

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL CASE:	COUNCIL DISTRICT:
APCC-2021-10197-ZC	ENV-2016-1081-MND-REC1	14 – de Leon
RELATED CASE NOS.		COUNCIL FILE NO:
<input checked="" type="checkbox"/> N/A		<input checked="" type="checkbox"/> N/A
PROJECT ADDRESS / LOCATION:		
929 – 939 East 2 nd Street		
APPLICANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
929 E4, LLC 9800 Wilshire Blvd Beverly Hills, CA 90212	N/A	j.zalomek@estate4.co.uk J2@estate4.co.uk
APPLICANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Jerry Neuman & Sara Hernandez, DLA Piper 550 S Hope St, Suite 2400 Los Angeles, CA 90071	213-694-3143	sara.hernandez@dlapiper.com
APPELLANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input checked="" type="checkbox"/> N/A		
APPELLANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input checked="" type="checkbox"/> N/A		
PLANNER CONTACT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Stephanie Escobar	213-978-1492	stephanie.escobar@lacity.org
ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):		
Zone Change (ZC) <input checked="" type="checkbox"/> <i>The preparation of a draft ordinance by the City Attorney will be required.</i>		
FINAL ENTITLMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION: (UNAPPEALED OR NON-APPEALABLE ITEMS)		
<input checked="" type="checkbox"/> N/A		
ITEMS APPEALED:		
<input checked="" type="checkbox"/> N/A		

ATTACHMENTS:	REVISED:	ENVIRONMENTAL DOCUMENT:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination <input checked="" type="checkbox"/> Findings of Fact <input checked="" type="checkbox"/> Staff Recommendation Report <input checked="" type="checkbox"/> Conditions of Approval <input checked="" type="checkbox"/> T Conditions <input type="checkbox"/> Proposed Ordinance <input checked="" type="checkbox"/> Zone Change Map and Ordinance <input type="checkbox"/> GPA Resolution <input type="checkbox"/> Land Use Map <input checked="" type="checkbox"/> Exhibit A – Plans <input checked="" type="checkbox"/> Mailing List <input checked="" type="checkbox"/> Interested Parties List <input type="checkbox"/> Appeal <input type="checkbox"/> Development Agreement <input type="checkbox"/> Site Photographs <input type="checkbox"/> Other:	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Categorical Exemption (CE) (Notice of Exemption) <input type="checkbox"/> Statutory Exemption (SE) (Notice of Exemption) <input type="checkbox"/> Negative Declaration (ND) <input checked="" type="checkbox"/> Mitigated Negative Declaration (MND) <input type="checkbox"/> Environmental Impact Report (EIR) <input type="checkbox"/> Mitigation Monitoring Program (MMP) <input type="checkbox"/> Sustainable Communities Project Exemption (SCPE) <input type="checkbox"/> Sustainable Communities Environmental Assessment (SCEA) <input type="checkbox"/> Sustainable Communities Environmental Impact Report (SCEIR) <input type="checkbox"/> Appendices <input checked="" type="checkbox"/> Other: Addendum to previous MND	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
NOTES / INSTRUCTIONS:			
<input checked="" type="checkbox"/> N/A			
FISCAL IMPACT STATEMENT:			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No *If determination states administrative costs are recovered through fees, indicate "Yes."			
PLANNING COMMISSION:			
<input type="checkbox"/> City Planning Commission (CPC) <input type="checkbox"/> Cultural Heritage Commission (CHC) <input checked="" type="checkbox"/> Central Area Planning Commission <input type="checkbox"/> East LA Area Planning Commission <input type="checkbox"/> Harbor Area Planning Commission		<input type="checkbox"/> North Valley Area Planning Commission <input type="checkbox"/> South LA Area Planning Commission <input type="checkbox"/> South Valley Area Planning Commission <input type="checkbox"/> West LA Area Planning Commission	
PLANNING COMMISSION HEARING DATE:		COMMISSION VOTE:	
November 8, 2022		3 – 0	
LAST DAY TO APPEAL:		DATE APPEALED:	
N/A		N/A	
TRANSMITTED BY:		TRANSMITTAL DATE:	
Cecilia Lamas Commission Executive Assistant II		February 14, 2023	



CENTRAL AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: FEBRUARY 9, 2023

Case No. APCC-2021-10197-ZC

Council District: 14 – de Leon

CEQA: ENV-2016-1081-MND-REC1

Plan Area: Central City North

Related Case: CPC-2016-1080-GPA-ZC-HD-MCUP-ZV-SPR

Project Site: 929 – 939 East 2nd Street

Applicant: 929 E4, LLC
Representative: Jerry Neuman/Sara Hernandez, DLA Piper

At its meeting of **November 8, 2022**, the Central Los Angeles Area Planning Commission took the actions below in conjunction with the approval of the following Project:

The modification to an existing (Q) condition originally adopted in 2017 in association with Case No. CPC-2016-1080-GPA-ZC-HD-MCUP-ZV-SPR (Council File No. 17-0808) in order to allow for the development of a 124,233 square-foot commercial building in-lieu of the originally approved 102,679 square-foot commercial building.

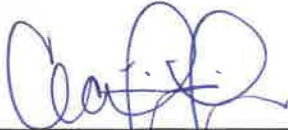
The proposed project involves the addition to an existing 39,148 square-foot, two-story warehouse building with one subterranean level to permit an eight-story, approximately 131-foot high, 124,233 square-foot, commercial development providing space for offices (70,318 square feet), artist studios, photo studios, and screening rooms (17,265 square feet), event spaces (21,000 square feet), and a restaurant/lounge spaces on the first and eighth levels. The total proposed Floor Area Ratio (FAR) is 4.2 to 1. The Project is providing parking to accommodate 270 vehicles and 61 bicycles contained within the existing basement level and ground floor level.

1. **Found**, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the Project was assessed in Mitigated Negative Declaration, No. ENV-2016-1081-MND-REC1, adopted on June 8, 2017, no major revisions are required to the Mitigated Declaration; and no subsequent EIR or negative declaration is required for approval of the Project;
2. **Approved and Recommended** that the City Council **adopt**, pursuant to Section 12.32 F of the Los Angeles Municipal Code, a Zone Change to modify the Qualified Classification at the Site to increase the maximum allowable in floor area from 102,679 square feet to 124,233 square feet;
3. **Adopted** the attached Modified Conditions of Approval; and
4. **Adopted** the attached Amended Findings.

The vote proceeded as follows:

Moved: Kang
Second: Lindgren
Ayes: Lawrence
Absent: Gold, DelGado

Vote: 3 – 0



Cecilia Lamas, Commission Executive Assistant II
Central Los Angeles Area Planning Commission

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

Effective Date/Appeals: The decision of the Central Los Angeles Area Planning Commission as it relates to the Zone Change is appealable by the Applicant only, if disapproved in whole or in part by the Commission, is appealable to the Los Angeles City Council within 20 days after the mailing date of this determination letter. Any appeal not filed within the 20-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: N/A

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

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

Attachments: Zone Change Ordinance, Map, Modified Conditions of Approval, Amended Findings, Interim Appeal Filing Procedure

