. (646) 478-7455

STRUCTURAL ENGINEER:

MAGNUSSON KLEMENCIC ASSOCIATES  
1301 Fifth Avenue Suite 3200  
Seattle, WA 98101-2699  
T. (206) 292-1200

MEP ENGINEER:

**CB ENGINEERS**  
449 10th Street  
San Francisco, CA 94103  
T. (415) 437-7330

**ELEVATOR CONSULTANT:**

GVR ELEVATOR CONSULTING SERVICES Inc.  
50 California Street Suite 3510  
San Francisco, CA 94111  
T. (415) 412-5232

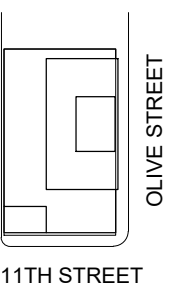
LAND USE COUNSEL:

LATHAM & WATKINS LLP  
355 South Grand Avenue, Suite 100  
Los Angeles, CA 90071  
T. (213) 485-1234

**TRAFFIC ENGINEER:**

THE MOBILITY GROUP  
18301 Von Karman, Suite 49  
Irvine CA 91612  
T. (949) 474-1591

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## NEW CONSTRUCTION

# L-100

NO	DATE	REVISION
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1106/2018		CITY PLANNING SUBMISSION
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OWNER / APPLICANT

1045 OLIVE, LLC  
2200 BISCAYNE BLVD  
MIAMI, FL 33137

CONSULTANTS

LANDSCAPE ARCHITECT:

ODA Architecture P.C.  
250 Park Avenue South 3rd Fl  
New York, NY 10003  
T: (646) 478-7455

STRUCTURAL ENGINEER:

MAGNUSSON KLEINENCIC ASSOCIATES  
1301 Fifth Avenue Suite 3200  
Seattle, WA 98101-2699  
T: (206) 292-1200

MEP ENGINEER:

GB ENGINEERS  
448 10th Street  
San Francisco, CA 94103  
T: (415) 437-7330

ELEVATOR CONSULTANT:

GVA ELEVATOR CONSULTING SERVICES Inc  
50 California Street Suite 3510  
San Francisco, CA 94111  
T: (415) 412-5232

LAND USE COUNSEL:

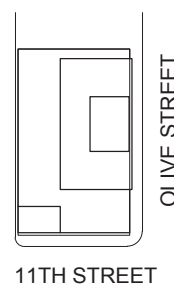
LATHAM & WATKINS LLP  
355 South Grand Avenue, Suite 100  
Los Angeles, CA 90071  
T: (213) 485-1234

TRAFFIC ENGINEER:

THE MOBILITY GROUP  
16301 Von Karman, Suite 490  
Irvine CA 92612  
T: (949) 474-1581

KEY PLAN

1033, 1041, 1045, 1053, 1057 S. OLIVE ST  
LOS ANGELES, CA 90015



1045 OLIVE

NEW CONSTRUCTION

8TH & 10TH FLOOR  
LANDSCAPE PLAN

L-101



1 8-10TH FLOOR LANDSCAPE PLAN  
SCALE: 1/16" = 1'-0"

GENERAL NOTE:

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PLANT SCHEDULE

TREES	QTY	BOTANICAL NAME / COMMON NAME	CONT
AB	5	ACACIA BAILEYANA / BAILEY ACACIA	24"BOX
AM	5	ARBUTUS MENZIESII / PACIFIC MADRONE	24"BOX
BN	10	BETULA NIGRA / RIVER BIRCH MULTI-TRUNK	24"BOX
CW	12	CERCIS OCCIDENTALIS / WESTERN REDBUD MULTI-TRUNK	24"BOX
CM	20	CUPRESSUS MACROCARPA / MONTEREY CYPRESS	24"BOX
ER	1	EUCALYPTUS SIDEROXYLON 'ROSEA' / RED IRONBARK	36"BOX
MM	2	MAGNOLIA GRANDIFLORA 'MAJESTIC BEAUTY' TM / SOUTHERN MAGNOLIA	24"BOX
OM	4	OLEA EUROPAEA / OLIVE MULTI-TRUNK	36"BOX
PR	4	PINUS RADIATA / MONTEREY PINE	24"BOX
PG	402	PODOCARPUS GRACILIOR / FERN PINE	24"BOX
RL	7	RHUS LANCEOLATA / PRAIRIE SUMAC	24"BOX

SHRUBS AND GROUNDCOVER

REFER TO LANDSCAPE NOTES SHEET FOR CONCEPTUAL SHRUBS AND GROUNDCOVER SPECIES AND SIZES.

1045 OLIVE, LLC  
2200 BISCAYNE BLVD  
MIAMI, FL 33137

**LANDSCAPE ARCHITECT:**  
ODA Architecture P.C.  
250 Park Avenue South 3rd Fl  
New York, NY 10003  
Tel: (845) 478-1455

**STRUCTURAL ENGINEER:**  
MAGNUSON KLEMENCIC ASSOCIATES  
1301 Fifth Avenue Suite 3200  
Seattle, WA 98101-2699  
Tel: (206) 292-1220

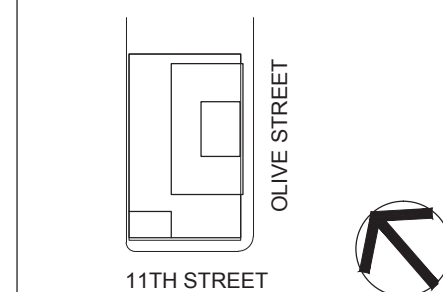
**MEP ENGINEER:**  
CB ENGINEERS  
449 10th Street  
San Francisco, CA 94103  
Tel: (415) 437-7330

**ELEVATOR CONSULTANT:**  
GOK ELEVATOR CONSULTING SERVICES INC  
50 California Street Suite 3510  
San Francisco, CA 94111  
Tel: (415) 412-5232

**LAND USE COUNSEL:**  
LATHAM & WATKINS LLP  
355 South Grand Avenue, Suite 100  
Los Angeles, CA 90071  
Tel: (213) 485-1234

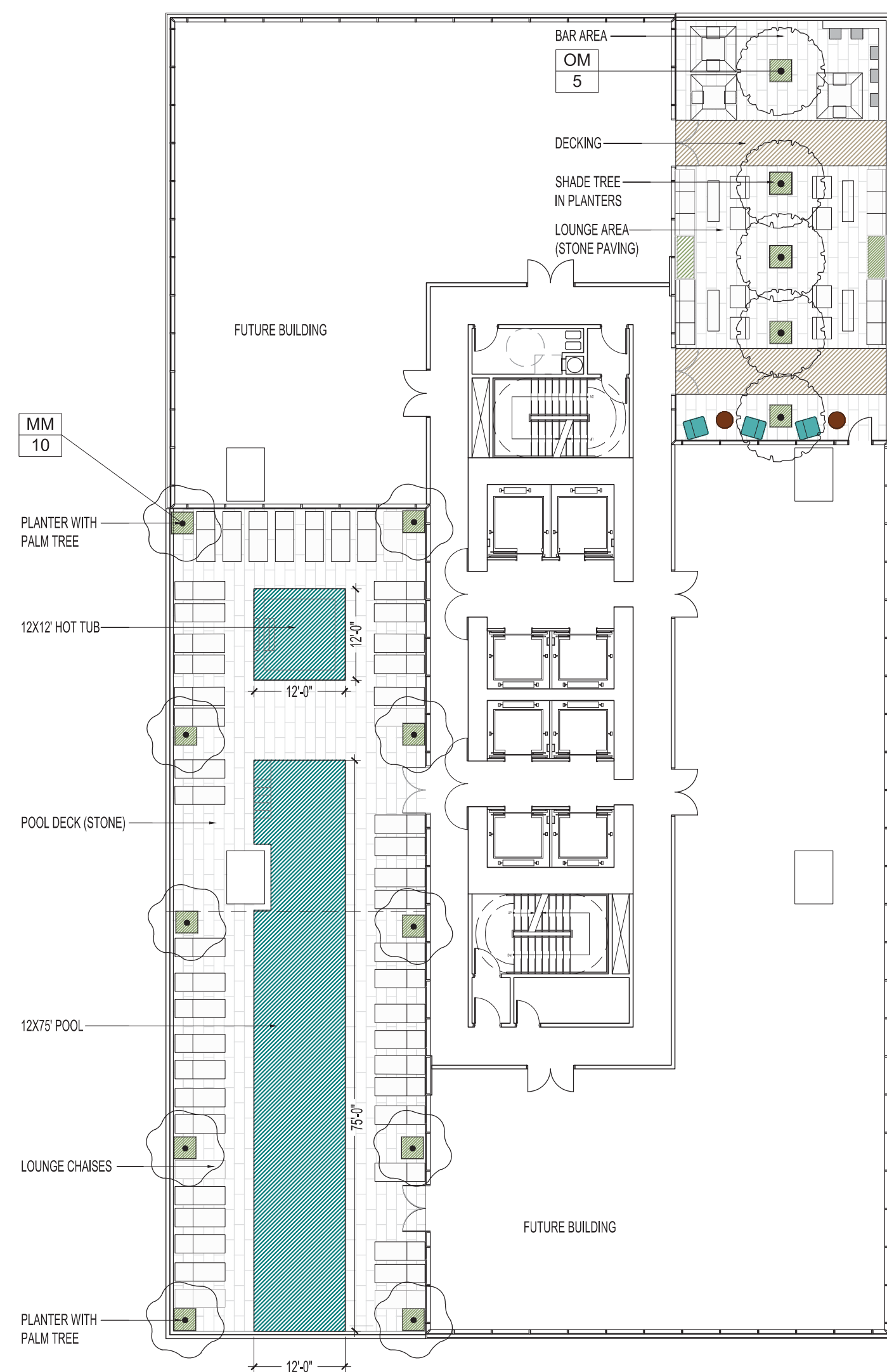
**TRAFFIC ENGINEER:**  
THE MOBILITY GROUP  
18301 Vanowen Street, Suite 490  
Inverly, CA 91912  
Tel: (949) 474-1591

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LOS ANGELES, CA 90015



NEW CONSTRUCTION

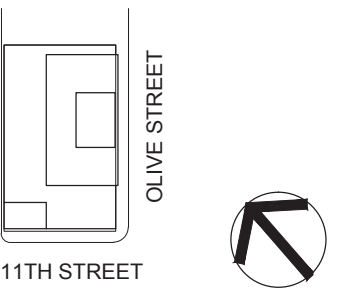
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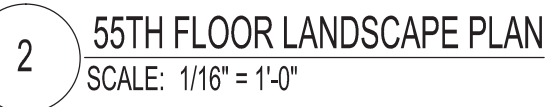
TREES	QTY	BOTANICAL NAME / COMMON NAME	CONT
MM	10	MAGNOLIA GRANDIFLORA 'MAJESTIC BEAUTY' TM / SOUTHERN MAGNOLIA	24"BOX
OM	5	OLEA EUROPAEA / OLIVE MULTI-TRUNK	36"BOX

REFER TO LANDSCAPE NOTES SHEET FOR CONCEPTUAL SHRUBS AND GROUND COVER SPECIES AND SIZES



## NEW CONSTRUCTION

# L-103





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TREES AB	QTY 8	BOTANICAL NAME / COMMON NAME ACACIA BAILEYANA / BAILEY ACACIA	CONT 24"BOX
AM	4	ARBUTUS MENZIESII / PACIFIC MADRONE	24"BOX
CW	1	CERCIS OCCIDENTALIS / WESTERN REDBUD MULTI-TRUNK	24"BOX
CM	1	CUPRESSUS MACROCARPA / MONTEREY CYPRESS	24"BOX
JM	12	JACARANDA MIMOSIFOLIA / JACARANDA MULTI-TRUNK	24"BOX
LT	2	LIRIODENDRON TULIPIFERA / TULIP TREE	36"BOX
PR	2	PINUS RADIATA / MONTEREY PINE	24"BOX

REFER TO LANDSCAPE NOTES SHEET FOR CONCEPTUAL SHRUBS AND GROUNDCOVER SPECIES AND SIZES.

1. ALL IRRIGATION IMPROVEMENTS SHALL FOLLOW WATER EFFICIENCY ORDINANCE AB 1881, THE CITY OF LOS ANGELES GUIDELINES, AND COUNTY OF LOS ANGELES GUIDELINES.

3. THE IRRIGATION SYSTEM SHALL UTILIZE DRIP IRRIGATION, HIGH EFFICIENCY SPRAY HEADS, AND/OR BUBBLERS. THE SYSTEM CONTROLS SHALL BE SELF ADJUSTING VIA ON SITE WEATHER DATA AND HISTORICAL WEATHER DATA. THE SYSTEM SHALL BE DESIGNED FOR DEDICATED HYDROZONES BASED ON PLANT WATER REQUIREMENTS AND IRRIGATION EFFICIENCY.

5. THE IRRIGATION PRODUCTS SELECTED SHALL COME FROM COMMERCIAL GRADE IRRIGATION MANUFACTURING COMPANIES WITH OUTSTANDING TECHNICAL SUPPORT, INCLUDING RAINBIRD AND HUNTER.

7. ESTIMATED WATER USAGE CALCULATIONS, SCHEDULES, AND POINT OF CONNECTION WATER PRESSURE CALCULATIONS SHALL BE MADE AVAILABLE AT THE PERMIT SUBMITTAL PHASE. ALL CALCULATIONS AND FACTORS SHALL BE DERIVED FROM CALIFORNIA ASSEMBLY BILL 1881.

1. ALL LANDSCAPE PLANTING IMPROVEMENTS SHALL FOLLOW THE CITY OF LOS ANGELES GUIDELINES, AND COUNTY OF LOS ANGELES GUIDELINES.

3. ALL PLANTING AREAS SHALL BE PREPARED WITH APPROPRIATE SOIL AMENDMENTS, FERTILIZERS, AND APPROPRIATE SUPPLEMENTS BASED UPON A SOILS REPORT FROM A SAMPLE TAKEN FROM THE PROJECT SITE.

5. TREES AND SHRUBS SHALL BE ALLOWED TO GROW TO THEIR NATURAL FORMS.

7. ALL REQUIRED LANDSCAPE PLANTING AREAS SHALL BE MAINTAINED BY OWNER PER THE CITY'S REQUIREMENTS.

8. THE LANDSCAPE ARCHITECT SHALL BE AWARE OF UTILITY, SEWER, AND STORM DRAIN

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SHRUBS AL	BOTANICAL NAME / COMMON NAME ACACIA REDOLENS' LOWBOY / BANK CATCLAW	SIZE	FIELD2	SPACING
		1 GAL	2' O.C	48" o.c.
AH	AGAVE ATTENUATA 'HUNTINGTON BLUE' / CENTURY PLANT	3 GAL	3' O.C	48" o.c.
AH2	ALOE X 'HERCULES' / HERCULES ALOE	5 GAL	2' O.C	48" o.c.
BP	BACCHARIS PILULARIS / DWARF COYOTE BRUSH	5 GAL	2' O.C	48" o.c.
BB	BOUGAINVILLEA BRASILIENSIS 'PURPLE' / PURPLE BOUGAINVILLEA	5 GAL	3' O.C	48" o.c.
CL	CALLISTEMON CITRINUS 'LITTLE JOHN' / DWARF BOTTLE BRUSH	5 GAL	2' O.C	48" o.c.
CS	CALLISTEMON SALIGNUS / WHITE BOTTLEBRUSH	5 GAL	2' O.C	48" o.c.
CM2	CARISSA MACROCARPA / NATAL PLUM	1 GAL	2' O.C	48" o.c.
CA	CORDYLINE AUSTRALIS / GRASS PALM	15 GAL	4' O.C	48" o.c.
DI	DIANELLA INTERMEDIA / TURUTU	5 GAL	2' O.C	48" o.c.
D'	DIANELLA REVOLUTA 'KENTLYN' / DIANELLA KENTLYN	5 GAL	2' O.C	48" o.c.
DD	DRACAENA DRACO / DRAGON TREE	15 GAL	5' O.C	48" o.c.
EB	ECHEVERIA X' BLUE ATOLL' / BLUE ATOLL ECHEVERIA	1 GAL	1' O.C	48" o.c.
EV	ECHINOCACTUS POLYCEPHALUS POLYCEPHALUS / COTTONTOP CACTUS	5 GAL	1' O.C	48" o.c.
FP	FRAGARIA X ANANASSA 'PUGET SUMMER' / LATE SEASON STRAWBERRIES	1 GAL	2' O.C	48" o.c.
HP	HESPERALOE PARVIFLORA / RED YUCCA	5 GAL	2' O.C	48" o.c.
HC	HEUCHERA CANYON SERIES 'CANYON DELIGHT' / CORAL BELLS	1 GAL	2' O.C	48" o.c.
JP	JUNCUS PATENS / CALIFORNIA GRAY RUSH	5 GAL	3' O.C	48" o.c.
KA	KECKIELLA ANTIRHINNOIDES / YELLOW PENSTEMMON	1 GAL	2' O.C	48" o.c.
LA	LAVATERA ASSURGENTIFLORA / MALLOW	5 GAL	3' O.C	48" o.c.
LC	LEUCADENDRON X 'CLOUDBANK GINNY' / CONEBUSH	5 GAL	4' O.C	48" o.c.
LB	LEUCOPHYLLUM FRUTESCENS 'BERTSTAR DWARF' / TEXAS SAGE	15 GAL	4' O.C	48" o.c.
MA	MAHONIA AQUIFOLIUM / OREGON GRAPE	5 GAL	2' O.C	48" o.c.
MB	MUHLENBERGIA BUSHII / NODDING MUHLY	5 GAL	3' O.C	48" o.c.
PA	PITTOSPORUM ANGUSTIFOLIUM	5 GAL	2' O.C	48" o.c.
PN	PODOCARPUS NERIIFOLIUS / BROWN PINE	15 GAL	4' O.C	48" o.c.
SM3	SAMBUCUS MEXICANA / MEXICAN ELDERBERRY	15 GAL	5' O.C	48" o.c.
SM4	SENECIO MANDRALISCAE / BLUE FINGER	1 GAL	1' O.C	48" o.c.
WF	WESTRINGIA FRUTICOSA / COAST ROSEMARY	5 GAL	2' O.C	48" o.c.

