

## CONDITIONS OF APPROVAL

As modified by the PLUM Committee at its September 14, 2021 meeting

### 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 CD 14 Public Benefit Trust Fund Affordable Housing Subaccount 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. 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>1</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.
  - 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

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<sup>1</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.

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.

### C. 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

As modified by the PLUM Committee at its September 14, 2021 meeting

### 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 Eleven 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>2</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

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<sup>2</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.

units and 12,504 square feet of active ground floor commercial uses. The Project would 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 Eleven 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		
CD14 Public Benefit Trust Fund Affordable Housing Subaccount	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.

## **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).