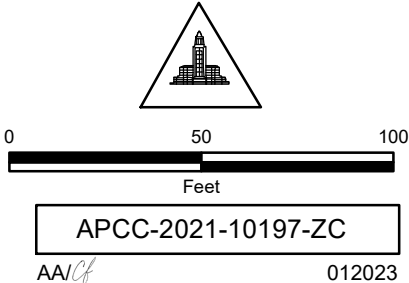
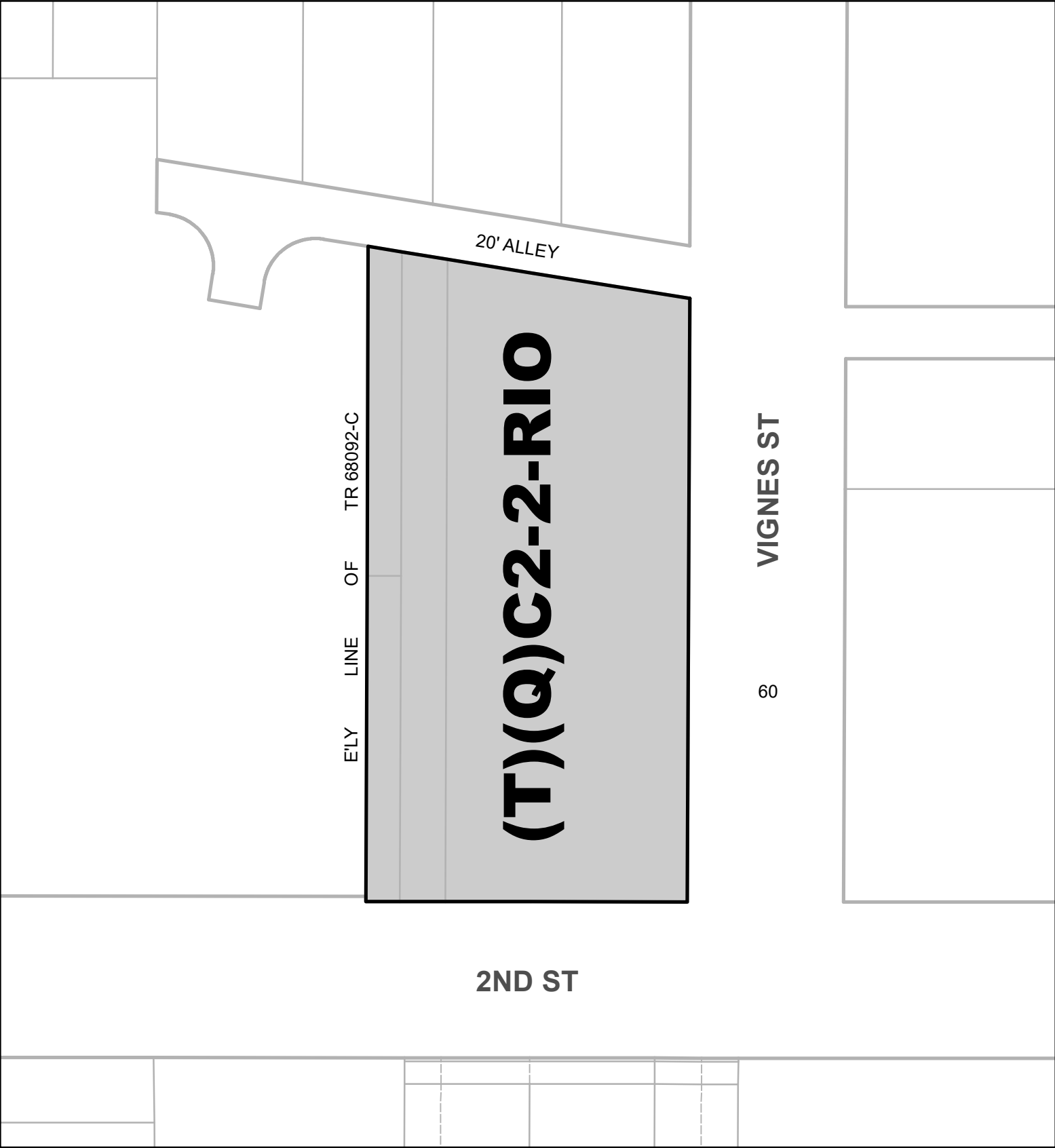
c: Heather Bleemers, Senior City Planner
Renata Ooms, City Planner
Stephanie Escobar, City Planning Associate

ORDINANCE NO. _____

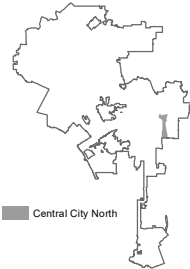
An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:



City of Los Angeles



(Q) QUALIFIED CONDITIONS

Pursuant to Section 12.32 G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the “Q” Qualified classification.

1. **Use.** The use and area regulations of the development shall be developed for uses as permitted in the C2 Zone as defined in LAMC Section 12.14, except as modified by the conditions herein or subsequent action.
2. **Site Development.** The use and development of the property shall be in substantial conformance with the plans submitted with the application and marked Exhibit “A”, stamped-dated June 7, 2022, except as may be revised as a result of this action.
3. **Floor Area.** The total floor area shall not exceed 124,233 square feet (approximately 4.2 to 1 Floor Area Ratio) of commercial development, as shown on Exhibit “A”, stamped-dated June 7, 2022.
4. **Height.** The building shall not exceed a height of 131 feet.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32-G of the Municipal Code, the (T) Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

Dedications and Improvements. Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional, and Federal government agencies as may be necessary).

Responsibilities/Guarantees.

1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
2. **Bureau of Engineering.** Prior to the issuance of sign-offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to the project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.
 - a. Street Dedications:
 - i. That a 3-foot wide strip of land be dedicated along 2nd Street adjoining the subdivision where there no existing structures to complete a 33-foot wide half right-of-way dedication in accordance with Collector Street Standards of LA Mobility Plan.
 - b. Street Improvements:
 - i. Improve 2nd Street portion being dedicated and adjoining the tract by the construction of an additional concrete sidewalk to complete a full-width concrete sidewalk with tree wells including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.
 - ii. Improve the alley adjoining the tract by repairing any bad order portion of the alley satisfactory to the City Engineer.
3. **Urban Forestry.** Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the subdivider or contractor shall notify the Urban Forestry Division (213-847-3077) upon completion of construction to expedite tree planting.

Note: All protected tree removals must be approved by the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077

4. **Bureau of Street Lighting.** Construct new street lights: three (3) on Vignes Street and two (2) on 2nd Street.

Notice

- If conditions dictate, connections to the public sewer system may be postponed until adequate capacity is available.
- Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.) as required herein, are completed to the satisfaction of the City Engineer.

CONDITIONS OF APPROVAL

(As Modified by the Central Los Angeles Area Planning Commission at its meeting November 8, 2022)

The following conditions are hereby imposed upon the use of the subject property:

Entitlement Conditions

1. **Site Development.** The use and development of the property shall be in substantial conformance with the plans submitted with the application and marked Exhibit "A", stamp-dated June 7, 2022, except as may be revised as a result of this action.
2. **Floor Area.** The total floor area shall not exceed 124,233 square feet of commercial development, as shown on Exhibit "A", stamped-dated June 7, 2022.
3. **Height.** The building shall not exceed a height of 131 feet.
4. **Parking.**
 - a. **Electric Vehicle Parking.** Of the total parking provided, five percent of spaces shall be dedicated for electric vehicles and provide charging stations. In addition, twenty percent of spaces shall be pre-wired for the future installation of electric charging stations. When the application of the five or twenty percent results in a fractional space, round up to the next whole number.
 - b. **Valet Parking.** Valet parking shall be required to obtain all applicable licenses and/or permits from the Department of Transportation and the Los Angeles Police Department. Proof of licenses and/or permits shall be submitted to the Department of City Planning. Valet parking shall be available during all hours of business operation and for at least one-half hour following the close of business.
 - c. Automobile parking provided in excess of the requirements of the Los Angeles Municipal Code shall be open to the public during business hours.
5. **Solar Ready Buildings.**
 - a. The project shall comply with the Los Angeles Municipal Green Building Code, Section 95.05.211, to the satisfaction of the Department of Building and Safety.
 - b. A minimum of 15% of the roof area, as shown on Exhibit A, shall be reserved for the installation of solar panels. The solar panels shall be installed prior to the issuance of a certificate of occupancy.
6. **Mechanical Equipment.** All mechanical equipment shall be fully screened from view of any abutting properties and the public right-of-way.
7. **Trash/Storage.** All trash collecting and storage areas shall be located on-site and not visible from the public right-of-way.
 - a. Trash receptacles shall be enclosed and/or covered at all times.
 - b. Trash/recycling containers shall be locked when not in use.