[illegible]

1045 OLIVE, LLC  
2200 BISCAYNE BLVD  
MIAMI, FL 33137

**LANDSCAPE ARCHITECT:**  
ODA Architecture P.C.  
250 Park Avenue South 3rd Fl  
New York, NY 10003  
T. (646) 478-7455

**STRUCTURAL ENGINEER:**  
MAGNISSON KLEMENCIC ASSOCIATES  
1301 Fifth Avenue Suite 3200  
Seattle, WA 98101-2699  
T. (206) 292-1200

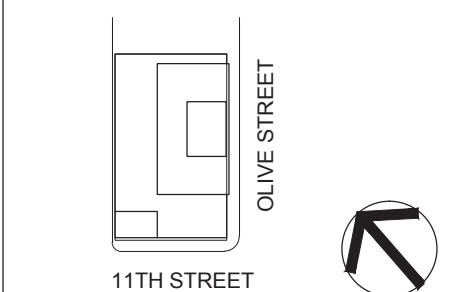
MEP ENGINEER:  
CB ENGINEERS  
449 10th Street  
San Francisco, CA 94103  
T. (415) 437-7330

**ELEVATOR CONSULTANT:**  
GVK ELEVATOR CONSULTING SERVICES Inc  
50 California Street Suite 3510  
San Francisco, CA 94111  
T. (415) 412-5232

**LAND USE COUNSEL:**  
**LATHAM & WATKINS LLP**  
355 South Grand Avenue, Suite 100  
Los Angeles, CA 90071  
T. (213) 485-1234

**TRAFFIC ENGINEER:**  
THE MOBILITY GROUP  
18301 Von Karman, Suite 490  
Irvine CA 91612  
T. (949) 474-1591

1033, 1041, 1045, 1053, 1057 S. OLIVE ST  
LOS ANGELES, CA 90015



NEW CONSTRUCTION

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PROJECT NO:1658.00	SCALE: $\frac{1}{16}" = 1'-0"$
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## L-105

## CHAPTER 4

# MITIGATION MONITORING PROGRAM

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### 1. Introduction

This Mitigation Monitoring Program (MMP) has been prepared pursuant to Public Resources Code Section 21081.6, which requires a Lead Agency to adopt a “reporting or monitoring program for changes to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.” In addition, Section 15097(a) of the State California Environmental Quality Act (CEQA) Guidelines requires that a public agency adopt a program for monitoring or reporting mitigation measures and project revisions, which it has required to mitigate or avoid significant environmental effects. This MMP has been prepared in compliance with the requirements of CEQA, Public Resources Code Section 21081.6 and Section 15097 of the CEQA Guidelines.

The City of Los Angeles (City) is the Lead Agency for the Project and is therefore responsible for administering and implementing the MMP. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity that accepts the delegation; however, until mitigation measures are completed, the Lead Agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.

An Environmental Impact Report (EIR) has been prepared to address the potential environmental impacts of the Project. The evaluation of the Project’s impacts in the EIR takes into consideration the project design features (PDFs) and applies mitigation measures (MMs) needed to avoid or reduce potentially significant environmental impacts. This MMP is designed to monitor implementation of the PDFs and MMs identified for the Project.

### 2. Organization

As shown on the following pages, each identified project design feature and mitigation measure for the Project is listed and categorized by environmental impact area, with an accompanying identification of the following:

- **Enforcement Agency:** The agency with the power to enforce the PDF or MM.
- **Monitoring Agency:** The agency to which reports involving feasibility, compliance, implementation and development are made.
- **Monitoring Phase:** The phase of the Project during which the PDF or MM shall be monitored.
- **Monitoring Frequency:** The frequency at which the PDF or MM shall be monitored.
- **Action Indicating Compliance:** The action of which the Enforcement or Monitoring Agency indicates that compliance with the required PDF or MM has been implemented.

### **3. Administrative Procedures and Enforcement**

This MMP shall be enforced throughout all phases of the Project. The Applicant shall be responsible for implementing each PDF and 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.

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, the election of which is in the sole discretion of the Applicant), 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 notify the Applicant of any non-compliance with PDFs and MMs. If the Applicant does not correct the non-compliance within two days from the time of notification, the Construction Monitor shall be obligated to report such non-compliance to the Enforcement Agency. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

### **4. Program 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. The 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 the 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 if 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). This could include the preparation of an addendum or subsequent environmental clearance, if necessary, to analyze the impacts from the modification to or deletion of the PDF or MM. Any addendum or subsequent CEQA clearance shall explain why the PDF or MM is no longer needed, not feasible, or other basis for modifying or deleting the PDF or MM. 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.

## 5. Mitigation Monitoring Program

### A. Aesthetics

#### *Project Design Features*

**AES-PDF-1: Construction Fencing.** The Project's security fencing along the W. 11<sup>th</sup> Street, S. Olive Street, and the mid-block alley perimeters of the Project will be designed to screen views to the Project Site's ground levels during construction. The fencing shall have a minimum height of 8 feet; and the Applicant shall ensure through appropriate postings and regular visual inspections that no unauthorized materials are posted on temporary construction barriers or temporary pedestrian walkways, and that such temporary barriers and walkways are maintained in a reasonable manner throughout the construction period.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodic field inspections during construction
- **Action Indicating Compliance:** Field inspection sign-off

**AES-PDF-2: Parking Shielding:** Podium parking will be shielded from adjacent areas with minimum 36-inch high baffling panels behind architectural screen meshing for aesthetic character as well as for light and sound attenuation.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once at Project plan check; Once during field inspection
- **Action Indicating Compliance:** Plan approval and issuance of applicable building permit; Issuance of Certificate of Occupancy

### B. Air Quality

#### *Project Design Features*

**AQ-PDF-1: Green Building Features:** The Project will be designed to achieve the equivalent of the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Gold Certification level for new buildings. The Project will demonstrate compliance with the LEED Gold Certification or equivalent by providing architectural and engineering documentation, building energy modeling simulations, and other supporting evidence consistent with USGBC accepted documentation standards. Pre-construction documentation that indicates the Project is designed to achieve the number of points required for LEED Gold Certification will be provided to the City prior to building permit issuance. Post-construction documentation that indicates the Project operates within the expected parameters to achieve the number of points

required for LEED Gold Certification will be provided to the City after completion of commissioning activities. A summary of key green building and LEED measures are provided below:

- The Project will implement a construction waste management plan to recycle and/or salvage a minimum of 65 percent of nonhazardous construction debris.
- The Project will incorporate heat island reduction strategies for 50 percent of the site hardscapes or provide 100 percent structured parking and incorporate heat island reduction strategies, including but not limited to high-reflectance and vegetated roofs, for the Project roof areas.
- The Project shall include at least twenty (20) percent of the total code required parking spaces provided for all types of parking facilities, but in no case less than one location, shall be capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating ampacity. Of the 20 percent EV Ready, five (5) percent of the total code required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of either the 20 percent or 5 percent results in a fractional space, round up to the next whole number. A label stating "EV CAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.
- The Project will optimize building energy performance including, but not limited to, installing energy efficient appliances.
- The Project will reduce water consumption by 40 percent for indoor water and 50 percent for outdoor water compared to baseline water consumption. Water reduction strategies include, but are not limited to planting drought-tolerant/California native plant species, increasing irrigation system efficiency, incorporating alternative water supplies (e.g., stormwater retention for use in landscaping), and/or installing smart irrigation systems (e.g., weather-based controls).
- The Project will provide on-site recycling areas with containers to promote the recycling of paper, metal, glass, and other recyclable materials and adequate storage areas for such containers.
- The residential units within the Project will not include the use of natural gas-fueled fireplaces.
  - **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
  - **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
  - **Monitoring Phase:** Pre-construction; Operation
  - **Monitoring Frequency:** Once at Project plan check prior to issuance of building permit; Once after completion of LEED Gold Certification commissioning activities

- **Action Indicating Compliance:** Plan approval and issuance of applicable building permit; Post-construction documentation that indicates the Project operates within the expected parameters to achieve the number of points required for LEED Gold Certification

**AQ-PDF-2: Construction Equipment Features:** The Applicant will implement the following construction equipment features for equipment operating at the Project Site. These features will be included in applicable bid documents, and successful contractor(s) must demonstrate the ability to supply such equipment. Construction features will include the following:

- During plan check, the Project representative will make available to the lead agency and the South Coast Air Quality Management District (SCAQMD) a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used during any of the construction phases. The inventory will include the horsepower rating, engine production year, and certification of the specified Tier standard. A copy of each such unit's certified tier specification, Best Available Control Technology (BACT) documentation, and California Air Resources Board (CARB) or SCAQMD operating permit shall be provided on-site at the time of mobilization of each applicable unit of equipment to allow the Construction Monitor to compare the on-site equipment with the inventory and certified Tier specification and operating permit. Off-road diesel-powered equipment that will be used an aggregate of 40 or more hours during any portion of the construction activities associated with grading/excavation/export phase must meet the Tier 4 Final standards. Construction contractors supplying heavy duty diesel equipment greater than 50 horsepower will be encouraged to apply for SCAQMD Surplus Off-Road Opt-In for NO<sub>x</sub> (SOON) funds. Information including the SCAQMD website will be provided to each contractor which uses heavy duty diesel for on-site construction activities.
- Equipment such as tower cranes and signal boards must be electric or alternative-fueled (i.e., non-diesel). Pole power will be made available for use for electric tools, equipment, lighting, etc. Construction equipment such as tower cranes and signal boards must utilize electricity from power poles or alternative fuels (i.e., non-diesel), rather than diesel power generators and/or gasoline power generators. If stationary construction equipment, such as diesel- or gasoline-powered generators, must be operated continuously, such equipment must be located at least 100 feet from sensitive land uses (e.g., residences, schools, childcare centers, hospitals, parks, or similar uses), whenever possible.
- Alternative-fueled generators (e.g., natural gas, battery electric, solar, etc.) that generate less NO<sub>x</sub> and particulate matter emissions when compared to equivalent diesel-fueled models will be used when commercial models that have the power supply requirements to meet the construction needs of the Project are commercially available from local suppliers/vendors. The determination of the commercial availability of such equipment will be made by the City prior to the issuance of grading or building permits based on applicant-provided evidence of the availability or unavailability of alternative-fueled generators and/or evidence obtained by the City from expert sources such as construction contractors in the region.
- Alternative-fueled sweepers/scrubbers shall be used pursuant to SCAQMD Rule 1186.1.
- Contractors will maintain and operate construction equipment so as to minimize exhaust emissions. All construction equipment must be properly tuned and maintained in accordance with the manufacturer's specifications. The contractor must keep documentation on-site demonstrating that the equipment has been maintained in accordance with the manufacturer's specifications. Tampering with construction equipment to increase horsepower or to defeat emission control devices must be prohibited.

- Construction activities must be discontinued during second-stage smog alerts. A record of any second-stage smog alerts and of discontinued construction activities as applicable will be maintained by the Contractor on-site.
  - **Enforcement Agency:** City of Los Angeles Department of Building and Safety; South Coast Air Quality Management District
  - **Monitoring Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning
  - **Monitoring Phase:** Pre-construction; Construction
  - **Monitoring Frequency:** Once during Project plan check; Continuous field inspections during construction, with quarterly reporting
  - **Action Indicating Compliance:** Issuance of applicable building permit; Field inspection sign-off

#### *Mitigation Measures*

**AQ-MM-1:** The Applicant shall implement the following measures to reduce the emissions of air pollutants generated by concrete trucks during the continuous concrete pouring phase lasting for approximately one day:

- a. The contractor shall use concrete trucks with an average capacity of 10 cubic yards to minimize the number of concrete truck trips;
- b. The contractor shall use local concrete suppliers with 90 percent or more of the concrete supplied by one or more facilities located within a driving distance of approximately 4.5 miles per one-way trip (approximately 9 miles per round trip) and the remaining 10 percent from one or more facilities located within a driving distance of approximately 9 miles per one-way trip (approximately 18 miles per round trip).
- c. The contractor shall be required to ensure that approximately 50 percent of the concrete truck trips, equivalent to approximately 19 concrete trucks per hour, are made by CNG-fueled concrete trucks or trucks that achieve the same or lower NO<sub>x</sub> emissions as CNG-fueled concrete trucks.
- d. During plan check, the Project representative shall make available to the lead agency and SCAQMD a comprehensive inventory of all concrete trucks that will be used during the continuous approximately one-day concrete pouring phase. The inventory shall include the concrete truck capacity, fuel specification, and NO<sub>x</sub> emissions rating. A copy of each such unit's certified emissions rating shall be provided on-site at the time of mobilization of each applicable unit of equipment to allow the Construction Monitor to compare the on-site equipment with the inventory and certified emissions specification.
  - **Enforcement Agency:** City of Los Angeles Department of Building and Safety; South Coast Air Quality Management District
  - **Monitoring Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning
  - **Monitoring Phase:** Pre-construction; Construction
  - **Monitoring Frequency:** Once during Project plan check; Continuous field inspections during construction, with quarterly reporting

- **Action Indicating Compliance:** Issuance of applicable building permit; Field inspection sign-off

## C. Biological Resources

### *Mitigation Measures*

**MM-BIO-1:** Prior to issuance of a grading permit, the Project Applicant shall demonstrate that the following requirements have been included in the Project construction plan:

- a. Any construction activities that occur during the nesting season (February 15 to August 31) shall require that all suitable habitat (i.e., street trees and shrubs) be surveyed for the presence of nesting birds by a qualified biologist, retained by the Applicant as approved by the City of Los Angeles Building and Safety, before commencement of clearing and prior to grading permit issuance. The survey shall be conducted within 72 hours prior to the start of construction. A copy of the pre-construction survey shall be submitted to the City of Los Angeles Building and Safety.
- b. If the required pre-construction survey detects any active nests, an appropriate buffer as determined by the biological monitor, shall be delineated, flagged, and avoided to the extent feasible until the qualified biological monitor has verified that the young have fledged or the nest has otherwise become inactive.
  - **Enforcement Agency:** City of Los Angeles Department of Building and Safety
  - **Monitoring Agency:** City of Los Angeles Department of Building and Safety
  - **Monitoring Phase:** Pre-construction; Construction
  - **Monitoring Frequency:** Once prior to issuance of building permit; Periodic field inspection during construction
  - **Action Indicating Compliance:** Plan approval and issuance of applicable building permit; Field inspection sign-off

## D. Cultural Resources

### *Mitigation Measures*

**CULT-MM-1:** Prior to the issuance of a demolition permit, the Applicant shall retain a Qualified Archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards (Qualified Archaeologist). The Qualified Archaeologist will oversee an archaeological monitor who shall be present during construction activities on the Project Site, including demolition, clearing/grubbing, grading, trenching, or any other construction excavation activity associated with the Project. The activities to be monitored shall also include off-site improvements in the vicinity of the Project Site, such as utility, sidewalk, or road improvements. The monitor shall have the authority to direct the pace of construction equipment in areas of higher sensitivity. The frequency of monitoring shall be based on the rate of excavation and grading activities, the materials being excavated (younger sediments vs. older sediments), the depth of excavation, and, if found, the abundance and type of archaeological resources encountered. Full-time monitoring may be reduced to part-time inspections, or may be ceased entirely, if determined adequate by the Qualified Archaeologist. Prior to commencement of excavation activities, Archaeological Sensitivity Training shall be given to construction personnel at the pre-construction meeting and thereafter when new staff are added to the Project. The training session shall be carried out by the Qualified Archaeologist, will focus on how to identify archaeological resources that may be

encountered during earthmoving activities, and will discuss the procedures to be followed in such an event.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once prior to issuance of a demolition or grading permit; Periodically based on field inspections during construction, with quarterly reporting
- **Action Indicating Compliance:** Issuance of demolition or grading permit; Field inspection sign-off

**CULT-MM-2:** In the event that historic-period (e.g., bottles, foundations, refuse dumps/privies, railroads, etc.) or prehistoric (e.g., hearths, burials, stone tools, shell and faunal bone remains, etc.) archaeological resources are unearthed, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A 50-foot buffer shall be established by the Qualified Archaeologist around the find where construction activities shall not be allowed to continue. Work may continue outside of the buffer area. All archaeological resources unearthed by Project construction activities shall be evaluated by the Qualified Archaeologist. If a resource is determined by the Qualified Archaeologist to constitute a “historical resource” pursuant to CEQA Guidelines Section 15064.5(a) or a “unique archaeological resource” pursuant to Public Resources Code Section 21083.2(g), the Qualified Archaeologist shall coordinate with the Applicant and the City to develop a formal treatment plan that would serve to reduce impacts to the resources. If any prehistoric archaeological sites are encountered within the project area, consultation with interested Native American parties will be conducted to apprise them of any such findings and solicit any comments they may have regarding appropriate treatment and disposition of the resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If, in coordination with the City, it is determined that preservation in place is not feasible, appropriate treatment of the resource shall be developed by the Qualified Archaeologist in coordination with the City and may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing, analysis, and reporting. Any archaeological material collected shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be donated to a local school or historical society in the area for educational purposes.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** At time of resource discovery, should it occur
- **Action Indicating Compliance:** Compliance report by qualified archaeologist

**CULT-MM-3:** Prior to the release of the grading bond, the Qualified Archaeologist shall prepare a final report and appropriate California Department of Parks and Recreation Site Forms at the conclusion of archaeological monitoring. The report shall include a description of resources unearthed, if any, treatment of the resources, results of the artifact processing, analysis, and research, and evaluation of the resources with respect to the California Register of Historical Resources. The report and the Site Forms shall be submitted by the Project applicant to the City, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the development and required mitigation measures.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; South Central Coastal Information Center
- **Monitoring Agency:** City of Los Angeles Department of City Planning
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Once, completion of grading/excavation activity
- **Action Indicating Compliance:** Compliance report by qualified archaeologist

**CULT-MM-4:** Although Project disturbance planned for ingress and egress to the Project Site and ancillary construction for utilities and other infrastructure related to the Project would result in mainly surficial excavation, if the Zanja is located where mapped, such construction has the potential to encounter the Zanja. The following recommendations would reduce impacts to the Zanja. If Zanja-related infrastructure is unearthed, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. An appropriate exclusion area that takes into account the linear nature of the resource shall be established by the Qualified Archaeologist. Construction activities shall not be allowed to continue within the exclusion area until directed by the Qualified Archaeologist in consultation with the City, but work shall be allowed to continue outside of the exclusion area. The Qualified Archaeologist shall coordinate with the Applicant and the City's Office of Historic Resources to develop a formal treatment plan for the resource that would serve to mitigate impacts to the resource. The treatment measures listed in California Code of Regulations Section 15126.4(b) shall be considered when determining appropriate treatment for the Zanja. As noted in California Code of Regulations Section 15126.4(b)(A), preservation in place (i.e., avoidance) is the preferred manner of mitigating impacts to archaeological sites. If, in coordination with the City, it is determined that preservation in place is not feasible, other treatment measures for the resource shall be developed by the Qualified Archaeologist in coordination with the Office of Historic Resources and with final approval by the City. Treatment would be designed to address the resource's eligibility under Criterion 1 (significant events), Criterion 2 (important persons), Criterion 3 (type, period, region or method of construction), and Criterion 4 (scientific data) and may include implementation of: (1) data recovery excavations to document and remove the resource, followed by subsequent laboratory processing, analysis, and reporting; (2) a commemoration program that includes the development of an interpretive exhibit/display or plaque at the Project Site; and/or (3) other public educational and/or interpretive treatment measures determined appropriate by the Qualified Archaeologist in consultation with the City's Office of Historic Resources. Any associated artifacts collected that are not made part of the interpretive collection shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the

material. If no institution accepts the materials, they shall be offered for donation to a local school or historical society for educational purposes.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** At time of resource discovery, should it occur
- **Action Indicating Compliance:** Compliance report by qualified archaeologist

**CULT-MM-5:** The Qualified Archaeologist shall prepare a final report and appropriate California Department of Parks and Recreation Site Forms for the Zanja resource. The report shall outline the treatment measures implemented, and shall include a description of the resource and the results of any artifact processing, analysis, and research that was conducted. The report and the Site Forms shall be submitted by the Qualified Archaeologist to the City and the South Central Coastal Information Center.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; South Central Coastal Information Center.
- **Monitoring Agency:** City of Los Angeles Department of City Planning
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Once, completion of grading/excavation activity
- **Action Indicating Compliance:** Compliance report by qualified archaeologist

## E. Energy

### *Project Design Features*

Refer to Project Design Features **AQ-PDF-1: Green Building Features**; and **WS-PDF-1: Water Conservation**.