8. **River Implementation Overlay (LA-RIO).** Prior to the issuance of building permits, the applicant shall obtain approval of a LA-RIO Administrative Clearance from the Department of City Planning.
9. **Construction.** The project shall use power construction equipment with state-of-the-art noise shielding and muffling devices. On-site power generators shall either be plug-in electric or solar powered.
10. **Community Liaison.** During hours of occupancy, the project shall designate a community liaison responsible for responding to any concerns regarding amplified noise during operations. Signage shall be posted on the site with the phone number and contact information of the liaison. The phone shall be staffed by a live person.
11. **Outdoor Terraces.** Outdoor terraces shall be enclosed with a six- to eight-foot tall perimeter wall of transparent material and shall include landscaping (i.e., shrubbery or trees) to minimize noise levels at off-site locations to the maximum extent feasible.
12. **Bicycle Parking.** The project shall provide short-term bicycle parking storage to accommodate a minimum of 10 bicycle parking spaces within the public right-of-way, ground floor courtyard along 2nd Street, or valet/lobby area along Vignes Street. These spaces shall be in addition to the amount of Code-required bicycle parking provided through the automated parking system.
13. **Railroad Spurs.** Any area outside of an interior footprint shall restore and integrate the existing railroad spur along the western edge of the property into the outdoor courtyard.
14. **Above Grade Parking.** Garage lights shall not be seen from the street.
15. **Steel Framing.** The project shall maintain the steel framing structure along the building façade, as shown in the renderings stamp-dated May 19, 2017 and included in Exhibit "A".

Conditional Use for the Sale and Dispensing of Off-Site and On-Site Alcoholic Beverages

16. 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 Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
17. 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.
18. Each individual venue shall be subject to an Approval of Plans determination pursuant to Section 12.24-M of the Los Angeles Municipal Code in order to implement and utilize the Conditional Use authorization granted herein as follows;
 - a. The off-site and on-site sale and consumption of a full line of alcoholic beverages in connection with a food market/restaurant use;
 - b. The on-site sale and consumption of beer and wine in connection with a café use;
 - c. The on-site sale and consumption of a full line of alcoholic beverages in connection with a private club use;

- d. Beer and wine sales may be provided in lieu of a full line of alcoholic beverages at any of the approved venues.
 - e. The purpose of the Approval of Plans determination is to review each proposed venue in greater detail and to tailor site-specific conditions of approval for each of the premises 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 Approval of Plans application to evaluate compliance and effectiveness of the conditions of approval.
 - f. A public hearing for any Approval of Plans request may be waived at the discretion of the Chief Zoning Administrator.
19. Maximum cumulative square footage for all three (3) venues shall not exceed the following:
- a. For the three (3) venues with on-site sales – 80,933 square feet
 - b. For the one (1) venue with off-site sales – 6,054 square feet.
20. Live entertainment shall be permitted at the private club use. As applicable, a café and entertainment permit shall be obtained from the Police Commission prior to the conduct of any live entertainment.
21. Notwithstanding Exhibit A, this grant recognizes that there may be changes resulting from identified tenants, which may result in larger or smaller venues than those identified in Exhibit A, different locations and/or in a reduced number of venues than those originally proposed. Such outcome is permitted provided that the other conditions noted herein, specifically those related to maximum square footage, maximum seating, maximum number of venues and maximum number of approved allocation of on-site and off-site sale venues are not exceeded.
22. Any future change in the tenant/operator of any of the individually approved venues conducting the sale of alcohol shall require the filing of an Approval of Plans to evaluate the applicability of existing conditions and review any potential changes in the mode and character of the development complex.
23. Prior to the utilization of this grant and the filing of an Approval of Plans for the first venue, the applicant shall prepare a security plan which shall be submitted to the Police Department's Central Area's Vice Section for review and approval. A copy of the security plan approved by the Police Department shall be included with the application materials submitted for an Approval of Plans. The security plan shall address security measures applicable to all the venues as well as any measures specific to the individual venue reviewed under each corresponding Approval of Plans.
24. Prior to the utilization of this grant, surveillance cameras shall be installed which cover all common areas of the venues, including all high-risk areas, entrances and exits to each tenant space, including cameras that provide a view of the street.
25. There shall be no use of the subject premises which involves Section 12.70 of the Los Angeles Municipal Code uses (Adult Entertainment).
26. All venue tenants shall be provided with a copy of these conditions which shall also be referenced in any lease or contract and which shall be maintained and posted on the premises and available upon request by any enforcement agency.

27. All employees shall also be made familiar with these conditions and any others which are identified specifically in the corresponding Approval of Plans determination. Additionally, a copy shall be provided to all employees who shall sign an acknowledgement form stating that they have read and understood all of the ABC and conditional use permit conditions. These conditions of approval shall be retained on the property at all times and shall be produced immediately upon the request of the Zoning Administrator, Police Department, or Department of Building and Safety.
28. The applicant, tenants and on-site managers shall comply with all applicable laws and conditions of this action and any corresponding Approval of Plans determination and shall properly manage the facility to discourage illegal and criminal activity on the subject property and any accessory parking area over which they exercise control.
29. The applicant shall maintain on the premises and present upon request to the Police or other enforcement agency, a copy of the Business Permit, Insurance Information, and valid emergency contact phone number for any Valet Service utilized and for any Security Company Service employed.
30. The applicant shall be responsible for maintaining the area adjacent to the premises over his/her control free of litter.
31. The applicant and tenants shall monitor the areas under their control to prevent loitering of persons around their venues.
32. The property owner/operator shall keep a log of complaints received, the date and time received, and the disposition of the response. This shall be available for inspection by the Department.
33. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator will have the right to require the petitioner(s) to file for a plan approval application together with the associated fees, to hold a public hearing for review the petitioner's compliance with and the effectiveness of the conditions of the grant. The petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.

Environmental Conditions – Project Design Features (PDF)

34. **PDF-AES-1.** The ground floor plaza along 2nd Street shall include attractive landscaping. It shall be maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.

Enforcement Agency: Los Angeles Department of City Planning
Monitoring Agency: Los Angeles Department of City Planning
Monitoring Phase: Prior to occupancy; Post-occupancy
Monitoring Frequency: Once, at plan check; Ongoing during project operation
Action Indicating Compliance: Field inspection sign-off
35. **PDF-AES-2.** Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris,

rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.

Enforcement Agency: Los Angeles Department of City Planning

Monitoring Agency: Los Angeles Department of City Planning

Monitoring Phase: Prior to occupancy; Post-occupancy

Monitoring Frequency: Ongoing, during project operation

Action Indicating Compliance: Field inspection sign-off

36. **PDF-AES-3.** During construction of the Project, the exterior of buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91.8104.15.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing, during construction

Action Indicating Compliance: Field inspection sign-off; Compliance certification report by Project contractor

37. **PDF-AES-4.** Outdoor lighting shall be designed to shine downward and installed with shielding and be directed onto the Project Site, so that the light source does not directly illuminate any adjacent properties or the above night skies.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Pre-construction; Construction

Action Indicating Compliance: Field inspection sign-off; Compliance certification report by Project contractor

38. **PDF-AES-5.** Automobiles parked within the stacked parking system would not be permitted to have headlights turned on thereby eliminating the potential for illumination on adjacent uses.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction; Post-occupancy

Monitoring Frequency: Ongoing, during project operation

Action Indicating Compliance: Field inspection sign-off; Compliance certification report by Project contractor

39. **PDF-AES-6.** The exterior of the proposed building shall be constructed of materials such as high-performance low reflectivity glass and pre-cast concrete or fabricated wall surfaces.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once, at plan check; during project construction

Action Indicating Compliance: Approval of Building Permit; Written compliance certification prior to issuance of Certificate of Occupancy

40. **PDF-CULT-1.** The Project shall incorporate design features that include preservation or in-kind replacement of the Building's windows, board-formed reinforced concrete exterior, and decorative cornice and frieze, as well as restoration of the original loading bay openings and primary (south and east) elevations in compliance with the Secretary of the Interior's Standards for Rehabilitation. The Project's plan for restoration of the Building's exterior features shall be developed in conjunction with a qualified architectural historian, historic architect, or historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards for History, Architectural History, or Architecture, pursuant to 36 CFR 61.

Enforcement Agency: Los Angeles Department of City Planning

Monitoring Agency: Los Angeles Department of City Planning; Office of Historic Resources; Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once, at plan check; during project construction

Action Indicating Compliance: Compliance report by qualified archaeological monitor

41. **PDF-GHG-1.** The Project shall incorporate the following GHG reduction measures:
1. The use of materials and finishes that emit low quantities of volatile organic compounds, or VOCs;
 2. The installation of modern heating, ventilation, and air conditioning (HVAC) systems that utilize ozone-friendly refrigerants;
 3. High-efficiency Energy Star® appliances;
 4. Drought-resistant landscaping, stormwater retention, and the incorporation of water conservation features (i.e., dual-flush toilets, low-flow faucets); and
 5. The provision of bicycle parking.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: During project construction

Action Indicating Compliance: Field inspection sign-off

42. **PDF-HAZ-1.** If construction activities affect access to portions of the streets adjacent to the Project Site, the Project would implement traffic control measures, such as construction flagmen or installation of signage to maintain flow and access in the vicinity of the Project.

Enforcement Agency: Los Angeles Department of Transportation

Monitoring Agency: Los Angeles Department of Transportation

Monitoring Phase: Construction

Monitoring Frequency: During project construction, if needed

Action Indicating Compliance: Compliance certification report submitted by Project contractor

43. **PDF-HAZ-2.** The Project would develop a Construction Traffic Management Plan, in accordance with City Requirements, during Project construction, which

would include the designation of a haul route, to ensure that emergency access is maintained during construction.

Enforcement Agency: Los Angeles Department of Transportation

Monitoring Agency: Los Angeles Department of Transportation

Monitoring Phase: Pre-construction; Construction

Monitoring Frequency: Once, at plan check; during project construction

Action Indicating Compliance: Approval of Construction Traffic Management Plan from the Los Angeles Department of Transportation prior to issuance of Building Permit (Pre-construction); compliance certification report submitted by Project contractor (Construction)

44. **PDF-HYDRO-1.** The Project shall install a dry infiltration well system that would be designed in accordance with City of Los Angeles Guidelines to pretreat and infiltrate storm runoff before entering the storm drain system.

Enforcement Agency: Los Angeles Regional Water Quality Control Board; Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once, at plan check; once, during project construction

Action Indicating Compliance: Field inspection sign-off; Compliance certification report by project contractor and owner

45. **PDF-HAZ-2.** The Project would develop a Construction Traffic Management Plan, in accordance with City Requirements, during Project construction, which would include the designation of a haul route, to ensure that emergency access is maintained during construction.

Enforcement Agency: Los Angeles Department of Transportation

Monitoring Agency: Los Angeles Department of Transportation

Monitoring Phase: Pre-construction; Construction

Monitoring Frequency: Once, at plan check; during project construction

Action Indicating Compliance: Approval of Construction Traffic Management Plan from the Los Angeles Department of Transportation prior to issuance of Building Permit (Pre-construction); compliance certification report submitted by Project contractor (Construction)

46. **PDF-LU-1.** Of the total parking provided, five percent of spaces would be dedicated for electric vehicles and provide charging stations. In addition, twenty percent of spaces would be pre-wired for the future installation of electric charging stations.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once, during project construction; during project operation, if needed at some future time

Action Indicating Compliance: Field inspection sign-off within compliance report

47. **PDF-NOISE-1.** The Applicant shall designate a construction relations officer to serve as a liaison with surrounding residents and property owners who is

responsible for responding to any concerns regarding construction noise and vibration. The liaison's telephone number(s) shall be prominently displayed at the Project Site. Signs shall also be posted at the Project Site that includes permitted construction days and hours.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during project construction

Action Indicating Compliance: Field inspection sign-off within compliance report

48. **PDF-NOISE-2.** All mechanical equipment used would be designed with appropriate noise control devices, such as sound attenuators, acoustics louvers, or sound screen/parapet walls to comply with noise limitation requirements provided in Section 112.02 of the LAMC.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Pre-construction; ongoing during project construction

Action Indicating Compliance: Field inspection sign-off within compliance report

49. **PDF-NOISE-3.** The proposed facility shall incorporate noise-attenuating features (physical as well as operational) designed by a licensed acoustical sound engineer to minimize operational sounds beyond the property line. Measure shall include, but are not limited to, the use of wall and floor-ceiling assemblies separating commercial tenant spaces and public places that shall have a Sound Transmission Class (STC) value of at least 50, as determined in accordance with ASTM E90 and ASTM E413.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Pre-construction; ongoing during project construction

Action Indicating Compliance: Field inspection sign-off within compliance report

50. **PDF-NOISE-4.** During construction, the contractor shall install and maintain at least two continuously operational automated vibrational monitors on the on-site historic building. The monitors must be capable of being programmed with two predetermined vibratory velocities levels: a first-level alarm equivalent to a level of 0.45 inches per second at the face of the building and a regulatory alarm level equivalent to a level of 0.5 inches per second at the face of the building. The monitoring system must produce real-time specific alarms (via text message and/or email to on-site personnel) when velocities exceed either of the predetermined levels. In the event of a first-level alarm, feasible steps to reduce vibratory levels shall be undertaken, including but not limited to halting/staggering concurrent activities and utilizing lower-vibratory techniques. In the event of an exceedance of the regulatory level, work in the vicinity shall be halted and the on-site historic

building visually inspected for damage. Results of the inspection must be logged. In the event damage occurs to historic finish materials due to construction vibration, such materials shall be repaired in consultation with a qualified preservation consultant, and if warranted, in a manner that meets the Secretary of the Interior's Standards.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during project construction

Action Indicating Compliance: Field inspection sign-off within compliance report

51. **PDF-PS-1.** The Project would incorporate a security program to ensure the safety of employees and site visitors. The design considers guidelines per the "Design out Crime Guidelines: Crime Prevention Through Environmental Design" published by the Los Angeles Police Department's Crime Prevention Section (located at Parker Center, 150 N. Los Angeles Street, Room 818, Los Angeles, (213) 485-3134. This measure would be approved by the LAPD prior to issuance of building permits.

Enforcement Agency: Los Angeles Police Department

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction; Post-occupancy

Monitoring Frequency: Once, at plan check; during project construction; during project operation, on an as needed basis

Action Indicating Compliance: Written approval by the Los Angeles Police Department prior to issuance of building permits

52. **PDF-PS-2.** Private security personnel would monitor vehicle and pedestrian access to the construction areas and patrol the Project Site.