## F. Geology and Soils – Paleontological Resources

### *Mitigation Measures*

**GEOL-MM-1:** A Qualified Paleontologist meeting the Society of Vertebrate Paleontology (SVP) Standards (SVP, 2010) (Qualified Paleontologist) shall be retained prior to the approval of demolition or grading permits. The Qualified Paleontologist shall provide technical and compliance oversight of all work as it relates to paleontological resources, shall attend the Project kick-off meeting and Project progress meetings on a regular basis, and shall report to the Project Site in the event potential paleontological resources are encountered.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety

- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Prior to issuance of demolition or grading permit; Periodic during construction activities
- **Action Indicating Compliance:** Issuance of demolition or grading permit; Compliance report by qualified paleontologist

**GEOL-MM-2:** The Qualified Paleontologist shall conduct construction worker paleontological resources sensitivity training at the Project kick-off meeting prior to the start of ground disturbing activities (including vegetation removal, pavement removal, etc.). In the event construction crews are phased, additional training shall be conducted for new construction personnel. The training session shall focus on the recognition of the types of paleontological resources that could be encountered within the Project Site and the procedures to be followed if they are found. Documentation shall be retained by the Qualified Paleontologist demonstrating that the appropriate construction personnel attended the training.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction
- **Monitoring Frequency:** Prior to issuance of demolition or grading permit
- **Action Indicating Compliance:** Issuance of demolition or grading permit

**GEOL-MM-3:** Paleontological resources monitoring shall be performed by a qualified paleontological monitor (meeting the standards of the SVP, 2010) under the direction of the Qualified Paleontologist. Paleontological resources monitoring shall be conducted for all ground disturbing activities that exceed 15 feet in depth in previously undisturbed older Alluvial sediments which have high sensitivity for encountering paleontological resources. However, depending on the conditions encountered, full-time monitoring within these sediments can be reduced to part-time inspections or ceased entirely if determined appropriate by the Qualified Paleontologist. The surficial Alluvium has low paleontological sensitivity and so work in the upper 15 feet of the Project Site does not require monitoring. The Qualified Paleontologist shall spot check the excavation on an intermittent basis and recommend whether the depth of required monitoring should be revised based on his/her observations. Monitors shall have the authority to temporarily halt or divert work away from exposed fossils or potential fossils. Monitors shall prepare daily logs detailing the types of activities and soils observed, and any discoveries.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodic
- **Action Indicating Compliance:** Compliance report by qualified paleontologist

**GEOL-MM-4:** Any significant fossils collected during project-related excavations shall be prepared to the point of identification and curated into an accredited repository with retrievable storage. The Qualified Paleontologist shall prepare a final monitoring and mitigation report for submittal to the City in order to document the results of the monitoring effort and any discoveries. If there are significant discoveries, fossil locality information and final disposition will be included with the final report which will be submitted to the appropriate repository and the City.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** At time of resource discovery, should it occur; end of excavation/grading activities
- **Action Indicating Compliance:** Compliance report by qualified paleontologist

## G. Greenhouse Gas Emissions

### *Project Design Features*

Also refer to Project Design Features **AQ-PDF-1, Green Building Features;** and **WS-PDF-1 Water Conservation Features.**

**GHG-PDF-1: GHG Emission Offsets:** The Project will provide or obtain GHG emission offsets as required as described in the Project's Environmental Leadership Development Project certification and related documentation pursuant to the *Jobs and Economic Improvement Through Environmental Leadership Act*. Prior to issuance of any Certificate of Occupancy for the Project, the Applicant or its successor shall commit to entering into one or more contracts to purchase carbon credits from a recognized and reputable carbon registry (to be selected from an accredited registry), which contract, together with any previous contracts for the purchase of carbon credits, shall evidence the purchase of carbon credits in an amount sufficient to offset the Operational Emissions attributable to the Project, and shall be calculated on a net present value basis for a 30-year useful life.

- **Enforcement Agency:** City of Los Angeles Department of City Planning
- **Monitoring Agency:** City of Los Angeles Department of City Planning; California Air Resources Board
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Once, prior to issuance to Certificate of Occupancy
- **Action Indicating Compliance:** Completion of purchase contract

## H. Hazards and Hazardous Materials

### *Project Design Features*

Refer to Project Design Feature **TRAF-PDF-1: Construction Management Plan.**

### *Mitigation Measures*

**HAZ-MM-1: Soil Management Plan:** A Soil Management Plan (SMP) shall be prepared that would provide guidance to contractors for appropriate handling, screening, and management of potentially impacted or impacted soils from historical operations that may be encountered at the Project Site during grading and excavation activities. These procedures would include training for construction personnel on the appropriate procedures for identification of suspected impacted soils; requirements for testing and collection of potentially contaminated soils; segregation of potentially impacted soils; and applicable soil handling and disposal procedures. The SMP shall also contain procedures to be followed in the event that undocumented subsurface features of potential environmental concern (e.g., USTs, abandoned oil wells, sumps, hydraulic lifts, clarifiers, buried drums) are encountered during the excavation grading, and/or other earthmoving activities. These procedures would include safety training, testing protocols, decontamination and decommission standards, and notification to the appropriate relevant regulatory oversight agency or agencies.

The SMP would also include procedures for handling and transportation of soils with respect to nearby sensitive receptors, such as nearby residential uses, religious uses, and schools. In accordance with SCAQMD Rule 1166 requirements, impacted soil removed from the Project Site shall comply with the following:

- Be transported to an approved treatment/disposal facility.
- When loading into trucks is completed, and during transportation, no excavated material shall extend above the sides or rear of the truck or trailer.
- Prior to covering/tarping, loaded impacted soil shall be wetted by spraying with dust inhibitors.
- The trucks or trailers shall be completely covered/tarped prior to leaving the Project Site to prevent particulate emissions to the atmosphere.
- The exterior of the trucks (including the tires) shall be cleaned off prior to the trucks leaving the excavation location.
  - **Enforcement Agency:** City of Los Angeles Department of Building and Safety
  - **Monitoring Agency:** City of Los Angeles Department of Building and Safety
  - **Monitoring Phase:** Pre-construction, Construction
  - **Monitoring Frequency:** Once at Project plan check prior to issuance of grading permit; Ongoing with periodic field inspections during construction if impacted material is discovered
  - **Action Indicating Compliance:** Issuance of grading permit; Field inspection signoff

**HAZ-MM-2: USTs:** For earthwork activities occurring within the sidewalk in the vicinity of West 11 Street and South Olive Street, potholing prior to construction is recommended to assess if a UST is present and to reduce the potential for construction delays. If a UST is identified, a tank removal permit and oversight of the removal shall be submitted to the Los Angeles Fire Department.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Fire Department

- **Monitoring Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Fire Department
- **Monitoring Phase:** Pre-construction, Construction if tank removal is required
- **Monitoring Frequency:** Once at Project plan check prior to issuance of grading permit; Once at completion of tank removal should such be required
- **Action Indicating Compliance:** Issuance of grading permit; Field inspection signoff

## I. Noise

### *Project Design Features*

Also refer to Project Design Feature **AES-PDF-2: Parking Shielding**.

**NOISE-PDF-1:** The Project will not use impact pile drivers and will not allow blasting during construction activities.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodic field inspections
- **Action Indicating Compliance:** Field inspection sign-off

**NOISE-PDF-2:** Signs will be posted at Project truck loading areas prohibiting idling for more than 5 consecutive minutes.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodic field inspections
- **Action Indicating Compliance:** Field inspection sign-off

**NOISE-PDF-3:** Amplified sound in outdoor open space areas on the site shall be prohibited.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction; Operation
- **Monitoring Frequency:** Once during field inspection; Periodic if needed
- **Action Indicating Compliance:** Issuance of Certificate of Occupancy; Field inspection signoff

### *Mitigation Measures*

Also Refer to Mitigation Measures **CULT-MM-4 through CULT-MM-5.**

**NOISE-MM-1:** The Project shall provide temporary ground-level construction fencing equipped with noise blankets rated to achieve sound level reductions of at least 10 dBA between the Project Site and the ground-level noise sensitive receptors at sensitive receptor locations R1 (mixed-use residential north of the Project Site) and R2 (mixed-use residential west of the Project Site). These temporary noise barriers shall be used to block the line-of-sight between the construction equipment and the noise-sensitive receptor during early Project construction phases (up to the start of framing) when the use of noisy heavy equipment such as concrete saws, crawler tractors, and drill rigs, is prevalent.

Noise barriers shall be heavy-duty materials such as vinyl-coated polyester (VCP), at least 10 ounces per square yard and quilted for sound absorption, or other similarly effective materials. All noise barrier material types are equally effective, acoustically, if they have this density. The noise barrier shall have a minimum sound transmission class (STC) of 25 and noise reduction coefficient (NRC) of 0.75 or equivalent STC and NRC to achieve the 10 dBA reduction. STC is an integer rating of how well a wall attenuates airborne sound and NRC is a scalar representation of the amount of sound energy absorbed upon striking a wall.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once at Project plan check; Periodic field inspections
- **Action Indicating Compliance:** Plan approval and issuance of applicable demolition or building permit; Field inspection sign-offs

**NOISE-MM-2:** During framing and vertical building construction, the Project shall provide temporary flexible noise curtains or noise blankets along the Project's vertical structures rated to achieve sound level reductions of at least 10 dBA to block the line-of-sight between noise producing equipment and the adjacent residential land uses at sensitive receptor locations R1 (mixed-use residential north of the Project Site) and R2 (mixed-use residential west of the Project Site), where the use of such noise curtains or noise blankets would not interfere with the safety, integrity, and necessary construction activities of framing and vertical building construction.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once at Project plan check; Periodic field inspections
- **Action Indicating Compliance:** Plan approval and issuance of applicable demolition or building permit; Field inspection sign-offs

**NOISE-MM-3:** Contractors shall ensure that all construction equipment, fixed or mobile, are equipped with properly operating and maintained noise shielding and muffling devices, consistent with manufacturers' standards. The contractor shall use muffler systems (e.g. absorptive mufflers)

that provide a minimum reduction of 8 dBA compared to the same equipment without an installed muffler system, reducing maximum construction noise levels.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodic field inspections
- **Action Indicating Compliance:** Field inspection sign-offs

**NOISE-MM-4:** The operation of construction equipment that generates high levels of vibration, such as large bulldozers and loaded trucks, shall be prohibited within 80 feet of the property lines of existing residential uses adjacent to the Project Site. Instead, rubber-tired equipment not exceeding 400 horsepower shall be used in these areas during demolition, grading, and excavation operations within 80 feet from the sensitive receptor locations R1 (mixed-use residential north of the Project Site) and R2 (mixed-use residential west of the Project Site).

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodic field inspections
- **Action Indicating Compliance:** Field inspection sign-offs

**NOISE-MM-5:** To reduce potential construction noise impacts and vibration impacts regarding human annoyance, the Applicant shall designate a construction relations officer to serve as a liaison with the adjacent mixed-use developments (R1 and R2). The liaison shall be responsible for responding to concerns regarding construction noise and vibration within 24 hours of receiving a complaint. The liaison shall ensure that steps will be taken to reduce construction noise and vibration levels as deemed appropriate and safe by the on-site construction manager. Such steps could include the use of noise absorbing curtains or blankets, vibration absorbing barriers, substituting lower noise or vibration generating equipment or activity, rescheduling of high noise or vibration-generating construction activity, or other potential adjustments to the construction program to reduce noise or vibration levels at the adjacent mixed-use developments (sensitive receptor locations R1 [mixed-use residential north of the Project Site] and R2 [mixed-use residential west of the Project Site]).

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodic field inspections
- **Action Indicating Compliance:** Field inspection sign-offs

**NOISE-MM-6:** The Project shall provide a construction site notice that includes the following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code or any discretionary approval for

the site, and City telephone numbers where violations can be reported. The notice shall be posted and maintained at the construction site prior to the start of construction and displayed in a location that is readily visible to the public.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-Construction, Construction
- **Monitoring Frequency:** Periodic field inspections
- **Action Indicating Compliance:** Field inspection sign-offs

## J. Fire Protection

### *Project Design Features*

Refer to Project Design Feature **TRAF-PDF-1: Construction Management Plan**.

## K. Police Protection

### *Project Design Features*

Also refer to Project Design Features **TRAF-PDF-1: Construction Management Plan; and TRAF-PDF-2: Pedestrian Safety Plan**.

**POL-PDF-1: Construction Security Measures.** During construction, on-site security measures will be incorporated, specifically: an eight-foot tall construction security fence, with gated and locked entry; controlled access, multiple security surveillance cameras, and 24-hour private construction security services.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Police Department
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Police Department
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodic field inspections
- **Action Indicating Compliance:** Field inspection sign-offs

**POL-PDF-2: Provision of Project Diagrams to LAPD:** Prior to the issuance of a building permit, the Applicant will provide the Los Angeles Police Department (LAPD) Central Area Commanding Officer with a diagram of the Project Site, including access routes, gate access codes, and additional information, to facilitate potential LAPD responses once the Project is operating.

- **Enforcement Agency:** City of Los Angeles Department of City Planning, Los Angeles Police Department
- **Monitoring Agency:** City of Los Angeles Department of City Planning, Los Angeles Police Department
- **Monitoring Phase:** Pre-construction; Construction

- **Monitoring Frequency:** Once prior to issuance of building permit; Once prior to issuance of Certificate of Occupancy
- **Action Indicating Compliance:** Compliance documentation of diagram submittal to LAPD, and issuance of applicable demolition or building permit; Issuance of Certificate of Occupancy

**POL-PDF-3: On-Site Operational Security Measures.** On-site security measures during Project operation will incorporate strategies from Crime Prevention through Environmental Design (CPTED) and include:

- Secured building access/design to residential areas (electronic keys specific to each user);
- Lighting of building entryways and Plaza areas;
- Staff training in safety and sound security policies;
- 24-hour video surveillance;
- Trained 24-hour security personnel (providing assistance to residents and visitors with Site access; monitoring entrances and exits of the building; managing and monitoring fire/life/safety systems; and patrolling the Project Site, including parking areas).
- Installation and utilization of an extensive security camera network, with approximately 40-50 cameras throughout the underground and above-grade parking structure; the elevators; the common and amenity spaces; the lobby areas; and the rooftop and ground level outdoor open spaces;
- Maintaining all security camera footage for at least 30 days, and providing such footage to LAPD as needed; and
- Maintaining approximately 30-40 staff on-site, including 24 hours at the lobby concierge desk and within the car valet areas, with designated staffers dedicated to monitoring the Project's security cameras and directing staff to locations where any suspicious activity is viewed.
  - **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Police Department
  - **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Police Department
  - **Monitoring Phase:** Pre-Construction; Operations
  - **Monitoring Frequency:** Once prior to building permit approval; Periodically during operations
  - **Action Indicating Compliance:** Approval of Site Plan

## L. Transportation and Traffic

### *Project Design Features*

**TRAF-PDF-1: Construction Management Plan:** A Construction Traffic Management Plan shall be prepared for approval by the City prior to the issuance of any construction permits, to incorporate the measures identified below, as well as a Worksite Traffic Control Plan specifying the details of any sidewalk or lane closures. The Worksite Traffic Control Plan will be developed by the Applicant, and will identify all traffic control measures, signs, delineators, and work

instructions to be implemented by the construction contractor through the duration of demolition and construction activity. The Worksite Traffic Control Plan would minimize the potential conflicts between construction activities, street traffic, bicyclists and pedestrians. The plan will be reviewed and approved by LADOT prior to commencement of construction and will include, but not limited to, the following elements as appropriate:

- Maintain access for land uses in the vicinity of the Project site during construction.
- Schedule construction material deliveries to off-peak periods to the extent possible.
- Minimize obstruction of traffic lanes on Olive Street and 11<sup>th</sup> Street adjacent to the Project Site.
- Organize site deliveries and the staging of all equipment and materials in the most efficient manner possible, and on-site where possible, to avoid an impact to the surrounding roadways,
- Coordinate truck activity and deliveries to ensure trucks do not wait to unload or load at the site and impact roadway traffic. If needed, utilize an organized off-site staging area. Off-site staging areas shall be identified at an area that would avoid impacts to on-street parking or neighborhoods.
- Control truck and vehicle access to the Project Site with flagmen.
- Sidewalk access on Olive Street and 11<sup>th</sup> Street will be maintained during construction through the use of covered protective walkways. A Worksite Traffic Control Plan will be prepared for approval by the City, to facilitate pedestrian and traffic and movement, in order to minimize any potential conflicts.
- Coordinate with the City, emergency service providers, neighboring property management, and surrounding construction related project representatives (i.e., construction contractors) whose projects would potentially be under construction at around the same time as the Project to ensure adequate access is maintained to the Project Site and neighboring properties. Meetings shall be conducted bimonthly, or as otherwise determined appropriate by City Staff.
- Parking for construction workers will be provided off-site in off-street locations. Parking will not be allowed on streets in the vicinity of the Project.
  - **Enforcement Agency:** City of Los Angeles Department of Transportation
  - **Monitoring Agency:** City of Los Angeles Department of Transportation; Los Angeles Department of Building and Safety
  - **Monitoring Phase:** Pre-construction; Construction
  - **Monitoring Frequency:** Once prior to issuance of demolition or grading permit; Periodic field inspections
  - **Action Indicating Compliance:** Approval of Construction Traffic Management Plan from the Los Angeles Department of Transportation prior to issuance of demolition or grading permit; Field inspection sign-offs

**TRAF-PDF-2: Pedestrian Safety Plan:** The Applicant shall plan construction and construction staging so as to maintain pedestrian access, including Safe Routes to Schools, on adjacent sidewalks throughout all construction phases. The Applicant will maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc.) from work space and vehicular traffic and overhead protection, due to

sidewalk closure or blockage, at all times. Temporary pedestrian facilities will be adjacent to the Project Site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility. Covered walkways will be provided where pedestrians are exposed to potential injury from falling objects. The Applicant will keep sidewalks open during construction except when it is absolutely required to close or block the sidewalks for construction staging. Sidewalks will be reopened as soon as reasonably feasible, taking construction and construction staging into account. In the event that multiple projects are under construction in the area simultaneously that would affect the same sidewalk(s), the Applicant shall coordinate with LADOT to ensure pedestrian safety along the sidewalks is maintained in the immediate vicinity around the Project Site.