Enforcement Agency: Los Angeles Department of City Planning

Monitoring Agency: Los Angeles Department of City Planning

Monitoring Phase: Post-occupancy

Monitoring Frequency: Ongoing during project construction

Action Indicating Compliance: Compliance certification report by Project contractor

53. **PDF-PS-3.** Construction fencing with gated and locked entry would be installed around the perimeter of the construction site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during project construction

Action Indicating Compliance: Compliance certification report by Project contractor; Field inspection sign-off

54. **PDF-PS-4.** Security measures would include controlled access to the private membership club and retail areas to assist in crime prevention efforts and to reduce the demand for police protection services.

Enforcement Agency: Los Angeles Department of City Planning
Monitoring Agency: Los Angeles Department of City Planning
Monitoring Phase: Post-occupancy
Monitoring Frequency: Ongoing during project construction
Action Indicating Compliance: Compliance certification report by Project contractor

55. **PDF-PS-5.** The Project Site would be well-illuminated by security lighting in entryways, public areas, and parking facilities.

Enforcement Agency: Los Angeles Department of City Planning
Monitoring Agency: Los Angeles Department of City Planning
Monitoring Phase: Construction; Post-occupancy
Monitoring Frequency: Ongoing during project operation
Action Indicating Compliance: Compliance certification report by Project contractor

56. **PDF-PS-6.** Security would also include the provision of a 24-hour video surveillance system at key locations and security staff stationed within the lobby of the private membership club.

Enforcement Agency: Los Angeles Department of City Planning
Monitoring Agency: Los Angeles Department of City Planning
Monitoring Phase: Post-occupancy
Monitoring Frequency: Ongoing during project operation
Action Indicating Compliance: Compliance certification report by Project contractor

57. **PDF-PS-7.** Valet staff would also be present to assist in parking vehicles and to monitor site activity, and vehicles would be parked within a controlled-access area not open to the public, visitors, or guests.

Enforcement Agency: Los Angeles Department of City Planning
Monitoring Agency: Los Angeles Department of City Planning
Monitoring Phase: Post-occupancy
Monitoring Frequency: Ongoing during project operation
Action Indicating Compliance: Compliance certification report by Project contractor

58. **PDF-PS-8.** The Project proposes to provide closed-circuit television camera security systems, onsite security guards posted at the proposed alcohol uses, an alarm system installed as needed, pedestrian appropriate illumination at entryways, alleys, etc., and controlled access into and out of the parking garage.

Enforcement Agency: Los Angeles Department of City Planning
Monitoring Agency: Los Angeles Department of City Planning
Monitoring Phase: Post-occupancy
Monitoring Frequency: Ongoing during project operation
Action Indicating Compliance: Compliance certification report by Project contractor

59. **PDF-PS-9.** All alcohol sales employees will receive STAR 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.
- Enforcement Agency:** Los Angeles Department of City Planning
Monitoring Agency: Los Angeles Department of City Planning
Monitoring Phase: Post-occupancy
Monitoring Frequency: Ongoing during project operation
Action Indicating Compliance: Compliance certification report by Project contractor
60. **PDF-PS-10.** Potential effects on adjacent accessibility would be reduced with flagging and traffic control personnel.
- Enforcement Agency:** Los Angeles Department of City Planning
Monitoring Agency: Los Angeles Department of City Planning
Monitoring Phase: Post-occupancy
Monitoring Frequency: During project construction, as needed
Action Indicating Compliance: Compliance certification report by Project contractor
61. **PDF-TRAF-1.** The Applicant shall prepare a detailed Construction Traffic Management Plan that shall include, but not be limited to, the following elements, as appropriate:
- Advance, bilingual notification of adjacent property owners and occupants of upcoming construction activities, including estimated duration of construction and daily hours of construction.
 - Prohibition of construction worker or equipment parking on adjacent streets.
 - Temporary pedestrian, bicycle, and vehicular traffic controls during all construction activities adjacent to Vignes Street and E. 2nd Street to ensure traffic safety on public rights of way. These controls shall include, but not be limited to, flag people trained in pedestrian and bicycle safety at the Project Site's Vignes Street and E. 2nd Street driveways.
 - Temporary traffic control during all construction activities adjacent to public rights-of-way to improve traffic flow on public roadways (e.g., flag men).
 - Scheduling of construction activities to reduce the effect on traffic flow on surrounding arterial streets.
 - Potential sequencing of construction activity for the Project to reduce the amount of construction-related traffic on arterial streets.
 - Containment of construction activity within the Project Site boundaries.
 - Prohibition on construction-related vehicles/equipment parking on surrounding public streets.
 - Safety precautions for pedestrians through such measures as alternate routing and protection barriers shall be implemented.
 - Scheduling of construction-related deliveries, haul trips, etc., so as to occur outside the commuter peak hours.
 - Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all

construction phases. This requires the applicant to 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 should 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 shall be provided where pedestrians are exposed to potential injury from falling objects.
- Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.

Enforcement Agency: Los Angeles Department of Transportation

Monitoring Agency: Los Angeles Department of Transportation

Monitoring Phase: Pre-construction; Construction

Monitoring Frequency: Ongoing during project construction

Action Indicating Compliance: Approval of Construction Traffic Management Plan from the Los Angeles Department of Transportation prior to issuance of Building Permit (Pre-construction); compliance certification report submitted by Project contractor (Construction)

62. **PDF-USS-1.**

Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the Project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction

Monitoring Frequency: Once, at plan check

Action Indicating Compliance: Copy of receipt or contract prior to issuance of demolition or construction permit

63. **PDF-USS-2.**

All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during project construction

Action Indicating Compliance: Field inspection sign-off

64. **PDF-USS-3.** To facilitate onsite separation and recycling of demolition and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and recycled accordingly as a part of the Project's regular solid waste disposal program.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during project construction

Action Indicating Compliance: Field inspection sign-off

65. **PDF-USS-4.** Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the Project's regular solid waste disposal program.

Enforcement Agency: Los Angeles Department of City Planning

Monitoring Agency: Los Angeles Department of City Planning

Monitoring Phase: Post-occupancy

Monitoring Frequency: Ongoing during project operation

Action Indicating Compliance: Compliance certification report by Project contractor

Environmental Conditions – Mitigation Measures (MM)

66. **MM-AES-1.** Exterior screening shall be installed to minimize the spill light from luminaires within open structure buildings from reaching beyond the Project Site. The screening shall also be installed so as to minimize the views and potential glare of headlights of motor vehicles within the garage from beyond the Project Site boundary. Screening measures may include, but are not limited to, shielding attached to the luminaire, building, or site structures.

Enforcement Agency: Los Angeles Department of Building and Safety and Los Angeles Department of City Planning

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction

Monitoring Frequency: Once, at plan check; Once, at field inspection prior to Certificate of Occupancy

Action Indicating Compliance: Approval of Lighting Plans prior to issuance of applicable building permit (Pre-construction)

67. **MM-AIR-1.** The project shall limit daily application of architectural coatings applied on-site to 170 gallons per day with an average of 50 grams VOC per liter of coating, less water and less exempt compounds, or equivalent usage resulting in similar or less VOC emissions. For example, stains, specialty primers, and industrial maintenance coatings allowed by Rule 1113 that contain VOCs at a level of 100 grams per liter of coating, less water and less exempt compounds would be limited to 85 gallons per day on site. Compliance with this measure would result in approximately 71 pounds of VOC emissions per day, which would be less than the threshold of 75 pounds per day.

Enforcement Agency: Los Angeles Department of Building and Safety; SCAQMD

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Periodic field inspections during construction

Action Indicating Compliance: Field inspection sign-off

68. **MM-BIO-1a.** 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.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once, prior to issuance of building permit; or, if vegetation removal, building demolition or grading is initiated during the nesting season, as determined by a qualified biologist

Action Indicating Compliance: If vegetation removal, building demolition, or grading is initiated during the nesting season, submittal of a survey report by a qualified biologist.

69. **MM-BIO-1b.** 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 until the qualified biological monitor has verified that the young have fledged or the nest has otherwise become inactive.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once, prior to issuance of building permit; or, if vegetation removal, building demolition or grading is initiated during the nesting season, as determined by a qualified biologist

Action Indicating Compliance: If vegetation removal, building demolition, or grading is initiated during the nesting season, submittal of a survey report by a qualified biologist.

70. **MM-CULT-1.** Prior to Project initiation, a recordation document prepared in accordance with Historic American Buildings Survey (HABS) Level III requirements shall be completed for the existing Building. The recordation document shall be prepared by a qualified architectural historian or historic preservation professional who satisfies the Secretary of the Interior's Professional Qualification Standards for Architectural History pursuant to 36 CFR 61. This document shall include a historical narrative on the architectural and historical importance of the Building, the Building's construction history, history of occupancy and use, association with the potential Los Angeles Industrial Historic District, and record the existing appearance of the Building in professional large format photographs. The Building's exteriors, representative interior spaces, character-defining

features, as well as the property setting and contextual views shall be documented. All documentation components shall be completed in accordance with the Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation (HABS standards). Copies of the completed report shall be distributed to the South Central Coastal Information Center at the California State University, Fullerton, City of Los Angeles Office of Historic Resources, and the City of Los Angeles Public Library Special Collections (Central Library).

Enforcement Agency: Los Angeles Department of City Planning, Office of Historic Resources

Monitoring Agency: Los Angeles Department of City Planning, Office of Historic Resources; Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction

Monitoring Frequency: Prior to issuance of building permit

Action Indicating Compliance: Compliance report by qualified archaeological monitor

71. **MM-CULT-2.** The Applicant shall retain a qualified archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards to oversee an archaeological monitor who shall be present during construction excavations such as demolition, clearing/grubbing, grading, trenching, or any other construction excavation activity associated with the Project. The frequency of monitoring shall be based on the rate of excavation and grading activities, proximity to known archaeological resources, the materials being excavated (younger alluvium vs. older alluvium), and 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 ceased entirely, if determined adequate by the archaeological monitor.

Enforcement Agency: Los Angeles Department of City Planning

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

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during construction, per recommendation of archaeologist

Action Indicating Compliance: Compliance report by qualified archaeological monitor

72. **MM-CULT-3.** In the event that 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. An appropriate buffer area shall be established around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. All archaeological resources unearthed by Project construction activities shall be evaluated by a qualified archaeologist. The Applicant shall coordinate with the archaeologist and the City to develop an appropriate treatment plan for the resources if they are determined to be potentially eligible for the California Register of Historical Resources or potentially qualify as unique archaeological resources as defined in §15064.5(a) and §21083.2(g) of the Public Resources Code, respectively. If the archaeological resources are prehistoric or Native American in origin, the Applicant shall consult with a representative from the Gabrielino

Tribe(s) to determine whether the resource qualifies as a tribal cultural resource pursuant to §21074(a) of the Public Resources Code and to determine appropriate treatment. If preservation in place or avoidance is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis of the artifacts. Any archaeological material collected shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, 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: Los Angeles Department of City Planning, Office of Historic Resources

Monitoring Agency: Los Angeles Department of City Planning, Office of Historic Resources; Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: At the time of resource discovery, should it occur

Action Indicating Compliance: If archaeological resources are unearthed, submittal of compliance certification report and treatment plan by a qualified archaeological monitor

73. **MM-CULT-4.** The archaeological monitor 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 Applicant to the City of Los Angeles, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the Project and required mitigation measures.

Enforcement Agency: Los Angeles Department of City Planning

Monitoring Agency: Los Angeles Department of City Planning

Monitoring Phase: Post-construction

Monitoring Frequency: Once upon completion of excavation

Action Indicating Compliance: Compliance report by qualified archaeological monitor

74. **MM-CULT-5.** If human remains are encountered unexpectedly during implementation of the project, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC shall then identify the person(s) thought to be the Most Likely Descendent (MLD). The MLD may, with the permission of the land owner, or his or her authorized representative, inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human

remains and any associated grave goods. The MLD shall complete their inspection and make their recommendation within 48 hours of being granted access by the land owner to inspect the discovery. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this mitigation measure, with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.

Whenever the NAHC is unable to identify a MLD, or the MLD identified fails to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in Subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.

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

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: At the time of discovery, should it occur

Action Indicating Compliance: If human remains are encountered unexpectedly, submittal of written evidence to the Los Angeles Department of City Planning of compliance with State Health and Safety Code Section 7050.0 and Public Resources Code Section 5097.98

75. **MM-GEO-1.**

All recommendations included in the Geotechnical Report prepared for the Project (provided in Appendix D of this MND) shall be followed. In regards to the foundation design, the existing foundations will need to be enlarged or strengthened as a result of the proposed addition and renovation. Where the existing footings will need to be enlarged, the new footings shall be designed to match the depth of the existing footings and shall bear into the underlying dense native soils. The proposed foundation plan shall be reviewed and approved by the geotechnical engineer and be in compliance with the City's Building Code. In regards to the slabs on grade, the concrete floor slabs should be a minimum of 5 inches in thickness. They should be cast over undisturbed natural geologic materials or property controlled fill materials. Any materials loosened or over-excavated should be wasted from the site or properly compacted to 95 percent of the maximum dry density.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Post-construction; construction

Monitoring Frequency: Ongoing during construction

Action Indicating Compliance: Issuance of grading permits; Field inspection sign-off; Geotechnical Engineers site visit reports as needed

76. **MM-NOISE-1.** Noise-generating equipment operated at the Project Site shall be equipped with the most effective and technologically feasible noise control devices, such as mufflers, lagging (enclosures for exhaust pipes), and/or motor enclosures. All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during construction

Action Indicating Compliance: Field inspection sign-off within compliance report

77. **MM-NOISE-2.** Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during demolition and construction

Action Indicating Compliance: Field inspection sign-off within compliance report; compliance certification report submitted by Project contractor

78. **MM-NOISE-3.** Temporary noise barriers (e.g., sound blankets) shall be used to block the line-of-site between construction equipment and noise-sensitive receptors (residences) during Project construction. Noise barriers shall be a minimum of 20-feet tall along the west, and 10-feet tall along the south and east boundaries, which are adjacent to residential uses.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during construction

Action Indicating Compliance: Field inspection sign-off within compliance report

79. **MM-NOISE-4.** Amplified music from speakers located in the outdoor seating area at the southwest corner of the project may not exceed 75 dBA during the daytime or 63 dBA during the nighttime as measured at the southwestern property line adjacent to the Garey Building. Measurements shall be taken using a calibrated handheld or in-place noise monitor that meets the American National Standard Institute (ANSI) S1.4 specification for sound level meters or equivalent. Sound system or speaker volume settings should be tested prior to the installation of permanent speakers or prior to the beginning of an event for temporary speakers. The maximum allowed sound system or speaker volume settings, based on the results of the measurements, shall be labeled on the settings controls and on-site personnel shall be required to comply with the maximum allowed volume

settings. Speakers shall not be directed towards the Garey Building and shall be directed towards the interior of the Project Site.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during operation

Action Indicating Compliance: None – ongoing operational compliance required

80. **MM-NOISE-5.** Heavy equipment shall not be used within 60 feet of the neighboring residential structures. Heavy equipment is defined as equipment with an engine size of 600 horsepower or greater and includes large dozers, large excavators, and large loaders).