- **Enforcement Agency:** City of Los Angeles Department of Transportation
- **Monitoring Agency:** City of Los Angeles Department of Transportation; Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once prior to issuance of demolition or grading permit; Periodic field inspections
- **Action Indicating Compliance:** Approval of Construction Pedestrian Safety Plan from the Los Angeles Department of Transportation prior to issuance of demolition or grading permit; Field inspection signoffs

#### *Mitigation Measures*

**TRAF-MM-1: Transportation Demand Management (TDM) Program:** The Project shall implement a TDM program to encourage the use of non-auto modes of transportation and reduce vehicle trips. A preliminary TDM program shall be prepared and provided for LADOT review prior to the issuance of the first building permit for the Project and a final TDM program shall be approved by DOT prior to the issuance of the first certificate of occupancy. The preliminary plan shall include, at a minimum, measures consistent with the City's Trip Reduction Ordinance. As recommended by the Project's Transportation Study, the TDM program shall include, but not be limited to the following strategies:

- Promotion and support of carpools and rideshares, including parking and transit incentives;
- Preferential parking for carpools and vanpools for employees;
- Provide on-site real-time information displays to make available real-time information on car-sharing, transit, vanpools, taxis;
- Transit Welcome Package – to all new residents/employees with info on alternate modes and walk to destination opportunities;
- Unbundling of residential parking;
- Participate in a Car-Share Program to provide vehicle spaces for car share vehicles;
- Provide access to collapsible shopping carts and/or cargo bike for ease of local shopping;
- Provide discounts for employees who utilize public transit to travel from the project site;
- On-site bicycle amenities such as access to free bicycles for residential guests, on-site repair station and bicycle racks, and lockers/showers for residents and employees;

- Provide a free bike share service for residents;
- Participate in the City's Bike Share Program by providing an area for bike share facility
- A one-time fixed-fee contribution of \$75,000 to be deposited into the City's Bicycle Plan Trust Fund prior to the issuance of any certificates of occupancy to be used to implement bicycle improvements within the Project area;
- Make a one-time financial contribution of \$75,000 to the City of Los Angeles Department of Transportation for the implementation of First and Last Mile transit access measures in the vicinity of the project site;
- Ridesharing Services Program which would match employees together to establish carpools and vanpools;
- Record a Covenant and Agreement to ensure that the TDM program will be maintained.

In order to assess the Project's actual trip generation and any subsequent TDM Plan (if deemed necessary), a traffic monitoring plan shall be implemented once the Project is built and occupied to equilibrium (i.e., the level at which the owner/management deems maximum occupancy). The monitoring program shall be conducted annually to ensure compliance for a period of three years. If the Project is found to not conform to the trip reduction targets of 30 trips in the AM peak hour and 33 trips during the afternoon peak hour, the Project shall have an additional year to meet the trip reduction levels. If the Project continues to not meet the TDM goals, the City and Project staff shall cooperate on implementing further TDM Strategies. The final traffic monitoring plan and TDM Plan shall be prepared for and approved by the LADOT prior to the issuance of the first certificate of occupancy for the Project.

- **Enforcement Agency:** City of Los Angeles Department of Transportation
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Transportation
- **Monitoring Phase:** Once prior to occupancy
- **Monitoring Frequency:** Once prior to issuance of building permit approval; Once prior to Certificate of Occupancy; and Annually for three years of operation.
- **Action Indicating Compliance:** Los Angeles Department of Transportation approval of TDM program; issuance of Certificate of Occupancy; and Approval of compliance reports

**TRAF-MM-2: Transportation System Management (TSM) Improvements.** The Project shall contribute up to \$100,000 toward TSM improvements to intersections within the vicinity of the Project that may be considered to better accommodate intersection operations and increase intersection capacity throughout the Project's Transportation Study area.

A final determination on how to implement the TSM improvements will be made by LADOT prior to the issuance of the first building permit. These TSM improvements shall be implemented either by the Applicant through the B-Permit process of the Bureau of Engineering (BOE), or through payment of a one-time fixed fee of \$100,000 to LADOT to fund the cost of the upgrades.

- If LADOT selects the payment option, then the Applicant shall pay \$100,000 to LADOT, and LADOT shall design and construct the upgrades.
- If the upgrades are implemented by the Applicant through the B-Permit process, then these TSM improvements shall be guaranteed prior to the issuance of any building permit and completed prior to the issuance of any certificate of occupancy. Temporary certificates of occupancy may be granted in the events of any delay through no fault of the Applicant, provided that, in each case, the Applicant has demonstrated reasonable efforts and due diligence to the satisfaction of LADOT.
  - **Enforcement Agency:** City of Los Angeles Department of Transportation; City of Los Angeles Bureau of Engineering.
  - **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Transportation
  - **Monitoring Phase:** Pre-Construction, Construction
  - **Monitoring Frequency:** Once prior to issuance of building permit approval; Once prior to Certificate of Occupancy.
  - **Action Indicating Compliance:** Los Angeles Department of Transportation receipt of payment or Bureau of Engineering B-permit guarantee from Applicant; Issuance of Certificate of Occupancy

## M. Wastewater

### *Project Design Features*

Refer to Project Design Feature **WS-PDF-1: Water Conservation Features**.

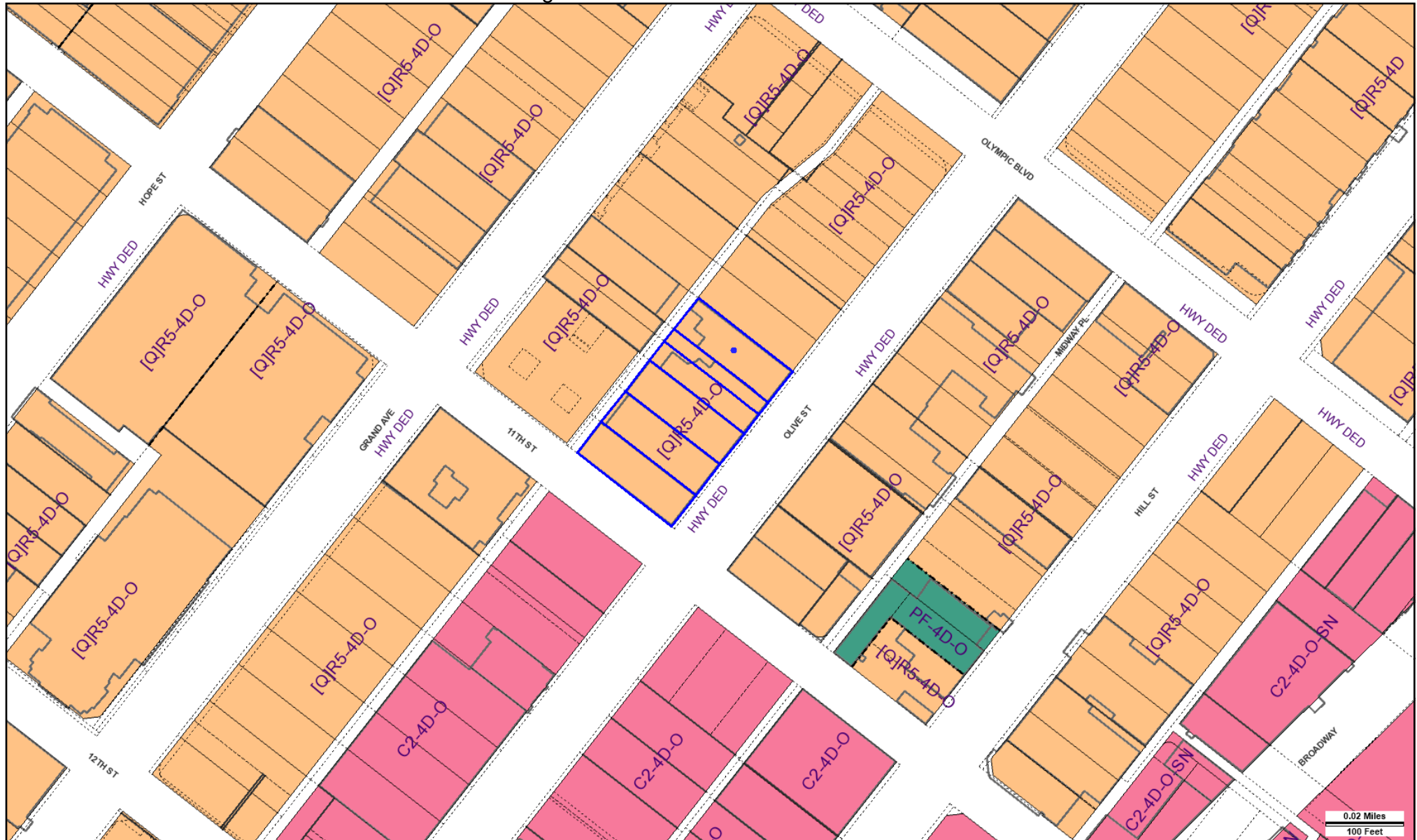
## N. Water Supply

### *Project Design Features*

**WS-PDF-1: Water Conservation Features:** The Project shall implement the following water conservation features that are in addition to those required by codes and ordinances:

- High Efficiency Toilets with a flush volume of 1 gallon per flush, or less
- Urinal flush volumes of 1.0 gallons per minute, or less
- Showerheads with a flow rate of 1.2 gallons per minute, or less
- ENERGY STAR Certified Residential Clothes Washers - Front-loading or Top-loading with Integrated Water Factor of 3.2 or less and capacity of 4.5 cubic feet
- ENERGY STAR Certified Residential Dishwashers - compact with 3 gallons/cycle or less
- Domestic Water Heating System located close proximity to point(s) of use
- Individual metering and billing for water use for every residential dwelling unit and commercial unit
- Tankless and on-demand Water Heaters
- Water-Saving Pool Filter
- Pool/Spa recirculating filtration equipment

- Pool splash troughs around the perimeter that drain back into the pool
- Install a meter on the pool make-up line so water use can be monitored and leaks can be identified and repaired
- Reuse pool backwash for irrigation
- Leak Detection System for swimming pools and Jacuzzi
- Drip/Subsurface Irrigation (Micro-Irrigation)
- Micro-Spray
- Proper Hydro-zoning/Zoned Irrigation - (groups, plants with similar water requirements together)
- Artificial Turf
- Drought Tolerant Plants - approximately 70 percent of landscaping
- Water Conserving turf - approximately 30 percent of total landscaping
  - **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Water and Power
  - **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
  - **Monitoring Phase:** Pre-construction; Construction
  - **Monitoring Frequency:** Once at Project plan check prior to issuance of building permit; Once prior to issuance of final Certificate of Occupancy
  - **Action Indicating Compliance:** Approval of plans and issuance of applicable building permit; Issuance of Certificate of Occupancy



Address: 1033 S OLIVE ST

Tract: HAYWARD'S SUBDIVISION OF  
PART OF BLOCK 70 ORD'S SURVEY

Zoning: [Q]R5-4D-O

APN: 5139010008

Block: None

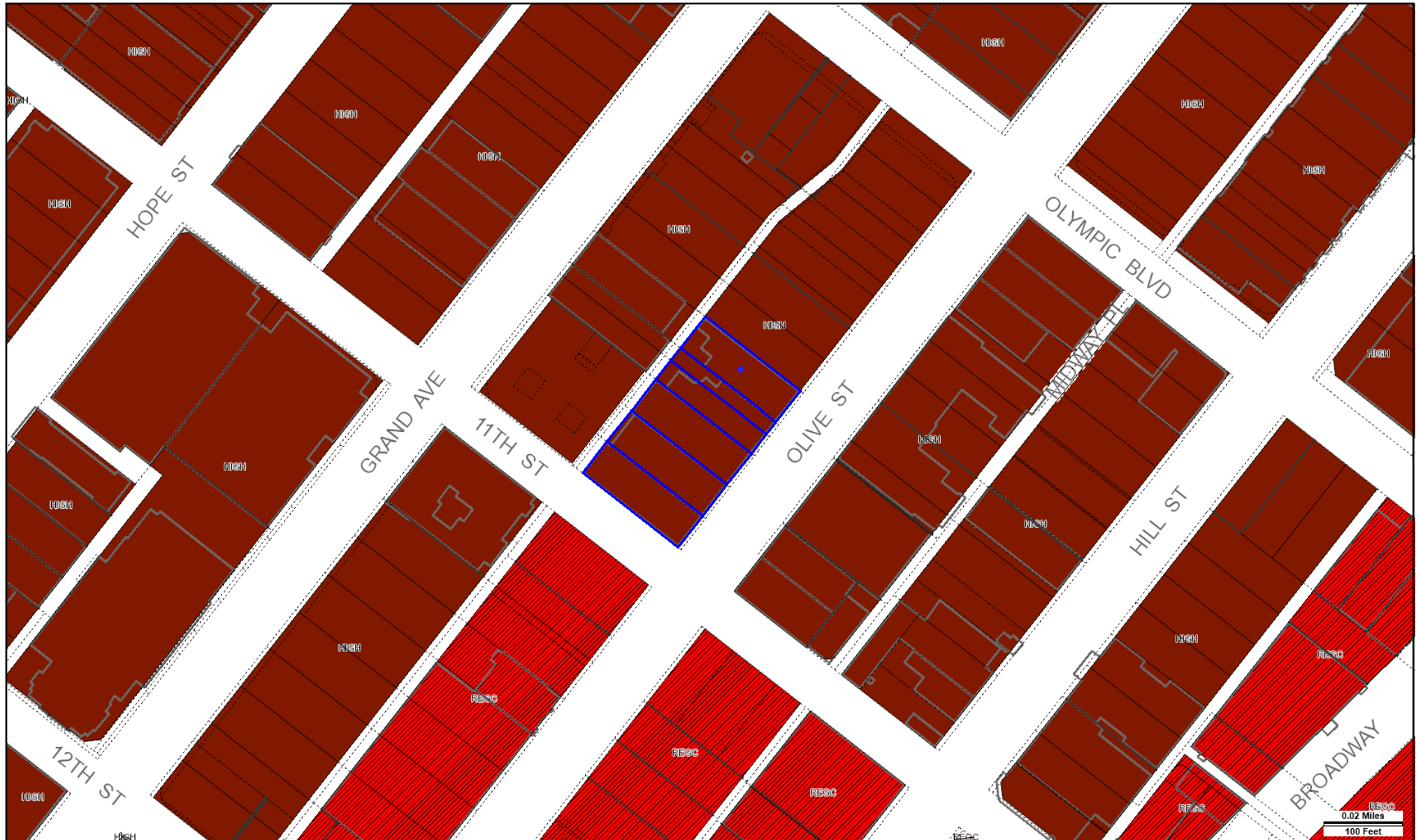
General Plan: High Density Residential

PIN #: 127-5A209 281

Lot: FR 4

Arb: None

**Exhibit C - Zoning Map**  
**CPC-2017-3251-TDR-MCUP-SPR**  
**May 13, 2021**



Address: 1033 S OLIVE ST

APN: 5139010008

PIN #: 127-5A209 281

Tract: HAYWARD'S SUBDIVISION OF  
PART OF BLOCK 70 ORD'S SURVEY

Block: None

Lot: FR 4

Arb: None

Zoning: [Q]R5-4D-O

General Plan: High Density Residential

**Exhibit D - Land Use Map**  
**CPC-2017-3251-TDR-MCUP-SPR**  
**May 13, 2021**




CITY OF LOS ANGELES  
INTER-DEPARTMENTAL CORRESPONDENCE

1045 Olive Street  
DOT Case No. CEN 17-45847

Date: August 16, 2018

To: Luciralia Ibarra, Senior City Planner  
Department of City Planning

From:  Wes Pringle, Transportation Engineer  
Department of Transportation

Subject: **TRANSPORTATION STUDY ASSESSMENT FOR THE PROPOSED MIXED-USE DEVELOPMENT LOCATED AT 1045 OLIVE STREET**

The Department of Transportation (DOT) has reviewed the transportation impact study prepared by The Mobility Group, dated May, 2018, for the proposed mixed-use development project at 1045 Olive Street. In order to evaluate the effects of the project's traffic on the available transportation infrastructure, the significance of the project's traffic impacts is measured in terms of change to the volume-to-capacity (V/C) ratio between the "future no project" and the "future with project" scenarios. This change in the V/C ratio is compared to DOT's established threshold standards to assess the project-related traffic impacts. Based on DOT's current traffic impact criteria<sup>1</sup>, the transportation study included the detailed analysis of 34 signalized intersections and determined that three of these study intersections would be significantly impacted by project-related traffic prior to mitigation. This report summarizes the results of the transportation analysis (see **Attachments 1-4**), which accounted for other known development projects in evaluating potential cumulative impacts and adequately evaluated the project's traffic impacts on the surrounding community. The transportation analysis identifies the transportation mitigation measures designed to reduce the project's potential traffic impacts to a less than significant level for the three intersections.

**DISCUSSION AND FINDINGS**

**A. Project Description**

The project proposes to construct 794 apartment units and approximately 12,504 square feet (sf) of commercial uses, which may include restaurant uses; an equal split between quality restaurant and high turnover restaurant. The project site is currently occupied with approximately 35,651 sf of various one-story commercial uses; of which 14,653 sf are active manufacturing space and 5,171 sf of active retail space, all of which would be removed. The project development will construct six levels

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<sup>1</sup> Per the DOT Traffic Study Policies and Procedures, a significant impact is identified as an increase in the Critical Movement Analysis (CMA) value, due to project-related traffic, of 0.01 or more when the final ("with project") Level of Service (LOS) is LOS E or F; an increase of 0.020 or more when the final LOS is LOS D; or an increase of 0.040 or more when the final LOS is LOS C.

subterranean parking and eight levels of above grade parking to provide up to 891 vehicle parking spaces on-site. Vehicle access to the project would be provided by one driveway on Olive Street and two driveways via an alley way. The project will widen the alley to meet the City's standard 20-foot total alley width. The alley way is located west of the site between 11<sup>th</sup> Street and Olympic Blvd. The project is expected to be completed by 2023.