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during construction

Action Indicating Compliance: Field inspection sign-off within compliance report

81. **MM-NOISE-6.** High vibratory construction equipment, such as use of a pile driver, shall not be used.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during construction

Action Indicating Compliance: Field inspection sign-off within compliance report

82. **MM-PS-1.** Prior to issuance of a building permit, the General Manager of the City of Los Angeles, Department of Building and Safety, or designee, shall ensure that the Applicant has paid all applicable school facility development fees in accordance with California Government Code Section 65995.

Enforcement Agency: Los Angeles Department of Building and Safety; Los Angeles Unified School District

Monitoring Agency: Los Angeles Department of Building and Safety; Los Angeles Unified School District

Monitoring Phase: Pre-construction

Monitoring Frequency: Once, at plan check

Action Indicating Compliance: Receipt of payment from Los Angeles Unified School District

Administrative Conditions

83. **Approvals, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file

84. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.
85. **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 Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
86. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
87. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
88. **Building Plans.** 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 Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
89. **Corrective 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 City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
90. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
91. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- a. 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.
- b. 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.

- c. 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).
- d. 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).
- e. 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 include 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.

CONDITIONS IDENTIFIED FOR CONSIDERATION BY THE STATE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL RELATIVE TO THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES

In approving the instant grant, the City Planning Commission has not imposed Conditions specific to the sale or distribution of alcoholic beverages, even if such Conditions have been volunteered

or negotiated by the applicant, in that the City Planning Commission has no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution. The City Planning Commission has identified a set of Conditions related to alcohol sales and distribution for further consideration by the State of California Department of Alcoholic Beverage Control (ABC). In identifying these conditions, the City Planning Commission acknowledges the ABC as the responsible agency for establishing and enforcing Conditions specific to alcohol sales and distribution. The Conditions identified below are based on testimony and/or other evidence established in the administrative record, and provide the ABC an opportunity to address the specific conduct of alcohol sales and distribution in association with the Conditional Use granted herein by the City Planning Commission.

- There shall be no exterior window signs of any kind or type promoting alcoholic products.
- The alcoholic beverage license for the restaurants shall not be exchanged for “public premises” license unless approved through a new conditional use authorization. “Public Premises” is defined as a premise maintained and operated for sale or service of alcoholic beverages to the public for consumption on the premises, and in which food is not sold to the public as a bona fide eating place.
- There shall be no advertising of any alcoholic beverages visible from the exterior of the premises from the food and beverage areas within the museum, promoting or indicating the availability of alcoholic beverages.
- Alcohol sales and dispensing for on-site consumption shall only be served by employees.
- The venue operator, owner and the venue personnel shall at all times maintain a policy of not serving to obviously intoxicated patrons and shall take preventative measures to help avert intoxication-related problems.
- No person under the age of 21 years shall sell or deliver alcoholic beverages.
- There shall not be a requirement to purchase a minimum number of drinks.
- There shall be no portable self-service bar(s) at either location. A wait person or bartender shall conduct all alcoholic beverage service, which may be from a portable bar.
- No sale of alcohol shall be permitted at any self-service, automated check-out station (checkout conducted primarily by the customer, with assistance by a store monitor) if such are available on the site. All sales of alcohol shall be conducted at a full-service checkout station directly attended by a cashier/checkout clerk specifically assigned solely to that station.

FINDINGS

(As Amended by the Central Los Angeles Area Planning Commission at its meeting November 8, 2022)

General Plan/Charter Findings

1. **General Plan Land Use Designation.** The project site is located within the Central City North Community Plan, which was last updated by the City Council on December 15, 2000. The subject property is an irregularly-shaped site comprised of four parcels with approximately 29,798 square feet of net lot area. The Community Plan designates the site for Regional Commercial Land Uses, with corresponding zones CR, C1.5, C2, C4, RAS3, RAS4, R3, R4, and R5. The site is presently zoned (T)(Q)C2-2-RIO and is thus consistent with the land use designation.

The requested Zone Change modifies the Qualified (Q) Condition increasing in the maximum allowable floor area at the site from 102,679 square feet to 124,233 square feet. This increase is consistent with what is otherwise allowed under the C2 zone and with the land use designation. The request is in substantial conformance with the purpose, intent, and provisions of the General Plan as it is reflected within the Central City North Community Plan.

2. **General Plan Text.** The development of the project represents the opportunity to achieve the overarching goals of the Central City North Community Plan, which include improving the function, design, and economic vitality of the commercial corridors and uses a development opportunity site for needed job producing uses that will improve the economic and physical condition of the Central City North area. The proposed development furthers the following Community Plan goals, objectives and policies:

Goal 2: A strong and competitive commercial sector which best serves the needs of the community through maximum efficiency and accessibility while preserving the historic commercial and cultural character of the district.

Objective 2-1: To conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services.

Policy 2-1.2: Protect commercially planned/zoned areas from encroachment by residential only development.

Policy 2-1.4: Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.

Objective 2-2: To attract uses which strengthen the economic base and expand market opportunities for existing and new businesses.

Policy 2-2.2: New development needs to add to and enhance the existing pedestrian street activity.

Objective 2-4: To enhance the appearance of commercial districts.

Policy 2-4.1: Require that any proposed development be designed to enhance and be compatible with adjacent development.

Policy 2-4.2: Preserve community character, scale, and architectural diversity.

Policy 2-4.4: Landscaped corridors should be created and enhanced through the planting of street trees.

The project maintains and improves the existing building while maximizing the efficient use of the site by bringing a mix of commercial spaces open to the public. By repurposing the existing building and abandoned rail spur with additional space, the project will bring commercial activity to an area that has seen a large influx of residential developments. While the prior approved project included a private club, this modified project would not include private clubs. The uses in the building would include a restaurant, restaurant and lounge, coffee bar, event space, artist studios, photo studio, screening room and offices. The project is designed to maximize the ground floor of the building with the aforementioned commercial uses and improved streetscape adding to and enhancing the pedestrian experience of the neighborhood. The entrance to the automated parking lot is accessed through an interior driveway creating an openness of the frontage along Vignes Street and allowing for street trees to be planted along the sidewalk. Though the project seeks a zone change to allow an increase in maximum floor area from 102,679 square feet to 124,233 square feet, the uses proposed are consistent with the policies to reinforce commercial development, grow the economic base, and improve aesthetics.

The project has been designed with high quality architectural elements and will maintain and improve the façade of the existing structure with modern designs to create a distinctive commercial building that will enhance the architectural diversity of this burgeoning commercial area. The project is compatible with the adjacent building to the west, a five-story mixed-use residential and commercial development and will enhance that development by creating a building of similar size with commercial amenities to go along with the new residences.

3. **Framework Element.** The Framework Element for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following goals, objectives, and policies relevant to the instant request:

Goal 3A: A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more livable city.

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.

The project site is located 0.3 miles from the existing Little Tokyo/Arts District station of the Metro Gold Line and 0.6 miles from Union Station, in an area served by public transit options. Therefore, the project is located in an area suitable for commercial development at a higher scale. Further, the project is designed to place an emphasis on the quality of the public realm including the experience of pedestrians by improving the ground floor experience of the site and providing areas open to the public. The project will also promote a pedestrian-friendly environment with active commercial uses of a restaurant and coffee bar. The commercial spaces and open space available to the public are designed to ensure that ground floor commercial uses will benefit from additional connectivity between the project and the neighboring areas and that neighborhood-serving commercial uses will bring convenience to project residents and the community. The character of the area includes mixed-use projects, commercial and retail uses and converted industrial spaces. Therefore, the project's intensity and height will be compatible with the existing development and will not create negative impacts to the adjacent commercial or residential areas. The Project includes bicycle parking (both long and short term), consistent with the LAMC and California Green Building Code. As such, the project enables a more self-sufficient, pedestrian-oriented lifestyle that will reduce unnecessary vehicle trips in the vicinity and thereby enhance the general welfare. Therefore, the project encourages growth and increased land use intensity in a rapidly growing neighborhood and is near transit nodes, to create a pedestrian-oriented environment while promoting an enhanced urban experience and provide for places of employment.