B. Trip Generation

The project is estimated to generate a net increase of approximately 2,227 daily trips, 196 trips during the a.m. peak hour and 200 trips during the p.m. peak hour. These estimates were derived using trip generation rates from the Institute of Transportation Engineers (ITE) "Trip Generation Handbook, 10<sup>th</sup> Edition." A copy of the trip generation estimates table from the traffic study is attached and identified as **Attachments 5 & 6**. For the commercial land uses, in order to present a conservative analysis, they were assumed to be restaurant uses, split equally between quality restaurant and high turnover restaurant. These trip generation rates are typically derived from surveys of similar stand-alone (single) land use projects in suburban areas with little to no transit service. Therefore, DOT's transportation impact study guidelines allow projects to reduce their total trip generation to account for potential transit usage to and from the site and for the internal-trip making opportunities that are afforded by mixed-use projects. Consistent with these guidelines, the estimated trip generation includes trip credits to account for the mixed-use nature of the project and for the expected transit mode share.

C. Freeway Analysis

The traffic study included a freeway impact analysis that was prepared in accordance with the State-mandated Congestion Management Program (CMP) administered by the Los Angeles County Metropolitan Transportation Authority (MTA). According to this analysis, the project would not result in significant traffic impacts on any of the evaluated freeway mainline segments. To comply with the Freeway Analysis Agreement executed between Caltrans and DOT in December 2015, the study also included a screening analysis to determine if additional evaluation of freeway mainline and ramp segments was necessary beyond the CMP requirements. Exceeding one of the four screening criteria would require the applicant to work directly with Caltrans to prepare more detailed freeway analyses. However, the project did not meet or exceed any of the four thresholds defined in the agreement; therefore, no additional freeway analysis was required.

D. Traffic Impacts

The study determined that the project would result in significant traffic impacts, before mitigation, at the following intersections:

1. Olive Street and Olympic Boulevard (a.m. and p.m. peak hours)
2. Olive Street and Pico Boulevard (p.m. peak hours)
3. Olive Street and 17<sup>th</sup> Street (p.m. peak hours)

In consideration of the City's goals to reduce greenhouse gas emissions, the transportation study proposed a transportation mitigation program designed to reduce project-related trips and promote other travel modes. The transportation mitigation

program (discussed in the "Project Requirements" section below) fully reduces these impacts (see **Attachments 7-10**).

E. Construction Impacts

DOT recommends that a construction work site traffic control plan be submitted to DOT's Citywide Temporary Traffic Control Section or Permit Plan Review Section for review and approval prior to the start of any construction work. Refer to <http://ladot.lacity.org/what-we-do/plan-review> to determine which section to coordinate review of the work site traffic control plan. The plan should show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. DOT also recommends that all construction related traffic be restricted to off-peak hours.

## **PROJECT REQUIREMENTS**

A. Transportation Improvement and Mitigation Program

Consistent with City policies on sustainability and smart growth and with DOT's trip reduction and multi-modal transportation goals, the project's mitigation focuses on developing a trip reduction program and on solutions that promote other modes of travel. The traffic mitigation program includes the following:

1. **Transportation Demand Management (TDM) Program**

A TDM program, which includes design elements and trip reduction strategies, would reduce the project's overall trip generation by discouraging single occupancy vehicle use and by promoting the use of alternative travel modes. Through strategic building design and orientation, this project can facilitate access to existing transit services, provide a pedestrian-friendly environment, promote non-automobile travel and support the goals of a trip-reduction program.

A preliminary TDM program shall be prepared and provided for DOT review prior to the issuance of the first building permit for this project and a final TDM program approved by DOT is required prior to the issuance of the first certificate of occupancy for the project. The preliminary plan will include, at a minimum, measures consistent with the City's Trip Reduction Ordinance. As recommended by the transportation study, the TDM program should include, but not be limited to the following strategies:

- Promotion and support and rideshares, including parking and transit incentives;
- Preferential parking for carpools and vanpools for employees;
- Provide on-site real-time information displays to make available real-time information on car-sharing, transit, vanpools, taxis;
- Transit Welcome Package – to all new residents/employees with info on alternate modes and walk to destination opportunities;
- Unbundling of residential parking;

- Participate in a Car-Share Program to provide vehicle spaces for car-share vehicles;
- Provide access to collapsible shopping carts and/or cargo bike for ease of local shopping;
- Provide discounts for employees who utilize public transit to travel from the project site;
- On-site bicycle amenities such as access to free bicycles for residential guests, on-site repair station and bicycle racks, and lockers/showers for residents and employees;
- Provide a free bike share service for residents;
- Participate in the City's Bike Share Program by providing an area for bike share facility
- A one-time fixed-fee contribution of **\$75,000** to be deposited into the City's Bicycle Plan Trust Fund prior to the issuance of any certificates of occupancy to be used to implement bicycle improvements within the Project area;
- Make a one-time financial contribution of **\$75,000** to the City of Los Angeles Department of Transportation for the implementation of First and Last Mile transit access measures in the vicinity of the project site;
- Ridesharing Services Program which would match employees together to establish carpools and vanpools;
- Record a Covenant and Agreement to ensure that the TDM program will be maintained.

In order to assess the project's actual trip generation and any subsequent TDM Plan (if deemed necessary), a traffic monitoring plan will be implemented once the project is built and occupied to equilibrium (i.e., the level at which the owner/management deems maximum occupancy). The monitoring program should be conducted annually to ensure compliance for a period of 3 years. If the project is found to not conform to the trip reduction targets summarized in **Attachments 11 & 12**, the project will have an additional year to meet the trip reduction levels. If the project continues to not meet the TDM goals, the City and project staff will cooperate on implementing further TDM Strategies. The final traffic monitoring plan and TDM Plan will be prepared for and approved by the LADOT prior to the issuance of the first certificate of occupancy for the project.

## **2. Transportation System Management (TSM) Improvements**

The project would contribute up to **\$100,000** toward TSM improvements to intersections within the vicinity of the project that may be considered to better accommodate intersection operations and increase intersection capacity throughout the study area.

Should the project be approved, then a final determination on how to implement the TSM improvements will be made by DOT prior to the issuance of the first building permit. These TSM improvements will be implemented **either** by the

applicant through the B-Permit process of the Bureau of Engineering (BOE), **or** through payment of a one-time fixed fee of **\$100,000** to DOT to fund the cost of the upgrades. If DOT selects the payment option, then the applicant would be required to pay **\$100,000** to DOT, and DOT shall design and construct the upgrades.

If the upgrades are implemented by the applicant through the B-Permit process, then these TSM improvements must be guaranteed prior to the issuance of any building permit and completed prior to the issuance of any certificate of occupancy. Temporary certificates of occupancy may be granted in the events of any delay through no fault of the applicant, provided that, in each case, the applicant has demonstrated reasonable efforts and due diligence to the satisfaction of DOT.

**B. Implementation of Improvements and Mitigation Measures**

The applicant should be responsible for the cost and implementation of any necessary traffic equipment modifications, bus stop relocations and lost parking meter revenues associated with the proposed TSM improvements described above. All proposed TSM improvements within the City of Los Angeles must be guaranteed through BOE's B-Permit process, prior to the issuance of any building permit and completed prior to the issuance of any certificate of occupancy. Prior to setting the bond amount, BOE shall require that the developer's engineer or contractor contact DOT's B-Permit Coordinator, at (213) 972-8687, to arrange a pre-design meeting to finalize the proposed design. Costs related to any relocation of bus zones and shelters, and to modifying or upgrading traffic equipment and that are necessary to implement the proposed mitigations shall be incurred by the applicant.

If a proposed traffic mitigation measure does not receive the required approval during plan review, a substitute mitigation measure may be provided subject to the approval of LADOT or other governing agency with jurisdiction over the mitigation location, upon demonstration that the substitute measure is environmentally equivalent or superior to the original measure in mitigating the project's significant traffic impact. To the extent that a mitigation measure proves to be infeasible and no substitute mitigation is available, then a significant traffic impact would remain.

**C. Highway Dedication and Street Widening Requirements**

On September 7, 2016, the City Council adopted the Mobility Plan 2035 which is the new Mobility Element of the General Plan. A key feature of the updated plan is to revise street standards in an effort to provide a more enhanced balance between traffic flow and other important street functions including transit routes and stops, pedestrian environments, bicycle routes, building design and site access, etc. The applicant should check with BOE's Land Development Group to determine the specific highway dedication, street widening and/or sidewalk requirements for this project. Per the new Mobility Element, **Olive Street** has been designated as Modified Avenue II that would require a 28-foot half-width roadway within a 45-foot half-width right-of-way. **11<sup>th</sup> Street** has been designated as Modified Collector that would require a 20-foot half-width

roadway within a 32-foot half-width right-of-way. The applicant should check with BOE's Land Development Group to determine the specific highway dedication, street widening and/or sidewalk requirements for this project.

D. Parking Requirement

The project would provide up to 891 automobile spaces within the subterranean and above grade on-site parking facility. The developer should check with the Department of Building and Safety on the number of parking spaces needed.

E. Removal of Metered Parking Spaces

The project could remove up to eight adjacent on-street parking spaces on Olive Street, in order to provide the project driveway and a passenger loading zone for drop-off and pick up. When a proposal for a Development Project requires the permanent removal of any metered parking spaces, payment to LADOT for lost parking meter revenue is required. The lost revenue fee will be determined during the site plan or B-permit plan review process and will be based on the revenue collected over the last twelve continuous months for each removed parking meter, as determined by LADOT's Parking Meter Division. The removal of each on-street metered parking space will require payment to LADOT in the amount of the annual revenue projected over a ten year period. The Project applicant will also be subject to any costs incurred by LADOT during the removal of each parking meter, including but not limited to meter post removal, parking sensors (if any), sign and post removal/ relocation, stall marking, pavement messages, and curb painting.

F. Project Access and Circulation

The proposed site plan illustrated in **Attachment 13** is acceptable to DOT; however, review of the study does not constitute approval of internal circulation schemes and driveway dimensions. Those require separate review and approval and should be coordinated with DOT's Citywide Planning Coordination Section (201 N. Figueroa Street, 5th Floor, Station 3, @ 213-482-7024). In order to minimize and prevent last minute building design changes, the applicant should contact DOT, prior to the commencement of building or parking layout design efforts, for driveway width and internal circulation requirements. Any changes to the project's site access, circulation scheme, or loading/unloading area after issuance of this report would require separate review and approval and should be coordinated as well.

G. Development Review Fees

An ordinance adding Section 19.15 to the Los Angeles Municipal Code relative to application fees paid to DOT for permit issuance activities was adopted by the Los Angeles City Council in 2009 and updated in 2014. This ordinance identifies specific fees for traffic study review, condition clearance, and permit issuance. The applicant shall comply with any applicable fees per this ordinance.

If you have any questions, please contact Eduardo Hermoso of my staff at (213) 972-8451.

**Attachments**

N:\letters\CEN17-45847\_1045 Olive St Mixed-Use ts ltr

c:     Shawn Kuk, Council District 14  
          Mehrddad Moshksar, Central District Office, DOT  
          Taimour Tanavoli, Citywide Planning Coordination Section, DOT  
          Bert Moglebust, Central District, BOE  
          Michael Bates, The Mobility Group

**Table 6.1 Future With Project - Intersection Level of Service  
AM Peak Hour**

4/30/2018

No.	Intersection	Future Without Project Conditions		Future With Project Conditions		Change in V/C	Significant Impact
		V/C	LOS	V/C	LOS		
1	La Live Way & Pico Boulevard	0.905	E	0.907	E	0.002	No
2	Figueroa Street & Olympic Boulevard	1.158	F	1.162	F	0.004	No
3	Figueroa Street & Chick Hearn Court	0.827	D	0.842	D	0.015	No
4	Figueroa Street & Pico Boulevard	0.887	D	0.889	D	0.002	No
5	Flower Street & Olympic Boulevard	0.776	C	0.779	C	0.003	No
6	Flower Street & 11th Street	0.315	A	0.333	A	0.018	No
7	Hope Street & Olympic Boulevard	0.781	C	0.789	C	0.008	No
8	Hope Street & 11th Street	0.324	A	0.345	A	0.021	No
9	Grand Avenue & 8th Street	0.567	A	0.570	A	0.003	No
10	Grand Avenue & 9th Street	0.512	A	0.513	A	0.001	No
11	Grand Avenue & Olympic Boulevard	0.647	B	0.651	B	0.004	No
12	Grand Avenue & 11th Street	0.386	A	0.415	A	0.029	No
13	Grand Avenue & Pico Boulevard	0.763	C	0.779	C	0.016	No
14	Grand Avenue & Venice Boulevard	0.446	A	0.456	A	0.010	No
15	Grand Avenue & 17th Street	0.817	D	0.825	D	0.008	No
16	Grand Avenue & 18th Street	0.666	B	0.674	B	0.008	No
17	Olive Street & 8th Street	0.833	D	0.839	D	0.006	No
18	Olive Street & 9th Street	0.707	C	0.715	C	0.008	No
19	Olive Street & Olympic Boulevard	0.932	E	0.950	E	0.018	Yes
20	Olive Street & 11th Street	0.465	A	0.470	A	0.005	No
21	Olive Street & Pico Boulevard	0.827	D	0.835	D	0.008	No
22	Olive Street & 16th Street	0.577	A	0.580	A	0.003	No
23	Olive Street & 17th Street	0.931	E	0.933	E	0.002	No
24	Olive Street & 18th Street	0.684	B	0.688	B	0.004	No

**Table 6.1 Future With Project - Intersection Level of Service  
AM Peak Hour**

4/30/2018

No.	Intersection	Future Without Project Conditions		Future With Project Conditions		Change in V/C	Significant Impact
		V/C	LOS	V/C	LOS		
25	Hill Street & Olympic Boulevard	0.739	C	0.741	C	0.002	No
26	Hill Street & 11th Street	0.311	A	0.315	A	0.004	No
27	Broadway & Olympic Boulevard	0.729	C	0.733	C	0.004	No
28	Broadway & 11th Street	0.367	A	0.369	A	0.002	No
29	Main Street & Olympic Boulevard	0.884	D	0.885	D	0.001	No
30	Main Street & 11th Street	0.511	A	0.513	A	0.002	No
31	Los Angeles Street & Olympic Boulevard	0.462	A	0.463	A	0.001	No
32	Los Angeles Street & 11th Street	0.225	A	0.227	A	0.002	No
33	Olive Street & 12th Street	0.460	A	0.465	A	0.005	No
34	Hill Street & Pico Boulevard	0.497	A	0.497	A	0.000	No

**Table 6.2 Future With Project - Intersection Level of Service  
PM Peak Hour**

4/30/2018

No.	Intersection	Future Without Project Conditions		Future With Project Conditions		Change in V/C	Significant Impact
		V/C	LOS	V/C	LOS		
1	La Live Way & Pico Boulevard	0.849	D	0.849	D	0.000	No
2	Figueroa Street & Olympic Boulevard	1.316	F	1.318	F	0.002	No
3	Figueroa Street & Chick Hearn Court	1.000	E	1.004	F	0.004	No
4	Figueroa Street & Pico Boulevard	1.073	F	1.078	F	0.005	No
5	Flower Street & Olympic Boulevard	1.123	F	1.127	F	0.004	No
6	Flower Street & 11th Street	0.743	C	0.743	C	0.000	No
7	Hope Street & Olympic Boulevard	1.022	F	1.027	F	0.005	No
8	Hope Street & 11th Street	0.687	B	0.693	B	0.006	No
9	Grand Avenue & 8th Street	0.795	C	0.799	C	0.004	No
10	Grand Avenue & 9th Street	0.901	E	0.905	E	0.004	No
11	Grand Avenue & Olympic Boulevard	0.989	E	0.998	E	0.009	No
12	Grand Avenue & 11th Street	0.861	D	0.871	D	0.010	No
13	Grand Avenue & Pico Boulevard	1.294	F	1.300	F	0.006	No
14	Grand Avenue & Venice Boulevard	0.598	A	0.601	B	0.003	No
15	Grand Avenue & 17th Street	1.139	F	1.143	F	0.004	No
16	Grand Avenue & 18th Street	0.810	D	0.814	D	0.004	No
17	Olive Street & 8th Street	0.697	B	0.700	C	0.003	No
18	Olive Street & 9th Street	0.852	D	0.856	D	0.004	No
19	Olive Street & Olympic Boulevard	1.128	F	1.139	F	0.011	Yes
20	Olive Street & 11th Street	0.757	C	0.775	C	0.018	No
21	Olive Street & Pico Boulevard	1.025	F	1.047	F	0.022	Yes
22	Olive Street & 16th Street	0.663	B	0.672	B	0.009	No
23	Olive Street & 17th Street	1.005	F	1.015	F	0.010	Yes
24	Olive Street & 18th Street	0.751	C	0.758	C	0.007	No

**Table 6.2 Future With Project - Intersection Level of Service  
PM Peak Hour**

4/30/2018

No.	Intersection	Future Without Project Conditions		Future With Project Conditions		Change in V/C	Significant Impact
		V/C	LOS	V/C	LOS		
25	Hill Street & Olympic Boulevard	1.047	F	1.053	F	0.006	No
26	Hill Street & 11th Street	0.605	B	0.617	B	0.012	No
27	Broadway & Olympic Boulevard	1.094	F	1.102	F	0.008	No
28	Broadway & 11th Street	0.719	C	0.728	C	0.009	No
29	Main Street & Olympic Boulevard	1.122	F	1.129	F	0.007	No
30	Main Street & 11th Street	0.826	D	0.829	D	0.003	No
31	Los Angeles Street & Olympic Boulevard	0.803	D	0.805	D	0.002	No
32	Los Angeles Street & 11th Street	0.575	A	0.578	A	0.003	No
33	Olive Street & 12th Street	0.528	A	0.542	A	0.014	No
34	Hill Street & Pico Boulevard	0.811	D	0.811	D	0.000	No

Table 3.1 1045 Olive - Trip Generation Estimates

1/5/2018

## Daily Trips

Land Use Assumptions	Source <sup>1</sup> & Code	Quantity	Units	Daily		Total Trips
				Trip Rate		
<b>Existing Uses</b>						
Manufacturing <sup>2,3,4</sup>	ITE 140	14,853	SF	3.93		-58
(Reduction for transit trips) - 15%						9
(Reduction for walk/bike trips) - 5%						2
Net Manufacturing						-47
Retail <sup>2,3,5</sup>	ITE 820	5,171	SF	37.75		-196
(Reduction for transit trips) - 15%						29
(Reduction for walk/bike trips) - 5%						8
(Reduction for pass-by trips) - 50%						79
Net Retail						-79
Total Existing						-126
<b>Proposed Uses</b>						
Apartment <sup>2,6</sup>	ITE 222	794	DU	2.07		1,644
(Reduction for transit trips) - 0%						0
(Reduction for walk/bike trips) - 0%						0
Net Apartments						1,644
High-Turnover Restaurant <sup>2,7</sup>	ITE 932	6,252	SF	112.18		701
(Reduction for internal trips) - 15%						-105
(Reduction for transit trips) - 15%						-89
(Reduction for walk/bike trips) - 5%						-25
(Reduction for pass-by trips) - 20%						98
Net High-Turnover Restaurant						398
Quality Restaurant <sup>2,8</sup>	ITE 931	6,252	SF	83.84		524
(Reduction for internal trips) - 15%						-79
(Reduction for transit trips) - 15%						-87
(Reduction for walk/bike trips) - 5%						-19
(Reduction for pass-by trips) - 10%						-38
Net Quality Restaurant						323
Total Proposed						2,353
Total Net						2,227

## AM Peak

Land Use Assumptions	Source <sup>1</sup> & Code	Quantity	Units	AM Peak Hour					
				Trip Rate			Total Trips		
				In	Out	Total	In	Out	Total
<b>Existing Uses</b>									
Manufacturing <sup>2,3,4</sup>	ITE 140	14,853	SF	0.48	0.14	0.62	-7	-2	-9
(Reduction for transit trips) - 15%							1	0	1
(Reduction for walk/bike trips) - 5%							0	0	0
Net Manufacturing							-6	-2	-8
Retail <sup>2,3,6</sup>	ITE 820	5,171	SF	0.00	0.00	0.00	0	0	0
(Reduction for transit trips) - 15%							0	0	0
(Reduction for walk/bike trips) - 5%							0	0	0
(Reduction for pass-by trips) - 50%							0	0	0
Net Retail							0	0	0
Total Existing							-6	-2	-8
<b>Proposed Uses</b>									
Apartment <sup>2,6</sup>	ITE 222	794	DU	0.03	0.18	0.21	24	143	167
(Reduction for transit trips) - 0%							0	0	0
(Reduction for walk/bike trips) - 0%							0	0	0
Net Apartments							24	143	167
High-Turnover Restaurant <sup>2,7</sup>	ITE 932	6,252	SF	5.47	4.47	9.94	34	28	62
(Reduction for internal trips) - 15%							-5	-4	-9
(Reduction for transit trips) - 15%							-4	-4	-8
(Reduction for walk/bike trips) - 5%							-1	-1	-2
(Reduction for pass-by trips) - 20%							-5	-4	-9
Net High-Turnover Restaurant							19	15	34
Quality Restaurant <sup>2,8</sup>	ITE 931	6,252	SF	0.40	0.33	0.73	3	2	5
(Reduction for internal trips) - 15%							-1	0	-1
(Reduction for transit trips) - 15%							0	-1	-1
(Reduction for walk/bike trips) - 5%							0	0	0
(Reduction for pass-by trips) - 10%							0	0	0
Net Quality Restaurant							2	1	3
Total Proposed							45	159	204
Total Net							39	157	196

Table 3.1 1045 Olive - Trip Generation Estimates

1/5/2018

## PM Peak

Land Use Assumptions	Source <sup>1</sup> & Code	Quantity	Units	PM Peak Hour					
				Trip Rate			Total Trips		
				In	Out	Total	In	Out	Total
<b>Existing Uses</b>									
Manufacturing <sup>2,3,4</sup> (Reduction for transit trips) - 15% (Reduction for walk/bike trips) - 5%	ITE 140	14,653	SF	0.21	0.48	0.67	-3	-7	-10
Net Manufacturing							-3	-5	-8
Retail <sup>2,3,5</sup> (Reduction for transit trips) - 15% (Reduction for walk/bike trips) - 5% (Reduction for pass-by trips) - 50%	ITE 820	5,171	SF	1.83	1.98	3.81	-9	-11	-20
Net Retail							-4	-4	-8
Total Existing							-7	-9	-16
<b>Proposed Uses</b>									
Apartment <sup>2,6</sup> (Reduction for transit trips) - 0% (Reduction for walk/bike trips) - 0%	ITE 222	794	DU	0.13	0.06	0.19	103	48	151
Net Apartments							103	48	151
High-Turnover Restaurant <sup>2,7</sup> (Reduction for internal trips) - 15% (Reduction for transit trips) - 15% (Reduction for walk/bike trips) - 5% (Reduction for pass-by trips) - 20%	ITE 932	6,252	SF	6.06	3.71	9.77	38	23	61
Net High-Turnover Restaurant							21	13	34
Quality Restaurant <sup>2,8</sup> (Reduction for internal trips) - 15% (Reduction for transit trips) - 15% (Reduction for walk/bike trips) - 5% (Reduction for pass-by trips) - 10%	ITE 931	6,252	SF	5.23	2.57	7.80	33	16	49
Net Quality Restaurant							21	10	31
Total Proposed							145	71	216
Total Net:							138	62	200

## Notes:

- 1 ITE Rates from Trip Generation, 10th Edition, Institute of Transportation Engineers, Washington, DC, 2017, except otherwise noted
- 2 Trip rate reductions were applied per LADOT's Transportation Impact Study Guidelines, December 2016
- 3 Existing land use data from Crescent Heights and site observations on 9/5/2017
- 4 Manufacturing analyzed as ITE 140 - Manufacturing. Used trip rates for General Urban/Suburban
- 5 Retail analyzed as ITE 820 - Shopping Center. Used trip rates for General Urban/Suburban  
Existing Retail is closed on weekday mornings, therefore no existing trip credit is claimed for the AM peak hour
- 6 Apartments analyzed as ITE 222 - Multifamily Housing (High Rise). Used trip rates for Dense Multi-Use Urban
- 7 High-Turnover Restaurant analyzed as ITE 932 - High-Turnover (Sit-Down) Restaurant. Used trip rates for General Urban/Suburban
- 8 Quality Restaurant analyzed as ITE 931 - Quality Restaurant. Used trip rates for General Urban/Suburban  
Directional Distribution for AM peak from High-Turnover Restaurant, as none published for Quality Restaurant

Note: Some numbers may not add up exactly due to rounding

## Attachment 7

Table 7.2 Future With Project With Mitigation Conditions - Intersection Level of Service - AM Peak Hour

No.	Intersection	Future Without Project Conditions		Future With Project Conditions		Change in V/C	Significant Impact	Future With Project With Mitigation		Change in V/C	Significant Impact	Mitigates ?
		V/C	LOS	V/C	LOS			V/C	LOS			
1	La Live Way & Pico Boulevard	0.905	E	0.907	E	0.002	No					
2	Figueroa Street & Olympic Boulevard	1.158	F	1.162	F	0.004	No					
3	Figueroa Street & Chick Hearn Court	0.827	D	0.842	D	0.015	No					
4	Figueroa Street & Pico Boulevard	0.887	D	0.889	D	0.002	No					
5	Flower Street & Olympic Boulevard	0.776	C	0.779	C	0.003	No					
6	Flower Street & 11th Street	0.315	A	0.333	A	0.018	No					
7	Hope Street & Olympic Boulevard	0.781	C	0.789	C	0.008	No					
8	Hope Street & 11th Street	0.324	A	0.345	A	0.021	No					
9	Grand Avenue & 8th Street	0.567	A	0.570	A	0.003	No					
10	Grand Avenue & 9th Street	0.512	A	0.513	A	0.001	No					
11	Grand Avenue & Olympic Boulevard	0.647	B	0.651	B	0.004	No					
12	Grand Avenue & 11th Street	0.386	A	0.415	A	0.029	No					
13	Grand Avenue & Pico Boulevard	0.763	C	0.779	C	0.016	No					
14	Grand Avenue & Venice Boulevard	0.446	A	0.456	A	0.010	No					
15	Grand Avenue & 17th Street	0.817	D	0.825	D	0.008	No					
16	Grand Avenue & 18th Street	0.666	B	0.674	B	0.008	No					
17	Olive Street & 8th Street	0.833	D	0.839	D	0.006	No					
18	Olive Street & 9th Street	0.707	C	0.715	C	0.008	No					
19	Olive Street & Olympic Boulevard	0.932	E	0.950	E	0.018	Yes	0.937	E	0.005	No	Fully Mitigates
20	Olive Street & 11th Street	0.465	A	0.470	A	0.005	No					
21	Olive Street & Pico Boulevard	0.827	D	0.835	D	0.008	No					
22	Olive Street & 16th Street	0.577	A	0.580	A	0.003	No					
23	Olive Street & 17th Street	0.931	E	0.933	E	0.002	No					
24	Olive Street & 18th Street	0.684	B	0.688	B	0.004	No					

Attachment 8

**Table 7.2 Future With Project With Mitigation Conditions - Intersection Level of Service - AM Peak Hour**

No.	Intersection	Future Without Project Conditions		Future With Project Conditions		Change in V/C	Significant Impact	Future With Project With Mitigation		Change in V/C	Significant Impact	Mitigates ?
		V/C	LOS	V/C	LOS			V/C	LOS			
25	Hill Street & Olympic Boulevard	0.739	C	0.741	C	0.002	No					
26	Hill Street & 11th Street	0.311	A	0.315	A	0.004	No					
27	Broadway & Olympic Boulevard	0.729	C	0.733	C	0.004	No					
28	Broadway & 11th Street	0.367	A	0.369	A	0.002	No					
29	Main Street & Olympic Boulevard	0.884	D	0.885	D	0.001	No					
30	Main Street & 11th Street	0.511	A	0.513	A	0.002	No					
31	Los Angeles Street & Olympic Boulevard	0.462	A	0.463	A	0.001	No					
32	Los Angeles Street & 11th Street	0.225	A	0.227	A	0.002	No					
33	Olive Street & 12th Street	0.460	A	0.465	A	0.005	No					
34	Hill Street & Pico Boulevard	0.497	A	0.497	A	0.000	No					

## Attachment 9

**Table 7.3 Future With Project With Mitigation Conditions - Intersection Level of Service - PM Peak Hour**

No.	Intersection	Future Without Project Conditions		Future With Project Conditions		Change in V/C	Significant Impact	Future With Project With Mitigation		Change in V/C	Significant Impact	Mitigates ?
		V/C	LOS	V/C	LOS			V/C	LOS			
1	La Live Way & Pico Boulevard	0.849	D	0.849	D	0.000	No					
2	Figueroa Street & Olympic Boulevard	1.316	F	1.318	F	0.002	No					
3	Figueroa Street & Chick Hearn Court	1.000	E	1.004	F	0.004	No					
4	Figueroa Street & Pico Boulevard	1.073	F	1.078	F	0.005	No					
5	Flower Street & Olympic Boulevard	1.123	F	1.127	F	0.004	No					
6	Flower Street & 11th Street	0.743	C	0.743	C	0.000	No					
7	Hope Street & Olympic Boulevard	1.022	F	1.027	F	0.005	No					
8	Hope Street & 11th Street	0.687	B	0.693	B	0.006	No					
9	Grand Avenue & 8th Street	0.795	C	0.799	C	0.004	No					
10	Grand Avenue & 9th Street	0.901	E	0.905	E	0.004	No					
11	Grand Avenue & Olympic Boulevard	0.989	E	0.998	E	0.009	No					
12	Grand Avenue & 11th Street	0.861	D	0.871	D	0.010	No					
13	Grand Avenue & Pico Boulevard	1.294	F	1.300	F	0.006	No					
14	Grand Avenue & Venice Boulevard	0.598	A	0.601	B	0.003	No					
15	Grand Avenue & 17th Street	1.139	F	1.143	F	0.004	No					
16	Grand Avenue & 18th Street	0.810	D	0.814	D	0.004	No					
17	Olive Street & 8th Street	0.697	B	0.700	C	0.003	No					
18	Olive Street & 9th Street	0.852	D	0.856	D	0.004	No					
19	Olive Street & Olympic Boulevard	1.128	F	1.139	F	0.011	Yes	1.137	F	0.009	No	Fully Mitigates
20	Olive Street & 11th Street	0.757	C	0.775	C	0.018	No					
21	Olive Street & Pico Boulevard	1.025	F	1.047	F	0.022	Yes	1.033	F	0.008	No	Fully Mitigates
22	Olive Street & 16th Street	0.663	B	0.672	B	0.009	No					
23	Olive Street & 17th Street	1.005	F	1.015	F	0.010	Yes	1.014	F	0.009	No	Fully Mitigates
24	Olive Street & 18th Street	0.751	C	0.758	C	0.007	No					

**Table 7.3 Future With Project With Mitigation Conditions - Intersection Level of Service - PM Peak Hour**

No.	Intersection	Future Without Project Conditions		Future With Project Conditions		Change in V/C	Significant Impact	Future With Project With Mitigation		Change in V/C	Significant Impact	Mitigates ?
		V/C	LOS	V/C	LOS			V/C	LOS			
25	Hill Street & Olympic Boulevard	1.047	F	1.053	F	0.006	No					
26	Hill Street & 11th Street	0.605	B	0.617	B	0.012	No					
27	Broadway & Olympic Boulevard	1.094	F	1.102	F	0.008	No					
28	Broadway & 11th Street	0.719	C	0.728	C	0.009	No					
29	Main Street & Olympic Boulevard	1.122	F	1.129	F	0.007	No					
30	Main Street & 11th Street	0.826	D	0.829	D	0.003	No					
31	Los Angeles Street & Olympic Boulevard	0.803	D	0.805	D	0.002	No					
32	Los Angeles Street & 11th Street	0.575	A	0.578	A	0.003	No					
33	Olive Street & 12th Street	0.528	A	0.542	A	0.014	No					
34	Hill Street & Pico Boulevard	0.811	D	0.811	D	0.000	No					

Table 7.1 1045 Olive - Trip Generation with TDM Program Reduction

7/31/2018

## AM Peak

Land Use Assumptions	Source <sup>1</sup> & Code	Quantity	Units	AM Peak Hour					
				Trip Rate			Total Trips		
				In	Out	Total	In	Out	Total
<b>Existing Uses</b>									
Manufacturing <sup>2,3,4</sup>	ITE 140	14,653	SF	0.48	0.14	0.62	-7	-2	-9
(Reduction for transit trips) - 15%							1	0	1
(Reduction for walk/bike trips) - 5%							0	0	0
Net Manufacturing							-8	-2	-8
Retail <sup>2,3,5</sup>	ITE 820	5,171	SF	0.00	0.00	0.00	0	0	0
(Reduction for transit trips) - 15%							0	0	0
(Reduction for walk/bike trips) - 5%							0	0	0
(Reduction for pass-by trips) - 50%							0	0	0
Net Retail							0	0	0
Total Existing							-6	-2	-8
<b>Proposed Uses</b>									
Apartment <sup>2,6</sup>	ITE 222	794	DU	0.03	0.18	0.21	24	143	167
(Reduction for transit trips) - 0%							0	0	0
(Reduction for walk/bike trips) - 0%							0	0	0
Net Apartments							24	143	167
High-Turnover Restaurant <sup>2,7</sup>	ITE 932	6,252	SF	5.47	4.47	9.94	34	28	62
(Reduction for internal trips) - 15%							-5	-4	-9
(Reduction for transit trips) - 15%							-4	-4	-8
(Reduction for walk/bike trips) - 5%							-1	-1	-2
(Reduction for pass-by trips) - 20%							-5	-4	-9
Net High-Turnover Restaurant							19	15	34
Quality Restaurant <sup>2,8</sup>	ITE 931	6,252	SF	0.40	0.33	0.73	3	2	5
(Reduction for internal trips) - 15%							-1	0	-1
(Reduction for transit trips) - 15%							0	-1	-1
(Reduction for walk/bike trips) - 5%							0	0	0
(Reduction for pass-by trips) - 10%							0	0	0
Net Quality Restaurant							2	1	3
Total Proposed Project							45	159	204
<b>Project TDM Program</b>									
Apartment (Reduction for TDM Program) - 15%							-4	-21	-25
High-Turnover Restaurant (Reduction for TDM Program) - 15%							-3	-2	-5
Quality Restaurant (Reduction for TDM Program) - 15%							0	0	0
Total TDM Reduction							-7	-23	-30
Total Proposed Project with TDM Program							38	136	174
Total Net New Project trips with TDM Program							32	134	166

Table 7.1 1045 Olive - Trip Generation with TDM Program Reduction

7/31/2018

**PM Peak**

Land Use Assumptions	Source <sup>1</sup> & Code	Quantity	Units	PM Peak Hour					
				Trip Rate			Total Trips		
				In	Out	Total	In	Out	Total
<b>Existing Uses</b>									
Manufacturing <sup>2,3,4</sup>	ITE 140	14,653	SF	0.21	0.46	0.67	-3	-7	-10
(Reduction for transit trips) -	15%						0	2	2
(Reduction for walk/bike trips) -	5%						0	0	0
Net Manufacturing							-3	-5	-8
Retail <sup>2,3,5</sup>	ITE 820	5,171	SF	1.83	1.98	3.81	-9	-11	-20
(Reduction for transit trips) -	15%						1	2	3
(Reduction for walk/bike trips) -	5%						0	1	1
(Reduction for pass-by trips) -	50%						4	4	8
Net Retail							-4	-4	-8
Total Existing							-7	-9	-16
<b>Proposed Uses</b>									
Apartment <sup>2,6</sup>	ITE 222	794	DU	0.13	0.06	0.19	103	48	151
(Reduction for transit trips) -	0%						0	0	0
(Reduction for walk/bike trips) -	0%						0	0	0
Net Apartments							103	48	151
High-Turnover Restaurant <sup>2,7</sup>	ITE 932	6,252	SF	8.06	3.71	9.77	38	23	61
(Reduction for internal trips) -	15%						-6	-3	-9
(Reduction for transit trips) -	15%						-5	-3	-8
(Reduction for walk/bike trips) -	5%						-1	-1	-2
(Reduction for pass-by trips) -	20%						-5	-3	-8
Net High-Turnover Restaurant							21	13	34
Quality Restaurant <sup>2,8</sup>	ITE 931	6,252	SF	5.23	2.57	7.80	33	16	49
(Reduction for internal trips) -	15%						-5	-2	-7
(Reduction for transit trips) -	15%						-4	-2	-6
(Reduction for walk/bike trips) -	5%						-1	-1	-2
(Reduction for pass-by trips) -	10%						-2	-1	-3
Net Quality Restaurant							21	10	31
Total Proposed Project							145	71	216
<b>Project TDM Program</b>									
Apartment (Reduction for TDM Program) -	15%						-15	-8	-23
High-Turnover Restaurant (Reduction for TDM Program) -	15%						-3	-2	-5
Quality Restaurant (Reduction for TDM Program) -	15%						1	-6	-5
Total TDM Reduction							-17	-16	-33
Total Proposed Project with TDM Program							128	55	183
Total Net							121	48	167

**Notes:**

1. ITE Rates from Trip Generation, 10th Edition, Institute of Transportation Engineers, Washington, DC, 2017, except otherwise noted.
2. Trip rate reductions were applied per LADOT's Transportation Impact Study Guidelines, December 2016.
3. Existing land use data from Crescent Heights and site observations on 9/5/2017.
4. Manufacturing analyzed as ITE 140 - Manufacturing. Used trip rates for General Urban/Suburban.
5. Retail analyzed as ITE 820 - Shopping Center. Used trip rates for General Urban/Suburban.  
Existing Retail is closed on weekday mornings, therefore no existing trip credit is claimed for the AM peak hour.
6. Apartments analyzed as ITE 222 - Multifamily Housing (High Rise). Used trip rates for Dense Multi-Use Urban.
7. High-Turnover Restaurant analyzed as ITE 932 - High-Turnover (Sit-Down) Restaurant. Used trip rates for General Urban/Suburban.
8. Quality Restaurant analyzed as ITE 931 - Quality Restaurant. Used trip rates for General Urban/Suburban.  
Directional Distribution for AM peak from High-Turnover Restaurant, as none published for Quality Restaurant.

Note : Some numbers may not add up exactly due to rounding

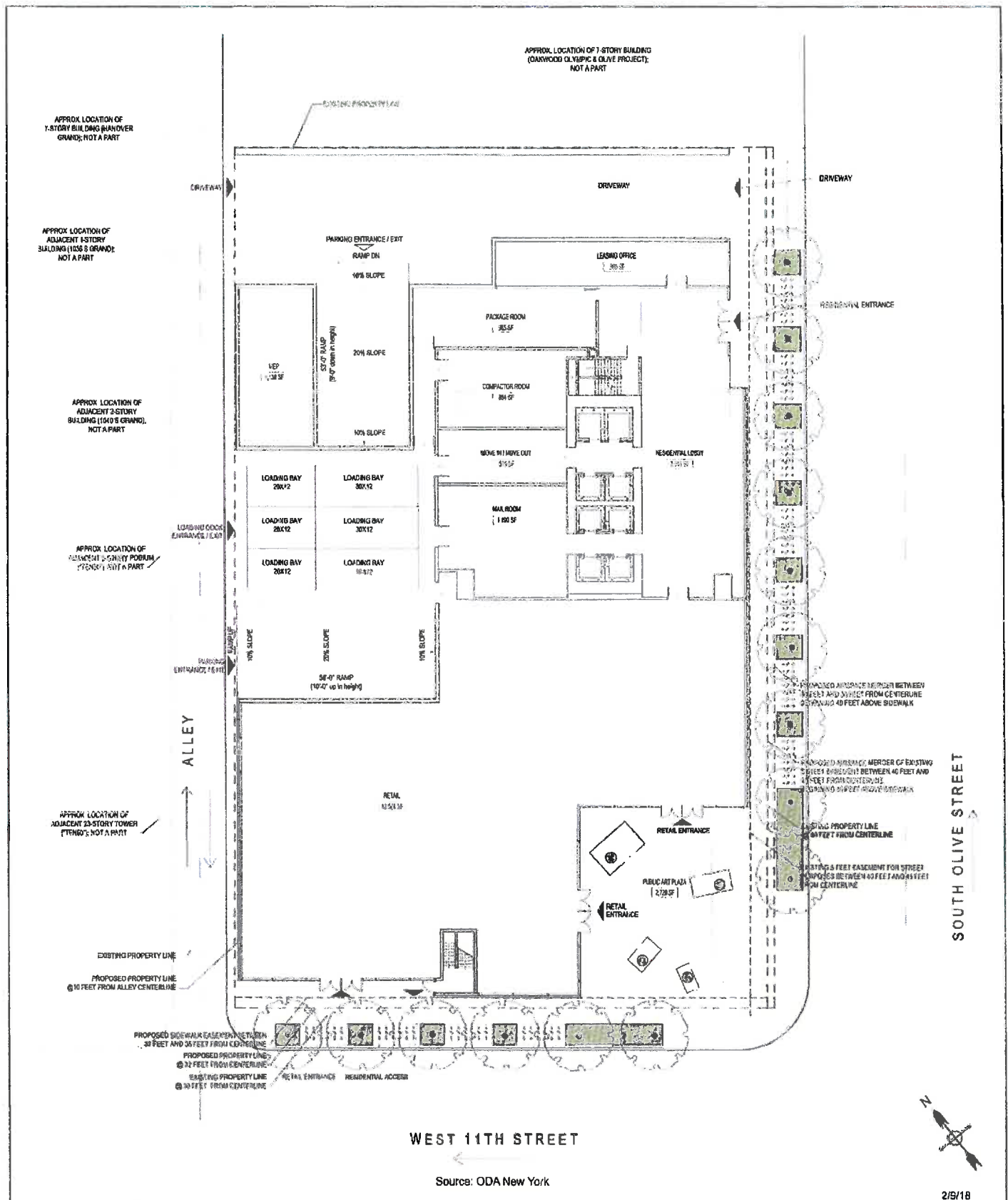


Figure 1.2  
Project Site Plan

1045 Olive Project

**The Mobility Group**  
Transportation Strategies & Solutions


# INITIAL SUBMISSIONS

The following submissions by the public are in compliance with the Commission Rules and Operating Procedures (ROPs), Rule 4.3a. The Commission's ROPs can be accessed at <http://planning.lacity.org>, by selecting "Commissions, Boards & Hearings" and selecting the specific Commission.

The following submissions are not integrated or addressed in the Staff Report but have been distributed to the Commission.

Material which does not comply with the submission rules is not distributed to the Commission.

ENABLE BOOKMARKS ONLINE:

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If you have any questions, please contact the Commission Office at (213) 978-1300.

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May 3, 2021

**VIA EMAIL**

Samantha Millman, President  
Honorable Commissioners  
Los Angeles City Planning Commission  
c/o Los Angeles Department of City Planning  
200 North Spring Street  
Los Angeles, CA 90012-2601

Re: 1045 Olive (May 13 Agenda; Case No. CPC-2017-3251-TDR-MCUP-SPR)

Dear Commission President Millman and Honorable Commissioners:

On behalf of Crescent Heights and 1045 Olive, LLC, we look forward to your consideration of the exciting new mixed-use residential building at the corner of 11<sup>th</sup> Street and Olive Street in downtown Los Angeles. Recognized by the State of California as an Environmental Leadership Development Project, the iconic design provides nearly 800 new housing units in a transit-rich location with beautiful landscaping and a pedestrian-friendly plaza. We have worked closely with Planning staff to refine the Project's podium design, and agree with staff's calculation as to the amount of the Public Benefits Payment associated with the requested Transfer of Floor Area Rights ("TFAR"), including \$10,849,255 for the Direct Public Benefit Provision that can be provided by the Project and \$10,849,255 to be paid into the City's TFAR Trust Fund for its use for public benefits, with an additional \$2,615,980 for the TFAR Transfer Payment, totaling \$24,314,490. The Project concurs with the staff recommendation for an allocation of \$200,000 to the South Park BID and supports use of the remaining over \$21 million for affordable housing.

This \$21 million plus TFAR Public Benefits Payment complies with the objective standards set forth in the City's TFAR rules. California's Housing Accountability Act applies to projects compliant with objective standards. As the City's earlier Project approvals demonstrate, the Project complies with all objective General Plan and Zoning Code criteria and would not create negative public health or safety impacts. The City previously approved the Project's Vesting Tentative Tract Map, filed in early 2017 under rules that do not require the provision of any on-site affordable housing units, and the Project is vested against changes in such rules. The Project's requested approvals should be granted to be consistent with both vesting rules and the Housing Accountability Act. As described below, approval of the Project will create many benefits for the City, and two options are presented to the Commission for directing over \$21 million in TFAR Public Benefits Payments for affordable housing.

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For easy reference, our prior recent submittal letters to the Commission from December 2020 are attached. This correspondence provides more detail on the podium design and outlines two approaches for the Project's TFAR Direct Public Benefits Payment to support affordable housing. As described in more detail in the attached letters, Crescent Heights is not seeking any on-site credit for project elements and is not seeking any zone changes or similar approvals. We understand that Planning staff has recommended that, other than the amount to the South Park BID referenced above, the Project's Public Benefits Payment's Direct Benefit Provision should be directed to the Citywide Affordable Housing Trust Fund. If on-site affordable housing is preferred, the Project offers an innovative approach to provide on-site affordable housing appropriate for downtown workers by utilizing the majority of the Direct Benefit portion of such funds, over \$10 million, to provide 24 on-site workforce housing units. Approval of the Project including the TFAR request will ensure that over \$21 million is available for the City's direction as to affordable housing, as well as nearly 800 units to address the City's housing needs.

We look forward to your consideration of the Project at the May 13, 2021, City Planning Commission hearing and respectfully request your approval of the remaining entitlements for this exciting new development.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lucinda Starrett", with a long horizontal flourish extending to the right.

Lucinda Starrett  
of LATHAM & WATKINS LLP

Enclosures

cc: Elliot Kahn, Crescent Heights  
Adam Tartakovsky, Crescent Heights  
James L. Arnone, Latham & Watkins  
Lauren Glaser, Latham & Watkins

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Hong Kong	Shanghai
Houston	Silicon Valley
London	Singapore
Los Angeles	Tokyo
Madrid	Washington, D.C.
Milan	

December 7, 2020

**VIA EMAIL**

Ms. Samantha Millman, President  
Honorable Commissioners  
Los Angeles City Planning Commission  
c/o Los Angeles Department of City Planning  
200 North Spring Street  
Los Angeles, CA 90012-2601

Re: December 17, 2020, Agenda: 1045 Olive Project –  
CPC-2017-3251-TDR-MCUP-SPR

Dear Commission President Millman and Commissioners:

On behalf of Crescent Heights and 1045 Olive, LLC, we look forward to your consideration of their new proposed 70-story mixed-use residential building (the “Project”) in downtown Los Angeles.

Founded in the Los Angeles area over thirty-five years ago, Crescent Heights successfully develops and manages architecturally distinctive urban high-rises in major cities across the United States. Recent Los Angeles highlights include Ten Thousand on Santa Monica Boulevard, adjacent to Century City, with 281 residential units designed by Handel Architects with over an acre of landscaped gardens. Construction is planned to commence soon for the Palladium Residences, designed by Stanley Saitowitz with 731 residential units adjacent to the historic Hollywood Palladium, which Crescent Heights landmarked in cooperation with community leaders. Beautifully landscaped, the Palladium Residences design includes community-serving retail to enliven Sunset Boulevard with restaurants, art, and entertainment.

Crescent Heights looks forward to your review of the iconic design for its Downtown project, bringing world-class architects ODA to Los Angeles for the first time. Recognized as an Environmental Leadership Development Project, the 1045 Olive Project will transform its location at 1033-1057 S. Olive Street (the “Project Site”) into an architectural showpiece. The innovative tower offers 794 residential units, incorporating terraces and open space on the 53<sup>rd</sup> through 55<sup>th</sup> floors, landscaped amenity decks, and a thoughtfully designed pedestrian-friendly connection to the street. The vibrant, inviting plaza on the corner of Olive Street and 11<sup>th</sup> Street opens to double-height retail and restaurant space, designed to include offerings for the local community and visitors. ODA also designed the Project’s landscaping including fifteen canopy

trees for the streetscape on Olive Street and 11<sup>th</sup> Street, climbing vines for the public plaza, and elevated garden elements including native grasses, perennials, and trees.

The Project's only entitlement requests before the City Planning Commission are for Site Plan Review, a Master Conditional Use Permit ("MCUB") to allow the on-site sale and service of alcohol, and a recommendation for City Council approval of a Transfer of Floor Area Rights ("TFAR"). The Deputy Advisory Agency already approved the Project's Vesting Tentative Tract Map (VTT-74531) and certified the Project's Environmental Impact Report (ENV-2016-4360-EIR), both without appeals. Staff has also reviewed the EIR and recommends it as appropriately addressing the Project for the discretionary approvals before the Commission.

The Project was initially scheduled to be heard by the City Planning Commission in March but that hearing was cancelled as a result of the COVID-19 pandemic and emergency orders. The Project's consideration has since been postponed at our request to December 17, which has allowed additional collaborative discussions among Crescent Heights, ODA, and City staff, as all have worked together to refine the podium design further. We have also coordinated with City staff on TFAR approaches, and approval of the Project's proposed TFAR request will result in an approximately \$21.6 million contribution toward public benefits.

## **I. PROJECT DESIGN OVERVIEW AND UPDATES**

The Project Site in the South Park District of Downtown sits at the corner of Olive Street and 11<sup>th</sup> Street. The Project Site is currently developed with low-rise commercial buildings oriented toward Olive Street, with adjacent uses also including multi-family residential and parking uses.

The Project will add nearly 800 housing units Downtown, contributing to the supply of housing that regional planning agencies are seeking for Los Angeles. The exciting design provides ground floor retail, dining, and pedestrian amenities for the public, as well as unique spaces for residents. These include a landscaped terrace around floors nine and ten planted with trees and shrubbery that are visible from the street level. The mid-tower amenity spaces, which are highlighted by architecturally designed fritted glass, create the Project's unique, open silhouette breaking up the traditional tower massing. The roof deck will include landscaped areas for residents.

In response to City staff feedback, the current design of the Project's street-level and podium frontages have been further refined. The Project continues to emphasize the pedestrian experience by improving the corner of Olive Street and 11<sup>th</sup> Street with retail and restaurant space and a public plaza. The approximately 2,700-square-foot public plaza includes street furniture and landscaping, adjacent to approximately 12,000 square feet of new retail and restaurant spaces. Together, the new public plaza and commercial uses will activate the corner, create a pedestrian-oriented focal point, and serve the growing residential community of South Park, including residents of the Project.

Though the public plaza will feature lush landscaping, the Project is no longer proposing that the podium screening system include bioreceptive panels designed to achieve a biodiversity

habitat system. Following discussions with staff about the additional data they requested in connection with the biodiversity proposal, and recognizing the staff recommendation that TFAR credit would not be granted for such elements, instead the Project's podium design and screening now feature architectural design components. TFAR credit is not requested for on-site design elements.

The newly refined podium architectural design elements have been developed after frequent consultation with Planning staff, which provided examples of model approaches, and have been well-received. The refinements encompass the retail and restaurant spaces, the residential uses featured along the Project's podium from the fourth through ninth floors, and parking areas within the podium. The balconies of the units along the podium are lined with the same architecturally designed fritted glass featured on the upper floor amenity decks, creating visual continuity for the tower's design. The remaining portions of the podium facing pedestrian areas are now veiled in a clean glass façade, rather than the previously proposed metal cladding with biodiversity landscape screening. The back-painted glass shields parking areas within the podium from pedestrian view and fully obscures interior automobile lights and vehicle movements.

With these refinements, the cohesive, innovative design including the ground level facades, podium, and tower is further enhanced. The Project's plans have been updated to reflect the revised design and we respectfully request that condition references to the Exhibit A be updated from the prior date of March 2020 to the new date for the December 2020 updated plans.

## II. PROJECT BACKGROUND

The Governor certified the Project as meeting the stringent criteria for Environmental Leadership Development Projects (certified in April 2018). Specifically, the Project will achieve LEED Gold certification, result in 15 percent greater transportation efficiency than similar projects, and result in a net-zero increase in greenhouse gas emissions. As the June staff report notes, this certification ensures "many energy efficient and sustainability features to help the City and State reach its goal in reducing GHG emissions" (June staff report at A-21).

The Project's entitlement applications including a Vesting Tentative Tract Map were filed in 2017, and the City published the Notice of Preparation of the Project's EIR later that year. After completing the Project's Draft EIR and Final EIR, the environmental certification was considered at the January 15, 2020, joint Advisory Agency/Hearing Officer hearing. On February 9, 2020, the Deputy Advisory Agency approved the Project's Vesting Tentative Tract Map and certified the Project's EIR. That determination was not appealed. A Notice of Determination was filed and no judicial challenges to the EIR's certification were submitted.

As staff has noted in a prior staff report, California's Housing Accountability Act applies to projects compliant with objective standards. As the City's prior approvals indicate, the Project complies with all objective zoning and General Plan criteria. There is no evidence that the Project would create an unavoidable public health or safety impact.

As detailed in the Economic and Fiscal Impact Analysis prepared by the Los Angeles Economic Development Corporation, the Project will provide very significant economic benefits to the City and region. The Project's construction will create more than 4,700 jobs and result in more than \$325 million in labor income. Construction alone will result in more than \$800 million of economic output and more than \$98 million in local, state, and federal tax revenue. Annually, the Project is expected to result in \$67 million of economic output and more than \$14 million in tax revenue.

### **III. REQUESTED SITE PLAN REVIEW AND MCUB ENTITLEMENTS**

The Project is seeking approval of Site Plan Review and a Master Conditional Use-Beverage for alcohol sale and service. As discussed further below, the Project is consistent with all applicable plans and policy documents and we appreciate staff's recommendation for the City to make all of the required findings in support of these approvals for the Project.

#### **A. Site Plan Review**

The Project requests a Site Plan Review because it proposes more than 50 residential dwelling units. The Project's design, refined as described above, reflects an innovative approach to developing a high-rise multifamily development by breaking up the tower's massing with open terraces and amenity spaces, lining the podium with residential units, and carving out the corner public plaza.

#### **B. Master Conditional Use Permit for Alcohol**

The Project requests an MCUB to authorize the sale and service of a full-line of alcoholic beverages within up to ten establishments within the ground floor commercial space and throughout the open space and amenity floors within the Project's residential portions. Alcohol sales are anticipated by establishments which could include a food hall. Alcohol service is customarily offered to patrons of high-quality restaurants and food-service establishments. The Project's ground floor commercial space will serve not only the residents of the Project, but the larger South Park community by providing additional shopping and dining options in a walkable neighborhood.

### **IV. TFAR AND AFFORDABLE HOUSING**

#### **A. Transfer of Floor Area Rights**

As noted above, the Project is no longer requesting an allocation of TFAR credit for on-site uses for the public plaza. We have worked collaboratively with staff as to the appropriate methodology for calculating the TFAR payment. As a technical correction, we have also provided documentation to support the accurate number to be used for the lot area of the Project site before dedications ("Lot Area"). LAMC Section 14.5.9 on TFAR specifies that Lot Area is "prior to any dedications."

As background, prior to the then-scheduled June hearing date (and before we joined the 1045 Olive team), staff had indicated they did not agree with the then-proposed Lot Area of

57,829 square feet for the TFAR payment calculation, which had been proposed to equate to the Buildable Area number. As staff detailed in the Supplemental Staff Report dated June 15, 2020, the Buildable Area formula includes square footage up to the center line of adjacent streets for the purposes of calculating the maximum size permitted for a Transit Area Mixed Use Project such as this Project. While the Project team and staff agreed on the number for Buildable Area, there is complexity and lack of clarity in the various applicable provisions and disagreement occurred as to whether that Buildable Area figure should also be used for the Lot Area calculation.

After reviewing the Supplemental Staff Report, the Project now accepts staff's interpretation that Lot Area does not equate to Buildable Area and thus the 57,829 square feet number should not be used for Lot Area in the TFAR calculation. To calculate the Lot Area, however, staff utilized an ALTA survey which we have now had the opportunity to review further. The ALTA survey identified the lot area after certain dedications rather than "prior to any dedications." However the underlying property is subject to easements for sidewalks on adjacent streets and an adjacent alley, and we have provided the underlying documentation to substantiate the Lot Area as including the underlying fee ownership of these easements "prior to any dedications." We understand that staff has reviewed this documentation in conjunction with the Bureau of Engineering. Accordingly, rather than the number the June staff report had used from the ALTA survey of 38,097 square feet, we believe the Lot Area prior to dedications is 41,603 square feet. The 41,603 square feet number correctly includes the land underlying easements for an alley and adjacent street; in fact, one such easement dedication is the same property document that applied to a prior City-approved TFAR project also located on Olive Street where the sidewalk easement was acknowledged as being included in the Lot Area (820 Olive).

Applying the same TFAR calculation methodology as identified by staff to the 41,603-square-foot Lot Area, the Project is requesting a transfer of 502,159 square feet of floor area to obtain a floor area ratio of 13 to 1. As a result, the total TFAR Public Benefit to be contributed toward affordable housing, local neighborhood improvements, and other public benefits is \$19,071,010. In addition, the Project will provide a TFAR Transfer Payment of \$2,510,795, for a total contribution of nearly \$21.6 million.

Crescent Heights concurs with staff that 50% of the Public Benefit Payment should go to the TFAR Trust Fund. As to the additional 50% that is eligible for direct allocation, we also concur that a direct payment should be made to the South Park Business Improvement District ("BID"). For the South Park BID, the original applicant-proposed allocation reflected the \$200,000 that had been identified as the BID's cost for development of parklets and a nearby dog park, and accordingly we request that the current allocation also reflect that \$200,000 sum.

For the remaining 49% of the total that is eligible for direct allocation, we recommend two options for the Commission's consideration. While the City Council must approve the TFAR allocation, we present two options for the Commission's consideration and recommendation to the City Council.

For the first option, the overall TFAR allocation would include a direct payment to the Citywide Affordable Housing Trust Fund, with details as follows:

	<b>Updated TFAR Public Benefits Plan Request – Option A</b>	
Amount for Public Benefits Cash Payment to TFAR Public Benefits Trust Fund (50%)	\$9,535,505	Payment to TFAR Public Benefits Trust Fund 50% of overall Public Benefit Payment
Amount Eligible for Public Benefit Direct Provision (50%)	\$9,535,505	Percentage of Public Benefit Payment: 50% Subtotals below as follows:
South Park BID	\$200,000	Percentage of Public Benefit Payment: 1%
Allocation of Remaining Amount Eligible for Public Benefit Direct Provision: Citywide Affordable Housing Trust Fund	\$9,335,505	Percentage of Public Benefit Payment: 49%
<b>TOTAL</b>	<b>\$19,071,010</b>	100%
<b>TFAR Transfer Fee</b>	<b>\$2,510,795</b>	Paid to the Public Benefits Trust Fund
<b>AMOUNT DUE</b>	<b>\$21,581,805</b>	

#### **B. Affordable Housing and Applicant's Willingness to Make Direct TFAR Contributions On-Site: Alternative Option and Economic Analysis**

The Applicant also offers the following alternative option for the Commission's consideration.

The Project has made costly commitments with this architecturally distinctive design, including the public benefits such as the public plaza and Environmental Leadership elements with LEED Gold and other sustainability measures in support of emission reduction goals. Accordingly, construction costs for this high-rise Project will be significant, and the Applicant projects that construction financing will be predicated on rents averaging \$4.50 per square foot. As shown on the attached financial analysis, projected rents for the apartment units are estimated at the \$4.50 per square foot cost. The analysis calculates the cost if market rents were reduced on 24 units to be affordable for Workforce Income households (using the Greater Downtown Incentive Area definition of Workforce Income at 150% of Area Median Income). As shown in

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the analysis, the subsidy per unit would be approximately \$518,749, for a total of \$12,449,971. Accordingly, if the City chose to expend TFAR or other affordable housing funds on such Workforce housing units in a comparable project Downtown for a 55 year period, we anticipate the subsidy cost for the 24 units would be about \$12,449,971.

Recognizing that the Commission is strongly supportive of affordable housing, we believe the total approximately \$21.6 million payment by the Project will provide a significant benefit to the City. However in the event the City would prefer a direct provision of Workforce housing on-site for the Project in lieu of the remaining amount eligible for Public Benefit Direct Provision, \$9,335,505, the Project would be willing to provide 24 workforce units rather than paying that amount. Based on our estimates, that would represent a cost savings for the City of \$3,114,466 compared to the estimated rent subsidies as identified in the attached financial analysis.

The TFAR allocation for this Option would be as follows:

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	<b>Updated TFAR Public Benefits Plan Request</b>		<b>Option A – Allocation of Remaining Amount Eligible for Direct Provision</b>	<b>Option B – Direct Provision to On-Site Affordable Housing</b>
	Amount	Percentage of Public Benefit Payment		
Amount for Public Benefits Cash Payment to TFAR Public Benefits Trust Fund (50%)	\$9,535,505	50%	Payment to TFAR Public Benefits Trust Fund 50% of overall Public Benefit Payment	
Amount Eligible for Public Benefit Direct Provision (50%)	\$9,535,505	50%		
Recommended for Direct Provision:				
South Park BID	\$200,000	1%	Same	
Allocation of Remaining Amount Eligible for Public Benefit Direct Provision	\$9,335,505	49%	Citywide Affordable Housing Trust Fund	In lieu of providing this portion of Direct Provision TFAR payment, Project to provide 24 Workforce Housing units, for incomes up to 150% of median, restricted by covenant for 55 years
<b>TOTAL</b>	<b>\$19,071,010</b>	<b>100%</b>		
<b>TFAR Transfer Fee</b>	<b>\$2,510,795</b>			
<b>AMOUNT DUE</b>	<b>\$21,581,805</b>			

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We recognize that this is an innovative approach and that the City Council would need to consider it further, with additional financial review as deemed appropriate by the City's TFAR Public Benefit Trust Fund staff. Thus, we offer the concept as an alternative for discussion, given that with the City's very significant affordable housing needs, creative ideas are worth consideration.

**V. CONCLUSION**

In summary, as staff has recommended, all of the findings should be made for this Project as necessary for these three approvals, with approval of the updated design refinements as reflected in the December 2020 Exhibit A. With the requested TFAR transfer, the Project will comply with all applicable density and floor area ratio requirements and is consistent with the applicable land use plans, including the Central City Community Plan and the City Center Redevelopment Plan. The Project will provide much-needed housing in the transit-oriented, walkable South Park neighborhood.

Further, the Project's iconic design is compatible with existing and future developments in the area, and it will enhance the built environment and the City's skyline with its unique design and innovative massing. The Project also focuses on the pedestrian experience, by providing new retail and restaurant space, cladding the podium with high-quality materials and housing units, and creating a welcoming public plaza, with architectural designs further refined as a result of Planning discussions.

We look forward to your consideration of the Project at the December 17, 2020, City Planning Commission hearing and respectfully request your approval of the remaining entitlements needed to authorize this exciting new development.

Very truly yours,

A handwritten signature in black ink, reading "Lucinda Starrett". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Lucinda Starrett  
of LATHAM & WATKINS LLP

cc: Bruce Menin, Crescent Heights  
Elliot Kahn, Crescent Heights  
Adam Tartakovsky, Crescent Heights  
James L. Arnone, Latham & Watkins  
Lauren Glaser, Latham & Watkins

## 1045 Olive - Los Angeles, CA

### Affordable Housing/TFAR

#### LA County AMI Levels

	<u>Annual Income</u>	<u>Rent @ 30%</u>	<u>Monthly Rent</u>	<u>Rent PSF</u>
Workforce Income (150 AMI) (family of four)	\$115,938	\$34,781	\$2,898	\$3.62

#### DTLA Rent Assumptions

	<u>Rent PSF</u>	<u>Assumed SF/Unit</u>	<u>Monthly Rent</u>	<u>Annual Rent</u>
Market	\$4.50	800	\$3,600	\$43,200
Workforce	\$2.90	1000	\$2,898	\$34,781

#### Present Value of CF

Market	\$2,376,000
Workforce	\$1,857,251

#### Delta: One Unit

Market vs. Workforce	\$518,749
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#### Delta: 24 Units

Market vs. Workforce	\$12,449,971
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December 15, 2020

**VIA EMAIL**

Ms. Samantha Millman, President  
Honorable Commissioners  
Los Angeles City Planning Commission  
c/o Los Angeles Department of City Planning  
200 North Spring Street  
Los Angeles, CA 90012-2601

Re: December 17, 2020, Agenda: 1045 Olive Project –  
CPC-2017-3251-TDR-MCUP-SPR – Secondary Submittal

Dear Commission President Millman and Commissioners:

On behalf of Crescent Heights and 1045 Olive, LLC, we write to respond to the Staff Report and appreciate our additional discussions with staff about this iconic new 70-story mixed-use residential building (the “Project”) in downtown Los Angeles.

We appreciate the Staff Report’s support for the updated podium design and together with the Project’s world-class architects, ODA, look forward to presenting to you later this week. The Project’s design has been carefully developed and incorporates important Environmental Leadership Development Project (“ELDP”) commitments approved by the Governor after review by the California Air Resources Board, consistent with stringent state law guidelines. These include the rooftop design with extensive landscaping to reduce any potential “heat island” effect, as required by ELDP commitments.

The podium design incorporates the tower’s signature design element of “fritted” glass on the balconies of podium-level residential units, while fully shielding parking areas with opaque glass. After extensive study, including analysis of City-provided examples of desirable podium screening approaches, several options were reviewed with staff. This process resulted in strong concurrence between staff and the design team on the preferred option. Attached are graphics showing a summary of options reviewed before selection of the architectural approach incorporated in the updated design.

Recognition as an ELDP Project requires a minimum \$100 million investment in California, and the Project greatly exceeds that threshold. As outlined in the Economic and

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Fiscal Impact Report prepared by the Los Angeles Economic Development Corporation's Institute for Applied Economics, Project investment is over \$450 million. The Project has also committed to honor prevailing wage consistent with ELDP requirements. As Los Angeles plans for economic recovery and creation of quality jobs for the post-pandemic era, approval of projects like 1045 Olive is critically important.

For the Project's construction phase, the Report projects 2,460 direct jobs and 2,260 indirect jobs, for a total of 4,720 jobs, with an associated creation of labor income of \$327 million. Nearly \$100 million in taxes will be generated by construction, bringing much-needed government revenues to pay for essential services. The total economic impact of construction is projected as \$808 million.

With Project completion and ongoing operations, including the spending of residents in the nearly 800 units on local and regional goods and services, support is estimated for 400 direct jobs with an additional 150 indirect jobs for a total of 550 jobs, creating \$20.5 million annually in labor income from operations. On an annual basis, nearly \$14.2 million will be generated in taxes, supporting government operations including revenue for essential services. The report anticipates the annual total of economic activity supported by the Project in LA County during operations as over \$67 million.

The sustainability and "zero net GHG" commitments incorporated for ELDP approval go well beyond any City green building requirements and, coupled with other project design elements and proposed public benefits, serve as a model for other LA projects. These commitments include:

- No net new emissions of GHG, including all projected additional emissions
- Honor prevailing wage for all project employment
- Offset construction emissions and operational emissions through project design features and/or purchasing carbon credits
- LEED Gold sustainability
- Incorporate heat island reduction strategies, with extensive landscaping and canopy trees to provide shade and capture carbon dioxide
- Optimize building energy performance with a minimum of a 5% reduction from LEED baseline
- Reduce water consumption by 40% for indoor water and by 50% for outdoor water from the LEED baseline
- Reduce indoor potable water use by at least 20% with water fixtures that exceed applicable standards
- Provide on-site recycling areas with containers and storage areas
- Prohibit use of natural gas-fueled fireplaces in residential units
- Located in transit-adjacent area, robust TDM program, bicycle sharing, EV parking
- Extensive pedestrian amenities and community serving retail
- Approximately \$21.6 million provided in public benefit funding through TFAR, which can be used to support affordable housing

As to TFAR, we have also continued discussions with Planning staff. They advised late last week that they are coordinating internally with LA DBS and BOE on the Lot Area calculation and provided additional information for review, which is much appreciated. For the purposes of the Commission's deliberations on TFAR, we understand staff is recommending calculations based on a Lot Area that does not include the square footage owned by the Project which underlies the adjacent alley and sidewalks, where easements were obtained by the City, and accordingly this letter updates our prior calculations to utilize the staff recommended numbers for your review of the policy issues for allocation.

Using Staff's calculation, the Public Benefits Payment is for a total of \$21,698,509, and we concur with staff that 50% of the Public Benefit Payment should go to the TFAR Trust Fund. As to the additional 50% that is eligible for direct allocation, we also concur that a direct payment of \$200,000 should be made to the South Park Business Improvement District ("BID"). This reflects the \$200,000 identified as the BID's cost for development of parklets and a nearby dog park.

For the remaining 49% of the total that is eligible for direct allocation, we recommend two options for the Commission's consideration and recommendation to City Council.

For Option A, the overall TFAR allocation would include a direct payment to the Citywide Affordable Housing Trust Fund, with details as follows:

	<b>Updated TFAR Public Benefits Plan Request – Option A</b>	
Amount for Public Benefits Cash Payment to TFAR Public Benefits Trust Fund (50%)	\$10,849,255	Payment to TFAR Public Benefits Trust Fund 50% of overall Public Benefit Payment
Amount Eligible for Public Benefit Direct Provision (50%)	\$10,849,255	Percentage of Public Benefit Payment: 50% Subtotals below as follows:
Recommended for Direct Provision:		
South Park BID	\$200,000	Percentage of Public Benefit Payment: 1%
Allocation of Remaining Amount Eligible for Public Benefit Direct Provision: Citywide Affordable Housing Trust Fund	\$10,649,255	Percentage of Public Benefit Payment: 49%
<b>TOTAL</b>	<b>\$21,698,509</b>	

For Option B, the Applicant is willing to utilize TFAR for direct provision of on-site affordable Workforce housing. As noted in our submittal letter dated December 7, 2020, the Project has made costly commitments with this architecturally distinctive design, including the public benefits such as the public plaza and Environmental Leadership elements with LEED Gold and other sustainability measures in support of emission reduction goals. The financial analysis attached to our prior letter shows the cost if market rents were reduced on 24 units to be affordable for Workforce Income households (using the Greater Downtown Incentive Area definition of Workforce Income at 150% of Area Median Income). As shown in the analysis, the subsidy per unit would be approximately \$518,749, for a total of \$12,449,971. Accordingly, if the City chose to expend TFAR or other affordable housing funds on such Workforce housing units in a comparable project Downtown for a 55 year period, we anticipate the subsidy cost for the 24 units would be about \$12,449,971.

Recognizing that the Commission is strongly supportive of affordable housing, and may prefer a direct provision of Workforce housing on-site for the Project, Option B would utilize the remaining amount eligible for Public Benefit Direct Provision, \$10,849,255, to cover most of the cost so the Project can provide 24 Workforce units. Based on our estimates, that would represent an additional cost to the Project, and a cost savings for the City, of approximately \$1,600,716 compared to the estimated rent subsidies cost.

The TFAR allocation for this Option B would be as follows:

	<b>Updated TFAR Public Benefits Plan Request Option B –Direct Provision to On-Site Affordable Housing</b>	
Amount for Public Benefits Cash Payment to TFAR Public Benefits Trust Fund (50%)	\$10,849,255	
Amount Eligible for Public Benefit Direct Provision (50%)	\$10,849,255	
Recommended for Direct Provision:		
South Park BID	\$200,000	
Allocation of Remaining Amount Eligible for Public Benefit Direct Provision	\$10,649,255	Project to provide 24 Workforce Housing units restricted by covenant for 55 years, and absorb estimated excess cost (approx. \$1.6m)
<b>TOTAL</b>	<b>\$21,698,509</b>	

We look forward to your review of this innovative approach.

LATHAM & WATKINS<sup>LLP</sup>

In summary, as staff has recommended, all of the necessary findings of compliance with City requirements are present for this Project, which has already been approved by the Advisory Agency with a certified EIR. With LEED Gold sustainability levels, GHG reductions and economic investments, the Project has been recognized by the State of California as meeting Environmental Leadership Development Project standards. The Project meets all objective standards for approval by the City of the remaining entitlements so that nearly 800 residential units can be added to the housing supply approved in Los Angeles, located in a transit-oriented, walkable South Park neighborhood.

We look forward to your consideration of the Project at the December 17, 2020, City Planning Commission hearing and respectfully request your approval of the remaining entitlements needed to authorize this exciting new development.

Very truly yours,

A handwritten signature in black ink, reading "Lucinda Starrett". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Lucinda Starrett  
of LATHAM & WATKINS LLP

cc: Bruce Menin, Crescent Heights  
Elliot Kahn, Crescent Heights  
Adam Tartakovsky, Crescent Heights  
James L. Arnone, Latham & Watkins  
Lauren Glaser, Latham & Watkins



#A NO FRIT



#B BOX FRIT



#A FRITTED



#B BOX FRIT



#C NO FRIT



PREVIOUS



1A: FRITTED



PREVIOUS



1B: BOX FRIT



PREVIOUS



1C: NO FRIT