Goal 7B: A City with land appropriately and sufficiently designed to sustain a robust commercial and industrial base.

Objective 7.2: Establish a balance of land uses that provides for commercial and industrial development which meets the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality.

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

Objective 7.6: Maintain a viable retail base in the city to address changing resident and business shopping needs.

The project proposes the construction of approximately 3,938 square feet of restaurant and coffee bar use, 10,534 square feet of restaurant and lounge use. Further, the project proposes event space, artist studios, photo studios, screening room, and office use. This balance of uses is designed to meet the needs of local residents, attract visitors, and sustain the economic growth of the area. Specifically, the project advances the above objectives by concentrating commercial uses in an existing transit and commercial corridor in an area that has recently added a large supply of residential units that would be served by increased job opportunities, and amenities. The variety of commercial, office, and artist uses of the project will create job opportunities for local residents.

4. **The Sewerage Facilities Element** of the General Plan will not be affected by the recommended action. While the sewer system might be able to accommodate the total flows for the proposed project, further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.

Zone Change and “T”/“Q” Classification Findings

5. **Pursuant to Section 12.32 of the Municipal Code, the zone change and classifications are necessary because:**

Pursuant to Section 12.32-C of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

The requested zone change to modify the Qualified Classification (“Q Classification”) (as well as modifications to related Conditions of Approval for consistency purposes) will allow an increase in floor area from 102,679 square feet to 124,233 square feet for the use and addition to an existing warehouse building into a eight-story commercial development with an FAR of 4.2 to 1.

- a. **Public Necessity:** Approval of the Zone Change to modify the present Qualified Classification (“Q Classification”) will allow an increase in floor area from 102,679 square feet to 124,233 square feet for the use and addition to an existing warehouse building into a eight-story commercial development with an FAR of 4.2 to 1. The new commercial development will enhance the built environment and provide new employment opportunities for the community while generating sales tax revenue for the City. Furthermore, the proposed development is located at a site that is currently improved with a two (2) story warehouse. The proposed commercial uses and offices uses will complement and be compatible with the site’s surrounding commercial uses. Thus, the proposed project will contribute to the public necessity of providing new compatible and viable commercial uses that will generate jobs for the region and tax revenue for the City.
- b. **Convenience:** The project site is located in an urbanized area of the Central City North community plan area that has a wide variety of commercial, industrial, residential, and public uses and extensive infrastructure. Approval of the Zone Change in conjunction with the proposed project, will allow for the redevelopment of a non-operating warehouse and restricted commercially zoned property that has frontage along two commercial thoroughfares: 2nd Street and Vignes Street. In addition, the project site is within proximity

to the Metro B Line and Metro Local bus lines, enabling future employees and customers to access the new businesses via public transit, thereby reducing vehicle miles traveled in the region. The project will add new viable commercial, office, and artist uses that are compatible with existing commercial and residential uses, and beneficial to the community.

- c. General Welfare: Approval of the Zone Change will allow for the redevelopment of a non-operation warehouse with a modern commercial development that will revitalize a long-established commercial corridor and provide new commercial, office, and artist uses for the neighborhood and community as a whole. The project also provides a valuable service of expanding employment opportunities in the Central City North communities, while generating new tax revenue for the City.
- d. Good Zoning Practice: The proposed Zone Change to (T)(Q)C2-2-RIO is consistent with the underlying Regional Commercial land use designation by the Central City North Community Plan. The proposed Zone Change would effectively modify the Qualified Classification (“Q Classification”) at the site as the part of the subject property’s existing (T)(Q)C2-2-RIO zoning that impose site-specific limitations, that will allow for the redevelopment of a non-operating warehouse site with a new eight-story commercial and office building including public improvements to the sidewalks and streets fronting the property. The proposed development is consistent and compatible with the uses, scale, and character of surrounding properties. The project’s design and proposed uses will enhance the built environment, increase commercial activity, and support job growth within the region.
- e. “T” and “Q” Classification Findings: Per Section 12.32-G,1 and 2 of the Municipal Code, the current action, as recommended, has been made contingent upon compliance with new “T” and “Q” conditions of approval. Such limitations are necessary to ensure the identified dedications, improvements, and actions are undertaken to meet the public’s needs, convenience, and general welfare served by the required actions. The conditions that limit the scale, design and scope of future development on the site are also necessary to protect the best interests of and to assure a development more compatible with surrounding properties and the overall pattern of the commercial and residential development in the community, to secure an appropriate development in harmony with the General Plan as discussed in Findings Section 1, and to prevent or alleviate the potential adverse environmental effect of adding commercial floor area to the established neighborhood.

Environmental Findings

6. **Environmental Finding.** An Addendum to the Mitigated Negative Declaration (MND) for the Proposed Project at 2nd and Vignes has been prepared to evaluate the potential environmental effects of modifications to previously approved project (Case No. CPC-2016-1080-GPA-ZC-HD-MCUP-ZV-SPR) at the same site which was adopted in February 2017. The Approved Project evaluated in the Adopted MND consists of a renovation to the existing two-story commercial building with one subterranean level with the addition of five new levels above the existing building to create a seven-story, 131-foot high, 124,233-square-foot commercial development. The Project Applicant is now proposing a modified project that would maintain the Approved Project’s building height but would relocate the parking from the fourth level of the building to the ground level and existing basement level to create additional office space on the fourth level (which is proposed to become two levels, the fourth level and fifth level). The modifications would result in six new levels above the existing building to create an eight-story commercial development. In addition to the relocation of the parking in the building, the modified project would add approximately 21,554 square feet of additional floor area to result

in a total floor area of 124,233 square feet. These modifications were assessed in the Addendum to the Mitigated Negative Declaration (Case. No. ENV-2016-1081-MND-REC1), which is attached as an Exhibit to this report. The analysis and technical studies conclude that no major revisions are required to the original Mitigated Declaration and no subsequent EIR or negative declaration is required for approval of the project.

Pursuant to CEQA Guidelines Section 15164, there is no required comment period or circulation period for an Addendum to an MND. However, Planning did receive a comment on the environmental analysis for this project from the Southwest Regional Council of Carpenters ("Southwest Carpenters" or "SWRCC"), dated October 17, 2021. Planning has reviewed the 444-page comment letter, which is attached to this report, and has concluded that the commenter has not provided substantial evidence that the project may have significant impacts, requiring an Environmental Impact Report (EIR). Additionally, the applicant does not provide sufficient evidence of piecemealing. The proposed project was evaluated in full and numerous technical studies were prepared all concluding that the project, with mitigation, would have no significant effect on the environment. The MND, Addendum, and Technical Studies are attached as Exhibits to this report.

7. **Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located Outside Flood Zone, areas of minimal flooding

COVID-19 UPDATE

Interim Appeal Filing Procedures

Fall 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

OPTION 1: Online Appeal Portal

(planning.lacity.org/development-services/appeal-application-online)

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check.

Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

Metro DSC

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

Van Nuys DSC

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

West Los Angeles DSC

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

City Planning staff will follow up with the Appellant via email and/or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment