

REVISED
VESTING TENTATIVE TRACT NO. 70935*
MOD. 2

IN THE CITY OF LOS ANGELES
COUNTY OF LOS ANGELES
STATE OF CALIFORNIA
(For Condominium Purposes)

BEING A MERGER AND RESUBDIVISION OF LOTS 1 AND 2, BLOCK 8, OF TRACT NO. 10600, PER MAP RECORDED IN BOOK 161, PAGES 1 AND 2 OF MAPS, LOT 2 BLOCK 3, OF TRACT NO. 9768 RECORDED IN BOOK 147, PAGES 70-73 OF MAPS, A PORTION OF GAYLEY AVENUE, THE ALLEYS WESTERLY OF GAYLEY AVENUE VACATED BY RESOLUTION TO VACATE NO. 08-1400978 RECORDED AS INSTRUMENT NO. 2008-0946978 ON MAY 29, 2008, AND RESOLUTION TO VACATE NO. 16-1401186 RECORDED AS INSTRUMENT NO. 2017-1074760 ON SEPTEMBER 20, 2017, AND THOSE PORTIONS OF THE LIMITED DEDICATION OF A PUBLIC ALLEY BY INSTRUMENT NO. 2017-1074759 OF OFFICIAL RECORDS ON DECEMBER 20, 2015, ALL RECORDS OF LOS ANGELES COUNTY.

OWNER/SUBDIVIDER:

WILSHIRE GAYLEY, LLC,
A CALIFORNIA LIMITED LIABILITY COMPANY
10877 WILSHIRE BOULEVARD, SUITE 300
LOS ANGELES, CA 90024
PHONE: (310) 824-3000

PROJECT ADDRESS:

10955 WILSHIRE BOULEVARD
1151-1157 GAYLEY AVENUE
LOS ANGELES, CA 90024

THOMAS GUIDE:

PAGE 632-A3

DISTRICT MAP:

1328149 AND 1328153

CIVIL ENGINEER:

TOM STEINOCK, RCE 18662
PLANNING ASSOCIATES, INC. 4040
VINELAND AVE # 108 STUDIO CITY,
CA 91604
PHONE: (818) 487-6789
FAX: (818) 487-6760

EXISTING COMMUNITY PLAN:

WESTWOOD COMMUNITY PLAN
COMMUNITY COMMERCIAL AND REGIONAL
CENTER COMMERCIAL

ZONING:

EXISTING: [T] [Q] C4-4D-0
PROPOSED: [T] [Q] C4-4D-0

PROJECT AREA:

AREA:
GROSS: 35,016 S.F., 0.80 ACRES
NET: 26,816 S.F., 0.62 ACRES

PROPOSED PROJECT:

1. THREE DEVELOPMENT OPTIONS ARE REQUESTED:

REFINED OPTION 1: 250-ROOM LUXURY BUSINESS HOTEL AND QUALITY GROUND FLOOR RETAIL USES, WITH A PRIVATE RESTAURANT, BAR, COFFEE SHOP, BUSINESS CENTER, MEETING ROOMS, LIBRARY, SWIMMING POOL, SPA AND FITNESS CENTER.

OPTION 2: 144 LUXURY RESIDENTIAL CONDOMINIUMS AND QUALITY GROUND FLOOR RETAIL USES, WITH A PUBLIC RESTAURANT, BAR AND COFFEE SHOP, AND A BUSINESS CENTER, LIBRARY, MEETING ROOMS, SWIMMING POOL, SPA AND FITNESS CENTER FOR THE CONDOMINIUM RESIDENTS ONLY.

OPTION 3: 250 APARTMENT UNITS WITH ASSOCIATED AMENITIES AND QUALITY GROUND FLOOR RETAIL USES WITH A PUBLIC RESTAURANT AND BAR, AND PRIVATE COFFEE SHOP, A FITNESS CENTER AND SPA, A LIBRARY AND BUSINESS CENTER FOR RESIDENTS AND THEIR GUESTS.

THIS VESTING TENTATIVE MAP INCLUDES 1 GROUND LOT AND 4 AIRSPACE LOTS WHICH ARE THE SAME FOR OPTIONS 1, 2 AND 3. THE MAXIMUM NUMBER OF CONDOMINIUM UNITS SHALL NOT EXCEED 144.

3. 427 FEET IN HEIGHT.

4. APPROXIMATELY 314,325 S.F. GROSS FLOOR AREA, 261,883 S.F. FLOOR AREA PER ZONING CODE DEFINITION.

5. 4 LEVELS OF SUBTERRANEAN PARKING, PARTIALLY UNDER THE ALLEY ON THE NORTH AND THE SIDEWALK ALONG GAYLEY AVENUE.

6. 200 STRIPED SPACES.

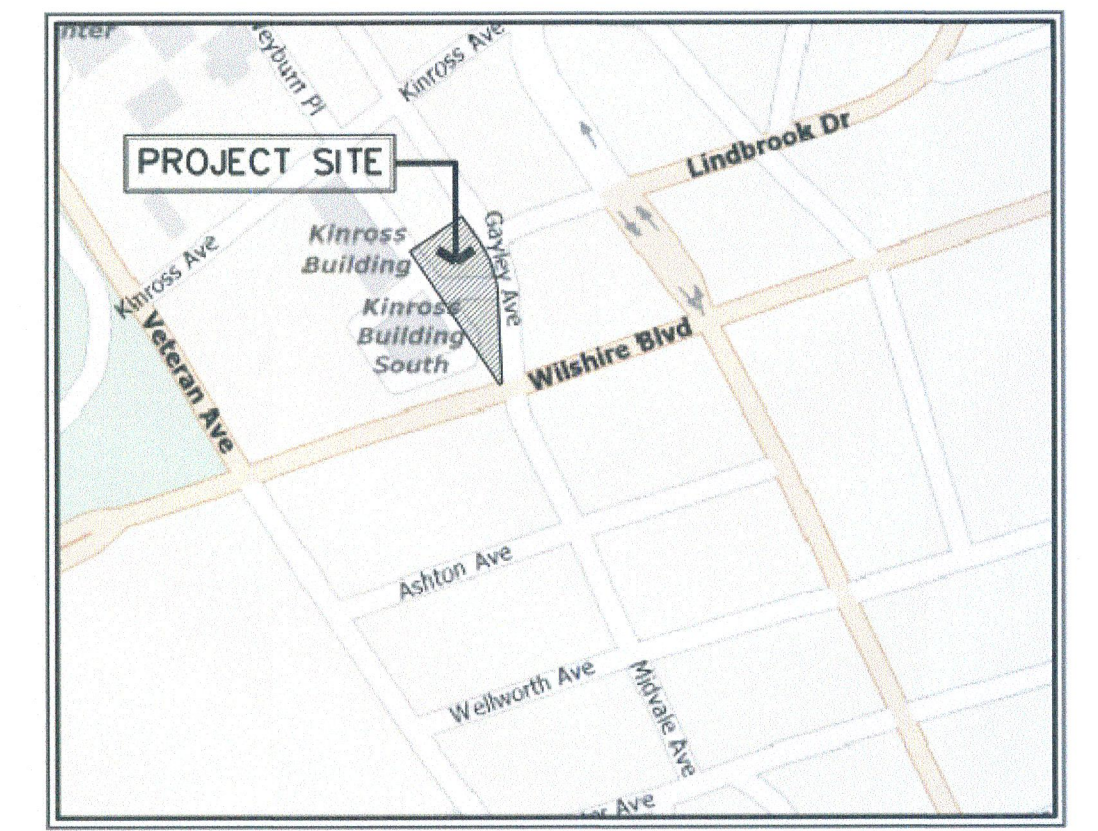
7. 60 ADDITIONAL VALET ASSISTED SPACES.

8. ADDITIONAL OFF-SITE PARKING SHOULD BE PROVIDED BY COVENANT AND AGREEMENT FOR OPTION 2, 144 RESIDENTIAL CONDOMINIUMS AND OPTION 3, 250 APARTMENT UNITS.

9. THE WESTERLY 2 FEET OF THE 10-FOOT PORTION OF GAYLEY AVENUE BEING MERGED BE RE-SUBDIVIDED AS A PART OF LOT 1, AND THAT AN 8-FOOT AND VARIABLE WIDTH LIMITED PUBLIC SIDEWALK, STREET LIGHT, STREET TREES, DRAINAGE, FIRE HYDRANT, AND SEWER EASEMENT BE DEDICATED OVER THE GAYLEY AVENUE STREET MERGER AREAS ADJOINING THE TRACT.

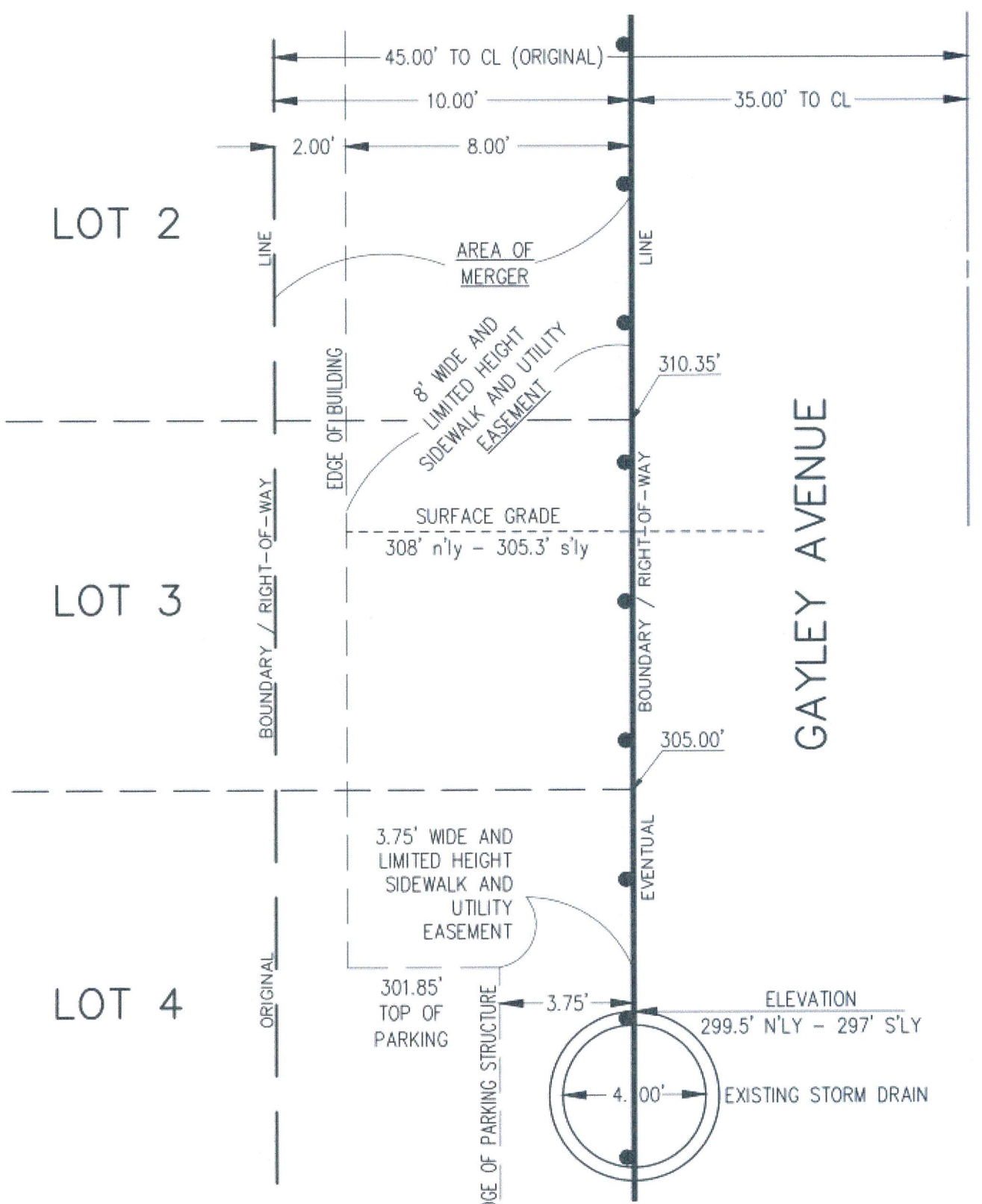
NOTES:

1. PROPERTY IS VACANT.
2. SEWERS ARE AVAILABLE IN ADJACENT STREETS.
3. PROPERTY IS NOT IN A FLOOD HAZARD ZONE.
4. DRAINAGE BY EXISTING SUBSURFACE STORM DRAINS.
5. THERE ARE NO HAZARDOUS AREAS ON THIS SITE.
6. GRADING: CUT = 50,000 C.Y.
FILL = 50,000 C.Y.
EXPORT = 50,000 C.Y.
7. APPROVAL OF HAUL ROUTE IS REQUESTED.
8. THERE ARE NO PROTECTED TREES ON SITE.
9. ENVIRONMENTAL CLEARANCE: EIR NO. 2008-2368.



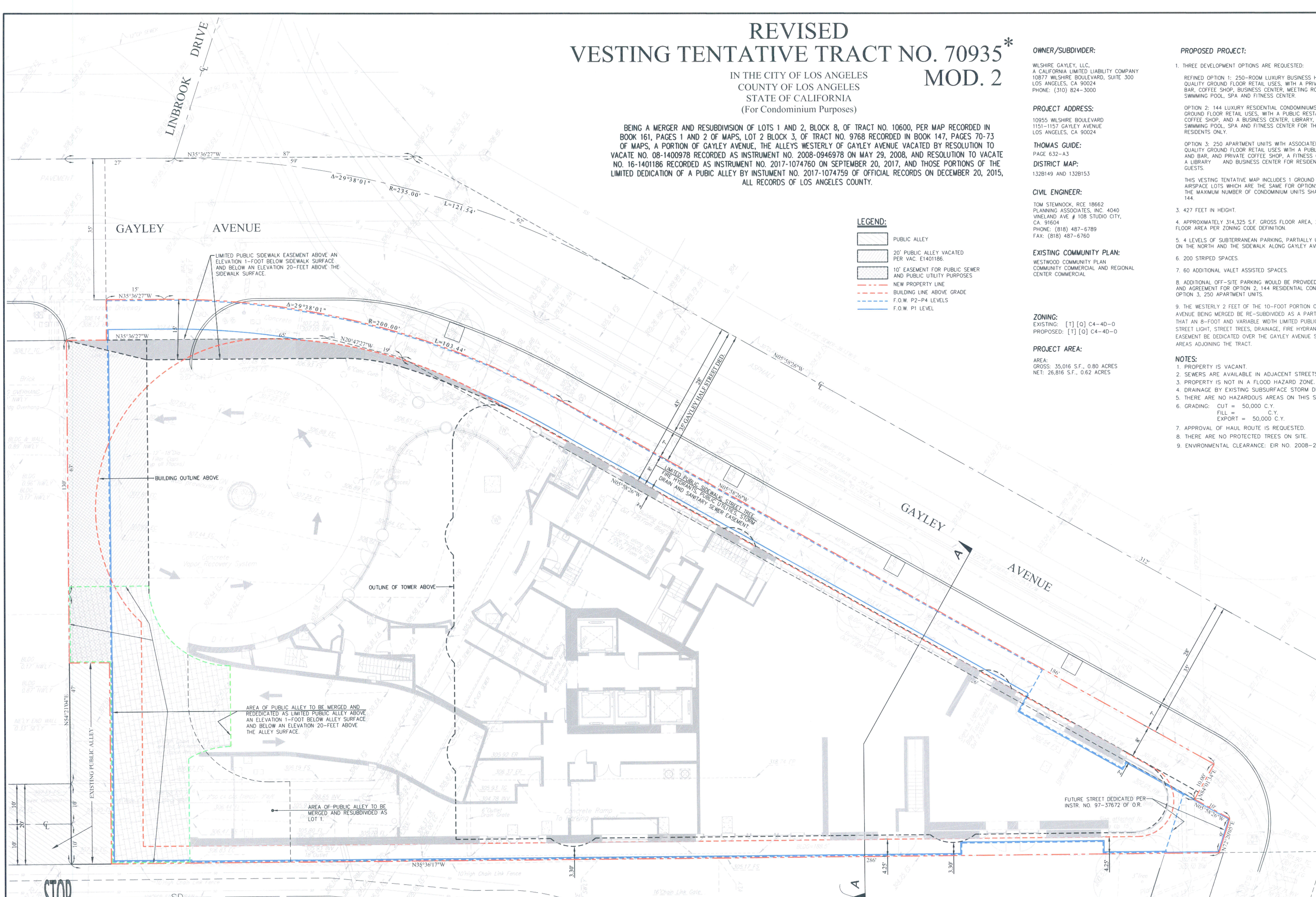
VICINITY MAP

SCALE: N.T.S.



DETAIL

LIMITED 8 FOOT WIDE EASEMENT
AND MERGER AREA



LEGEND:

- PUBLIC ALLEY
- 20' PUBLIC ALLEY VACATED PER VAC. E1401186
- 10' EASEMENT FOR PUBLIC SEWER AND PUBLIC UTILITY PURPOSES
- NEW PROPERTY LINE
- BUILDING LINE ABOVE GRADE
- F.O.W. P2-P4 LEVELS
- F.O.W. P1 LEVEL

LEGEND:

- AIR VALVE
- CURB DRAIN
- CLEAN OUT
- DRAIN GRATE
- FLOOD LIGHT
- GAS METER
- GAS VALVE
- STORM DRAIN MAN HOLE
- ELECTRICAL MAN HOLE
- SEWER MAN HOLE
- TELEPHONE MAN HOLE
- MONITOR WELL
- TREE
- ELECTRICAL PULL BOX
- STREET LIGHT PULL BOX
- TRAFFIC SIGNAL PULL BOX
- SIGN
- STREET LIGHT WITH TRAFFIC SIGNAL
- A.C. BLDG.
- B.T. BLACK TOP
- B.W. BACK OF WALK
- C.E. CITY ENGINEER
- C/L. CENTER LINE
- CONC. CONCRETE
- DIA. DIAMETER
- EA. EDGE OF ASPHALT
- EC. EDGE OF CONCRETE
- EG. EDGE OF GUTTER
- ER. EDGE OF RAMP
- EW. EDGE OF WALK
- FD. FOUND
- F.F. FINISH FLOOR
- FL. FLOW LINE
- FS. FINISH SURFACE
- FW. FACE OF WALK
- GB. GRADE BREAK
- L&T. LEAD & TACK
- M. MEASURED DATA
- R. RECORD DATA PER TRACT NO. 10600
- CR. CALC RECORD DATA
- S.S.D.M. STANDARD SURVEY DISK MONUMENT
- S.S.M. STANDARD SURVEY MONUMENT
- SQ. SQUARE
- SO. SQUARE
- TC. TOP OF CURB
- TEL. TELEPHONE
- T.G. TOP OF GRATE
- TW. TOP OF WALL
- (TYP) TYPICAL
- STREET LIGHT
- TRAFFIC SIGNAL
- WATER METER
- WATER VALVE
- WALL LINE
- BUILDING LINE
- CHAINLINK FENCE
- FLOW LINE
- SANITARY SEWER LINE
- WATER LINE
- ELECTRICAL LINE
- STORM DRAIN LINE
- GAS LINE (ABANDONED)
- GAS LINE
- TELEPHONE LINE
- INDICATES THE BOUNDARY OF THE LAND BEING SUBDIVIDED BY THIS MAP.

LEGEND:

- TOP OF WALL
- TYPICAL
- STREET LIGHT
- TRAFFIC SIGNAL
- WATER METER
- WATER VALVE
- WALL LINE
- BUILDING LINE
- CHAINLINK FENCE
- FLOW LINE
- SANITARY SEWER LINE
- WATER LINE
- ELECTRICAL LINE
- STORM DRAIN LINE
- GAS LINE (ABANDONED)
- GAS LINE
- TELEPHONE LINE
- INDICATES THE BOUNDARY OF THE LAND BEING SUBDIVIDED BY THIS MAP.

PLAN

SCALE: 1"=10'

GRAPHIC SCALE

LEGAL DESCRIPTION:

EXHIBIT "A"

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

PARCEL 1:
LOTS 1 AND 2, BLOCK 8 OF TRACT NO. 10600, AS PER MAP RECORDED IN BOOK 161 PAGES 1 AND 2 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

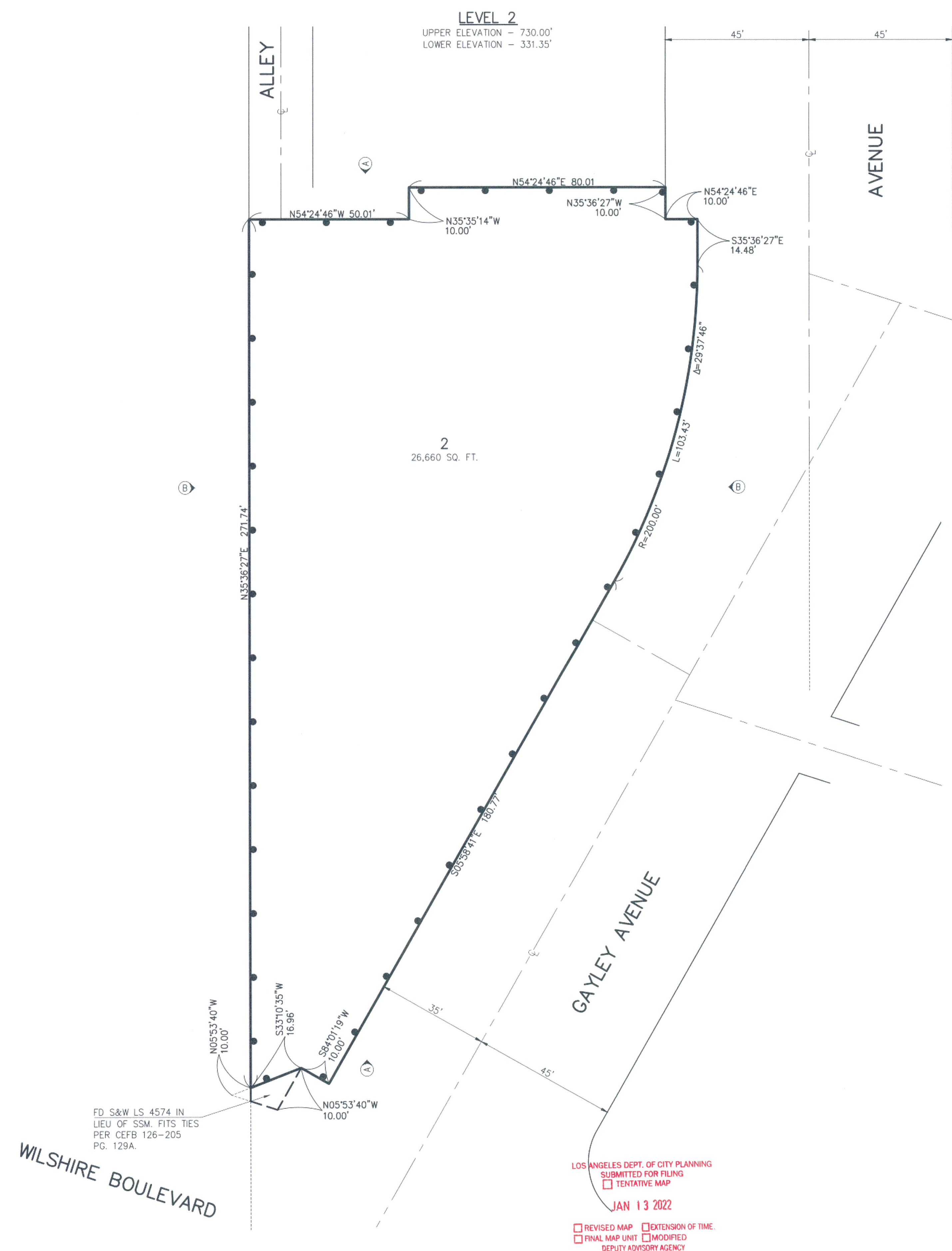
PARCEL 2:
LOT 2, BLOCK 3 OF TRACT NO. 9768, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 147 PAGES 70 AND 73 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 3:

THAT PORTION OF THAT CERTAIN ALLEY (20 FEET WIDE) LYING WITHIN TRACT NO. 10600, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 161, PAGES 1 AND 2 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SHOWN ON THE MAP OF SAID TRACT AS BEING COINCIDENT WITH THE SOUTHERLY AND SOUTHWESTERLY LINES OF LOT 1 AND THE SOUTHWESTERLY LINE OF LOT 2, ALL OF BLOCK 8 OF SAID TRACT, VACATED BY RESOLUTION TO VACATE NO. 08-1400978 OF THE COUNCIL OF SAID CITY, A COPY OF WHICH WAS RECORDED MAY 29, 2008 AS INSTRUMENT NO. 2008-0946978, OF OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER, TITLE TO WHICH WOULD PASS WITH A LEGAL CONVEYANCE OF SAID LAND, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 5° 59' 11" EAST, ALONG THE SOUTHWESTERLY LINE OF GAYLEY AVENUE (90 FEET WIDE) AS SAID AVENUE IS SHOWN ON THE MAP OF SAID TRACT, 20.00 FEET; THENCE SOUTH 84° 00' 49" WEST, 107.34 FEET; THENCE NORTH 35° 36' 27" WEST, 56.16 FEET; THENCE NORTH 54° 23' 33" EAST, 20.00 FEET TO A POINT IN THE SOUTHWEST LINE OF SAID LOT 2; THENCE SOUTHEASTERLY AND EASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT 2 AND THE SOUTHWESTERLY AND SOUTHERLY LINES OF SAID LOT 1, SOUTH 35° 36' 27" EAST 44.52 FEET AND NORTH 84° 00' 49" EAST 95.70 FEET TO THE POINT OF BEGINNING.

	DESIGNED	DATE	13-13160
	DRAWN	DATE	WIRE SPIKE IN NORTH CURB OF WILSHIRE BOULEVARD 2.1 FEET EAST OR BCR OF GAYLEY AVENUE.
	CHECKED	DATE	ELEVATION 303.628 FEET ADJUSTMENT 2000 (NAVDD88)
	REV	DATE	DESCRIPTION
PSOMAS 555 South Flower Street, Suite 4300 Los Angeles, CA 90071 (213) 223-1400 (213) 223-1444 fax www.psomas.com			
REVISED VESTING TENTATIVE TRACT NO. 70935 WILSHIRE GAYLEY, LLC IN THE CITY OF LOS ANGELES COUNTY OF LOS ANGELES STATE OF CALIFORNIA			
DATE: SEPTEMBER 22, 2021 SCALE: 1" = 10' PROJECT NUMBER: 11ND030300			
1 3			



**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

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YVETTE LOPEZ-LEDESMA
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CALIFORNIA**



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MAYOR

EXECUTIVE OFFICES

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DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

August 12, 2021

Property Owner

Kambiz Hekmat
Wilshire Gayley, LLC
10877 Wilshire Boulevard, Suite 300
Los Angeles, CA 90024

Representative

Winston Stromberg
Latham and Watkins, LLP
355 S. Grand Avenue, Suite 100
Los Angeles, CA 90071

Case No.

VTT-70935-CN-GB-M2
VTT-70935-CN-GB-M1
VTT-70935-CN-GB

CEQA:

ENV-2008-2368-EIR,
Addendums Nos. 1 and 2
SCH No. 2008081010

Related Cases:

ZA-2018-5747-ZV, ZA-
2015-1076-ZV, DIR-2014-
1874-CLQ, CPC-2009-
0143-GPA-SP-ZC-HD-
CUB-CU-ZV-ZAA-SPR-
GB

Address:

1151-1175 S. Gayley
Avenue, 10951-10955 W.
Wilshire Boulevard

Council District:

5 - Koretz

Neighborhood Council:

North Westwood

Community Plan Area:

Westwood

Land Use Designation:

Regional Commercial

Zone:

[T][Q]C4-4D-O

LETTER OF CORRECTION

The Vesting Tentative Tract Map No. 70935-CN-GB for the Wilshire Gayley Project was approved on July 2, 2010, and with two subsequent Tract Map Modifications. The original tract map approval included Condition 26, which required the recordation of a Covenant Agreement to bind the subdivider to certain requirements, such as limits on the scope of development, submittal of a solar access report, consideration of energy reduction measures, recycling standards, and references to a related entitlement case. On June 23, 2015, the first modification to the tract map modified Condition 26 regarding the scope of development to add an Option 3 for an apartment option with a commercial ground floor. On May 20, 2020, a second tract map modification modified Condition 26 to alter the building setback, add haul route conditions, and requirements for Unit Map submittals. On October 15, 2020, a Letter of Clarification was issued to correct condition

numbering for Condition Nos. 26 and S-3 of Vesting Tentative Tract Map No. 70935-CN-GB-M2, but did not otherwise modify the text of the condition. On June 8, 2021, the Los Angeles Department of Transportation (LADOT) issued a memo to further revise and provide recommendations for the approved haul route, days and hours of hauling, staging area, and additional comments and/or requirements. Revisions to the haul route for the Wilshire Gayley Project were necessary to avoid construction areas and road closures associated with Metro's construction of the D Line Westwood/UCLA station, which is immediately adjacent to the Wilshire Gayley Project Site.

This Letter of Correction is to modify the previously approved Haul Route Condition No. 26.h to be consistent with the recommendations per LADOT. None of these changes exceed the environmental analysis that was undertaken for the Wilshire Gayley Project EIR (Case No. ENV-2008-2368-EIR, State Clearinghouse No. 2008081010), certified by the City Council on December 8, 2010, Addendum No. 1 dated October 2012, and Addendum No. 2 dated October 2014; and no supplemental or subsequent EIR is required.

Thus, the following revisions shall be made to Condition No. 26.h. Original Text is shown in ~~strikethrough~~. New added text is shown in **bold underline**:

DEPARTMENT OF CITY PLANNING – SITE SPECIFIC CONDITIONS

Corrected Condition No. 26h of VTT-70935-CN-GB-M2 to read:

26. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
 - h. That prior to the issuance of a grading permit, the subdivider shall record and execute a Covenant and Agreement (Planning Department General Form CP-6770), binding the subdivider to the following haul route conditions:
 - 1) Streets to be used are limited to Gayley Avenue, **Veteran Avenue, Weyburn Avenue**, Wilshire Boulevard, San Diego (405) Freeway, Ventura (101) Freeway and Lost Hills Road (Calabasas Landfill). **Loaded haul vehicles traveling from the Project Site shall travel south on Gayley Avenue, west on Wilshire Boulevard, enter onto the I-405 San Diego Freeway North, to the 101 Freeway West. Empty haul vehicles traveling to the Project Site shall travel east on the 101 Freeway, south on the 405 Freeway, exit towards Wilshire Boulevard, make a left turn and travel east onto Wilshire Boulevard, make a left turn and travel north on Veteran Avenue, make a right turn and travel east on Weyburn Avenue, make a right turn and travel south on Gayley Avenue to the Project Site.**
 - 2) Hours of operation shall be from 9:00 a.m. to 3:30 p.m. on Monday through Friday, and 8:00 a.m. to 4:00 **6:00** p.m. on Saturday.
 - 3) Days of the week shall be Monday through Saturday. No hauling on Sundays or Holidays.
 - 4) Total trips per day shall be 40 trips per day.
 - 5) Total number of hauling days shall be 150.

- 6) Trucks shall be limited to 10-wheeler dump trucks or 18-wheeler dump trucks with a variable hauling capacity between 10 and 25 cubic yards. The staging area shall be Pershing Drive between Imperial Highway and Westchester Parkway facing northbound with a limit of 6 trucks staged at one time.
- 7) The Emergency Operations Division, Specialized Enforcement Section of the Los Angeles Police Department shall be notified prior to the start of hauling (213) 486-0777.
- 8) Streets shall be cleaned of spilled materials at the termination of each work day.
- 9) The final approved haul routes and all the conditions of approval shall be available on the job site at all times.
- 10) The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind. (MM B-2)
- 11) Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.
- 12) All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust. (MM B-3)
- 13) All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust. (MM B-4)
- 14) All trucks are to be cleaned of loose earth at the job site to prevent spilling. Any material spilled on the public street shall be removed by the contractor.
- 15) The applicant shall be in conformance with the State of California, Department of Transportation, policy regarding movements of reducible loads.
- 16) All regulations set forth in the State of California Department of Motor Vehicles pertaining to the hauling of earth shall be complied with.
- 17) A Truck Crossing warning sign shall be placed 300 feet in advance of the exit in each direction.
- 18) One flag person(s) shall be required at the job and dump sites to assist the trucks in and out of the project area. Flag person(s) and warning signs shall be in compliance with Part 11 of the 1985 Edition of Work Area Traffic Control Handbook.
- 19) The City of Los Angeles, Department of Transportation, telephone (213) 485-2298, shall be notified 72 hours prior to beginning operations in order to have temporary No Parking signs posted along the route.
- 20) Any desire to change the prescribed routes must be approved by the concerned governmental agencies by contacting Street Services Investigation and Enforcement Division at (213) 847-6000 before the change takes place.
- 21) The permittee shall notify Street Services Investigation and Enforcement Division, (213) 847-6000, at least 72 hours prior to the beginning of hauling operations and shall also notify the Division immediately upon completion of hauling operations.

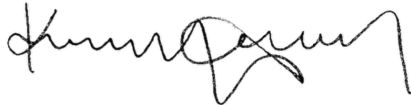
22) A surety or cash bond shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond will be issued by the Central Los Angeles District Engineering Office, 201 N. Figueroa Street Land Development Section, Suite 1150, Los Angeles, CA 90012. Further information regarding the bond may be obtained by calling (213) 202-3495.

OR

A surety or cash bond shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond will be issued by the West Los Angeles District Engineering Office, 1828 Sawtelle Blvd., 3rd Floor, Los Angeles, CA 90025. Further information regarding the bond may be obtained by calling (310) 575-8384.

All other Conditions shall remain unchanged.

VINCENT P. BERTONI, AICP
Advisory Agency

A handwritten signature in black ink, appearing to read 'Kimberly Henry', with a stylized flourish at the end.

Kimberly Henry, City Planner
Deputy Advisory Agency

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

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PRESIDENT

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(213) 978-1271

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ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

VACANT
DEPUTY DIRECTOR

October 15, 2020

Property Owner/Applicant

Kambiz Hekmat
Wilshire Gayley, LLC
10877 Wilshire Boulevard, Suite 300
Los Angeles, CA 90024

Representative

Winston Stromberg
Latham and Watkins, LLP
355 S. Grand Avenue, Suite 100
Los Angeles, CA 90071

Case No.

VTT-70935-CN-GB-M2

VTT-70935-CN-GB-M1

VTT-70935-CN-GB

CEQA:

ENV-2008-2368-EIR,
Addendum Nos. 1 and 2
SCH No. 2008081010

Related Cases:

ZA-2018-5747-ZV, ZA-
2015-1076-ZV, DIR-2014-
1874-CLQ, CPC-2009-
0143-GPA-SP-ZC-HD-CUB-
CU-ZV-ZAA-SPR-GB

Address:

1151-1175 S. Gayley
Avenue, 10951-10955 W.
Wilshire Boulevard

Council District:

5 - Koretz

Neighborhood Council:

North Westwood

Community Plan Area:

Westwood

Land Use Designation:

Regional Commercial

Zone:

[T][Q]C4-4D-O

LETTER OF CORRECTION

In accordance with the provisions of Section 17.03 and 17.11 of the Los Angeles Municipal Code, the Deputy Advisory Agency approved Modifications (-M1 and -M2) of Vesting Tentative Tract Map No. 70935-CN-GB, located at 10951-10955 West Wilshire Boulevard and 1151-1157 South Gayley Avenue in the Westwood Community Plan area. As currently written, Department of City Planning Site Specific Conditions of Approval and Bureau of Engineering Standard Condition of Approval are misnumbered and/or left out in one or both Modification letters.

This Letter of Correction is to correct condition numbering in the previously approved Department of City Planning Site Specific Conditions of Approval and Bureau of Engineering Standard Conditions of Approval to be consistent between Vesting Tentative Tract Map No.s 70935-CN-GB, 70935-CN-GB-M1, and 70935-CN-GB-M2. None of these changes exceed the environmental analysis that was undertaken for the Wilshire Gayley Project EIR (Case No. ENV-

2008-2368-EIR, Addendums 1 and 2, State Clearinghouse No. 2008081010), certified by the City Planning Commission on July 28, 2010, Addendum No.1 dated October 2012, and Addendum No. 2 dated October 2014; and no supplemental or subsequent EIR is required.

Thus the following revisions shall be made to Conditions No.s 26(f-h) and S-3(d), (h), and (i). Original Text is shown in ~~strike through~~. New added text is shown in **bold underline**:

DEPARTMENT OF CITY PLANNING – SITE SPECIFIC CONDITIONS

Modifications to the Tract Map under VTT-70935-CN-GB-M2 added new Conditions No. 26.f-h, inadvertently resulting in two conditions labelled "26.f". Therefore, the conditions added under the second modification should be renumbered.

Corrected Condition No. 26(f-h) of VTT-70935-CN-GB-M2 to read:

26. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
 - f. Prior to the issuance of the building permit or the recordation of the final map, a copy of the ZA-2015-1076-ZV shall be submitted to the satisfaction of the Advisory Agency. In the event that ZA-2015-1076-ZV is not approved, the subdivider shall submit a tract modification.
 - ~~f.g.~~ Pursuant to LAMC Section 17.11, a modification to VTT-70935-CN-GB-M2, permitting the adjustment of the location of the building on the site 4 feet to the northeast as shown on the tract map dated March 20, 2019.
 - ~~g.h.~~ That prior to the issuance of a grading permit, the subdivider shall record and execute a Covenant and Agreement (Planning Department General Form CP-6770), binding the subdivider to the following haul route conditions:
 - 1) Streets to be used are limited to Gayley Avenue, Wilshire Boulevard, San Diego (405) Freeway, Ventura (101) Freeway and Lost Hills Road (Calabasas Landfill).
 - 2) Hours of operation shall be from 9:00 a.m. to 3:30 p.m. on Monday through Friday, and 8:00 a.m. to 4:00 p.m. on Saturday.
 - 3) Days of the week shall be Monday through Saturday. No hauling on Sundays or Holidays.
 - 4) Total trips per day shall be 40 trips per day.
 - 5) Total number of hauling days shall be 150.
 - 6) Trucks shall be limited to 10-wheeler dump trucks or 18-wheeler dump trucks with a variable hauling capacity between 10 and 25 cubic yards. The staging area shall be Pershing Drive between Imperial Highway and Westchester Parkway facing northbound with a limit of 6 trucks staged at one time.
 - 7) The Emergency Operations Division, Specialized Enforcement Section of the Los Angeles Police Department shall be notified prior to the start of hauling (213) 486-0777.

- 8) Streets shall be cleaned of spilled materials at the termination of each work day.
- 9) The final approved haul routes and all the conditions of approval shall be available on the job site at all times.
- 10) The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind. (MM B-2)
- 11) Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.
- 12) All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust. {MM B-3}
- 13) All materials transported off □ site shall be either sufficiently watered or securely covered to prevent excessive amount of dust. {MM B-4}
- 14) All trucks are to be cleaned of loose earth at the job site to prevent spilling. Any material spilled on the public street shall be removed by the contractor.
- 15) The applicant shall be in conformance with the State of California, Department of Transportation, policy regarding movements of reducible loads.
- 16) All regulations set forth in the State of California Department of Motor Vehicles pertaining to the hauling of earth shall be complied with.
- 17) A Truck Crossing warning sign shall be placed 300 feet in advance of the exit in each direction.
- 18) One flag person(s) shall be required at the job and dump sites to assist the trucks in and out of the project area. Flag person(s) and warning signs shall be in compliance with Part 11 of the 1985 Edition of Work Area Traffic Control Handbook.
- 19) The City of Los Angeles, Department of Transportation, telephone (213) 485-2298, shall be notified 72 hours prior to beginning operations in order to have temporary No Parking signs posted along the route.
- 20) Any desire to change the prescribed routes must be approved by the concerned governmental agencies by contacting Street Services Investigation and Enforcement Division at (213) 847-6000 before the change takes place.
- 21) The permittee shall notify Street Services Investigation and Enforcement Division, (213) 847-6000, at least 72 hours prior to the beginning of hauling operations and shall also notify the Division immediately upon completion of hauling operations.
- 22) A surety or cash bond shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond will be issued by the Central Los Angeles District Engineering Office, 201 N. Figueroa Street Land Development Section, Suite 1150, Los Angeles, CA 90012. Further information regarding the bond may be obtained by calling (213) 202-3495.

OR

A surety or cash bond shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond will be issued by the West Los Angeles District Engineering Office, 1828 Sawtelle Blvd., 3rd Floor, Los Angeles, CA 90025. Further information regarding the bond may be obtained by calling (310) 575-8384.

- ~~h.i.~~ **UNIT MAP.** That the tract be permitted to record with the final map units in a number and sequences satisfactory to the Advisory Agency. The subdivider shall submit the Unit Map Fee, a Unit map showing the boundaries of all units, the Unit Number(s) of each Unit Map(s), and all applicable tract conditions in a matrix for each Unit (Map(s). Should particular master tract condition(s) not apply to a Unit map, the subdivider shall submit all evidences or documentation to prove so. All above required items shall be submitted satisfactory to the Advisory Agency prior to the clearance of all other conditions of approval. (Note: All conditions and requirements of the City Engineer for each unit map and the approved tract as a whole shall be satisfactory to the City Engineer.)

BUREAU OF ENGINEERING STANDARD CONDITIONS

Modifications to the Tract Map under VTT-70935-CN-GB-M2 modified language for conditions relating to street trees and improvements but inadvertently mis-numbered the conditions as Condition No. S-3 (i) and (h), respectively, which were originally Condition No. S-3 (d) and (i), respectively. Therefore, the conditions listed under the second modification should be renumbered.

Corrected Condition S-3(d) of VTT-70935-CN-GB to read:

- S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitable guaranteed:
- (~~h~~**i**) 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 Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division (213-485~~847~~-5675~~3077~~) upon completion of construction to expedite tree planting.

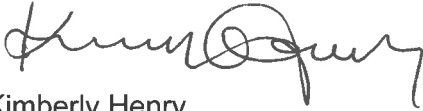
Corrected Condition S-3(h) of VTT-70935-CN-GB-M2 to read:

- S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitable guaranteed:
- (~~h~~**i**) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
- a. Support, protect and maintain in service the existing 48-inch storm drain in Gayley Avenue.
 - b. Improve Gayley Avenue adjoining the subdivision by the construction of a 15-foot concrete sidewalk with tree wells together with suitable surfacing to join the existing pavement and provide a 28-foot half roadway and any necessary removal and reconstruction of existing improvements satisfactory to the City Engineer. The subdivider shall obtain a revocable

permit through the West Los Angeles District Office of the Bureau of Engineering for any alternate sidewalk materials or streetscape.

All other Conditions shall remain unchanged.

VINCENT P. BERTONI, AICP
Advisory Agency

A handwritten signature in black ink, appearing to read 'Kimberly Henry', with a stylized flourish at the end.

Kimberly Henry
City Planner

DEPARTMENT OF
CITY PLANNING

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN
PRESIDENT

VAHID KHORSAND
VICE-PRESIDENT

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CAROLINE CHOE

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CALIFORNIA



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MAYOR

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TRICIA KEANE
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

Decision Date: 5/20/2020

Appeal Period Ends: 6/1/2020

Kambiz Hekmat (A)(O)
Wilshire Gayley, LLC
10877 Wilshire Boulevard, Suite 300
Los Angeles, CA 90024

Winston Stromberg (R)
Latham and Watkins LLP
355 S. Grand Avenue, Suite 100
Los Angeles, CA 90071

Tom Stemnock (E)
Planning Associates, Inc.
4040 Vineland Avenue, Suite 108
Los Angeles, CA 91604

RE: Case No. VTT-70935-CN-GB-M2
Address: 1151-1175 S. Gayley Avenue,
10951-10955 W. Wilshire Boulevard
Related Cases: ZA-2018-5747-ZV,
ZA-2015-1076-ZV, DIR-2014-1874-CLQ,
CPC-2009-0143-GPA-SP-ZC-HD-CUB-
CU-ZV-ZAA-SPR-GB
Community Plan: Westwood
Zone: [T][Q]C4-4D-O
Council District.: 5 - Koretz
CEQA No.: Addendum No. 2 to Certified
EIR, ENV-2008-2368-EIR, SCH No.
2008081010

In accordance with provisions of Section 17.03 and 17.11 of the Los Angeles Municipal Code (LAMC), the Advisory Agency approved a **MODIFICATION (-M2)** of Vesting Tentative Tract Map No. 70935-CN-GB-M1 composed of one ground lot and four airspace lots, located at 10951-10955 West Wilshire Boulevard and 1151-1157 South Gayley Avenue in the Westwood Community Plan area. Consistent with VTT-70935-CN-GB and VTT-70935-CN-GB-M1, VTT-70935-CN-GB-M2 is hereby approved to allow for a maximum of either: **Option 1: 250-room hotel and 6,510 square feet of commercial use OR Option 2: 144 residential condominium units and 6,510 square feet of commercial use OR Option 3: 250 apartment units and 6,510 feet of commercial use** as shown on map stamp-dated March 20, 2019. This map is permitted as a phased Unit Map. This unit density is based on the [T][Q]C4-4D-O Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning code as it applies to this particular property.) For an appointment with the Development Services Center call (213) 482-7077 or (818) 374-5050. The Advisory Agency's approval is subject to the following conditions, where each of the proposed new conditions is intended to replace and supersede any previous version of the same condition previously approved:

NOTE on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

As reflected in the letter dated May 17, 2019, from the Bureau of Engineering, The Deputy Advisory Agency has made the following modifications to the Conditions of Approval.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

CONDITION NO. 1 to be amended to read as follows:

1. That portions of Gayley Avenue 10-foot and variable in width ~~above a depth of 3 feet below the finished sidewalk surface, 7-foot and variable width from a depth of 3 feet below to a variable depth of approximately 12 to 12.5 feet below the finished sidewalk surface, and 4-foot in width below a variable depth approximately 12 to 12.5 feet below the finished sidewalk surface,~~ all substantially as shown in Section A-A on the revised map stamp-dated ~~March 19, 2015~~ March 20, 2019 be permitted to be merged with the remainder of the tract pursuant to Section 66499.20-2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
 - a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
 - b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.

Note: The Advisory Agency hereby finds that the dedications to be merged are unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.

CONDITION NO. 2 to be amended to read as follows:

2. That ~~a 10-foot to 20-foot and variable width portion of the alley below a depth of one foot below the finished alley surface southerly of the alley centerline and a 10-foot and variable width portion of the alley above a height of approximately 44 feet above the finished alley surface southerly of the alley centerline all substantially as shown on the revised map in Section B-B stamp-dated March 19, 2015, be permitted to be merged with the remainder of the tract pursuant to Section 66499.20-2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:~~

That the portions of the existing public alley located at the northwest corner of the revised map and labeled, "AREA OF EXISTING PUBLIC ALLEY TO BE MERGED AND REDEDICATED AS LIMITED PUBLIC ALLEY ABOVE AN ELEVATION OF 1 FOOT BELOW ALLEY SURFACE AND BELOW AND ELEVATION OF 20 FEET ABOVE ALLEY SURFACE.", be permitted to be so merged and rededicated by the tract map and in addition, the following conditions be executed by the applicant and administered by the City Engineer.

- a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.

- b. That satisfactory arrangements be made with all public utility agencies cable companies and franchises maintaining existing facilities within the area being merged.

Note: The Advisory Agency hereby finds that the dedications to be merged are unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.

CONDITION NO. 3 to be revised to read as follows:

- 3. ~~That an approximately 3-foot and variable width portion of the alley northerly of the alley centerline above a height of approximately 44 feet above the finished alley surface substantially as shown on the revised map stamp in Section B-B dated March 19, 2015 be permitted to be merged with the remainder of the tract pursuant to Section 66499.20-2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:~~

- ~~a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.~~
- ~~b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.~~

~~Notes: The Advisory Agency hereby finds that the dedications to be merged are unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.~~

~~This condition is not required if the vacation or the easterly 80 feet of the alley west of Gayley Avenue is completed prior to recordation of the final map.~~

That the area shown outlined in purple on the revised map stamp dated March 20, 2019 and labeled as #3 in the legend be dedicated as limited public alley above an elevation of 2 foot below alley surface and below an elevation 20 feet above the alley surface.

CONDITION NO. 4 to be revised to read as follows:

- 4. That a 10-foot the westerly 2-feet of the 10-foot portion of Gayley Avenue being merged be re-subdivided as a part of Lot 1, and that an 8-foot and variable width limited public sidewalk, street light, street trees, drainage, fire hydrant, and sewer easement be dedicated over the Gayley Avenue street merger areas adjoining the tract.

CONDITION NO. 5 to be revised to read as follows:

- 5. ~~That written consent from the owner of Lot 3, Block 8 Tract 10600 be obtained for the merger of the portion of the alley northerly of the alley centerline. In the event written~~

~~consent cannot be obtained from said owner and as confirmed by the developer, this merger request and condition can be eliminated. The subdivider may still apply for a revocable permit for the portion of the structure northerly of the alley centerline under the normal Revocable Permit process through the West Los Angeles District Office of the Bureau of Engineering.~~

~~This condition is not required if the vacation of the easterly 80 feet of the alley west of Gayley Avenue is completed prior to recordation of the final map.~~

That the area of the existing limited public alley shown outlined in teal bleu on the revised map stamp-dated March 20, 2019 and labeled as #4 in the legend be merged and resubdivided as part of Lot 1.

CONDITION NO. 11 to be revised to read as follows:

11. That prior to the issuance of the final Certificate of Occupancy for the building, the Subdivider shall submit an Offer to Dedicate as Future Street the area of the public sidewalk easement on Gayley Avenue between the curb face and ~~four~~ eight feet behind. Such Offer to Dedicate as Future Street shall only be accepted by the City Council upon making the finding that said ~~four~~ eight-foot portion of the public sidewalk easement is necessary for the public safety and welfare.

CONDITION NO. 17(a) to be deleted in its entirety:

- ~~17a. That the vacation of the easterly 80 feet of the alley west of Gayley Avenue and joining the northerly tract boundary, approved under Council File No. 12-0148, be completed prior to the recordation of the final map.~~

In consideration of the original plans and approvals, the Deputy Advisory Agency has made the following modifications to the Conditions of Approval to reflect the 'D' limitation of the zone, which limits height and floor area, but not the number of stories.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

CONDITION NO. 19(h) to be revised to read as follows:

- 19h. Submit a revised map that dimensions each air space lot (all 29 stories) with a finite width, length, and upper and lower elevations. The final Map shall be based upon a site plan which accurately describes the location of such lots. Indicate the total number of air lots proposed on the Map.

The following conditions have been updated to reflect new addresses and contact information for various city departments.

INFORMATION TECHNOLOGY AGENCY

23. Satisfactory arrangements be made in accordance with the requirements of the Information technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12th Floor Room 1400, Los Angeles, CA 90012, 213-922-8363 213

978-3311.

DEPARTMENT OF CITY PLANNING – SITE SPECIFIC CONDITIONS

26b. Option 1: Provide a minimum of 200 on-site parking spaces and an additional 60 on-site valet spaces OR Option 2: a minimum of 200 on-site parking spaces and an additional 60 on-site valet spaces OR Option 3: a minimum of 200 on-site parking spaces and an additional 60 on-site valet spaces. An additional 226 parking spaces for Option 2 or an additional 97 parking spaces for Option 3 will be provided off-site at Center West (10877 Wilshire Boulevard) or at Plaza la Reina (10844-10852 Lindbrook Drive) in accordance with City Planning approvals.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 North Spring Street, Room 750 221 North Figueroa Street, Suite 1350).

Consistent with the findings of the original approval, and the analysis of the EIR, the following condition has been added to reflect the required haul route conditions.

NEW CONDITION NO. 26(f) to be added to read as follows:

- f. Pursuant to LAMC Section 17.11, a modification to VTT-70935-CN-GB-M2, permitting the adjustment of the location of the building on the site 4 feet to the northeast as shown on the tract map dated March 20, 2019.

NEW CONDITION NO. 26(g) to be added to read as follows:

- g. That prior to the issuance of a grading permit, the subdivider shall record and execute a Covenant and Agreement (Planning Department General Form CP-6770), binding the subdivider to the following haul route conditions:
- 1) Streets to be used are limited to Gayley Avenue, Wilshire Boulevard, San Diego (405) Freeway, Ventura (101) Freeway and Lost Hills Road (Calabasas Landfill).
 - 2) Hours of operation shall be from 9:00 a.m. to 3:30 p.m. on Monday through Friday, and 8:00 a.m. to 4:00 p.m. on Saturday.
 - 3) Days of the week shall be Monday through Saturday. No hauling on Sundays or Holidays.
 - 4) Total trips per day shall be 40 trips per day.
 - 5) Total number of hauling days shall be 150.
 - 6) Trucks shall be limited to 10-wheeler dump trucks or 18-wheeler dump trucks with a variable hauling capacity between 10 and 25 cubic yards. The staging area shall be Pershing Drive between Imperial Highway and Westchester Parkway facing northbound with a limit of 6 trucks staged at one time.
 - 7) The Emergency Operations Division, Specialized Enforcement Section of the Los Angeles Police Department shall be notified prior to the start of hauling (213) 486-0777.

- 8) Streets shall be cleaned of spilled materials at the termination of each work day.
- 9) The final approved haul routes and all the conditions of approval shall be available on the job site at all times.
- 10) The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind. (MM B-2)
- 11) Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.
- 12) All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust. (MM B-3)
- 13) All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust. (MM B-4)
- 14) All trucks are to be cleaned of loose earth at the job site to prevent spilling. Any material spilled on the public street shall be removed by the contractor.
- 15) The applicant shall be in conformance with the State of California, Department of Transportation, policy regarding movements of reducible loads.
- 16) All regulations set forth in the State of California Department of Motor Vehicles pertaining to the hauling of earth shall be complied with.
- 17) A Truck Crossing warning sign shall be placed 300 feet in advance of the exit in each direction.
- 18) One flag person(s) shall be required at the job and dump sites to assist the trucks in and out of the project area. Flag person(s) and warning signs shall be in compliance with Part II of the 1985 Edition of Work Area Traffic Control Handbook.
- 19) The City of Los Angeles, Department of Transportation, telephone (213) 485-2298, shall be notified 72 hours prior to beginning operations in order to have temporary No Parking signs posted along the route.
- 20) Any desire to change the prescribed routes must be approved by the concerned governmental agencies by contacting Street Services Investigation and Enforcement Division at (213) 847-6000 before the change takes place.
- 21) The permittee shall notify Street Services Investigation and Enforcement Division, (213) 847-6000, at least 72 hours prior to the beginning of hauling operations and shall also notify the Division immediately upon completion of hauling operations.
- 22) A surety or cash bond shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond will be issued by the Central Los Angeles District Engineering Office, 201 N. Figueroa Street, Land Development Section, Suite 1150, Los Angeles, CA 90012. Further information regarding the bond may be obtained by calling (213) 202-3495.

OR

A surety or cash bond shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond will be issued by the West Los Angeles District Engineering Office, 1828 Sawtelle Blvd., 3rd Floor, Los Angeles, CA 90025. Further information regarding the bond may be obtained by calling (310) 575-8384.

As reflected in the tract map stamp-dated March 20, 2019 (Note 10), the subdivider requests consideration of phased map.

NEW CONDITION NO. 26(h) to be added to read as follows:

26. h. UNIT MAP. That the tract be permitted to record with the final map units in a number and sequences satisfactory to the Advisory Agency. The subdivider shall submit the Unit Map Fee, a Unit map showing the boundaries of all units, the Unit Number(s) of each Unit Map(s), and all applicable tract conditions in a matrix for each Unit (Map(s). Should particular master tract condition(s) not apply to a Unit map, the subdivider shall submit all evidences or documentation to prove so. All above required items shall be submitted satisfactory to the Advisory Agency prior to the clearance of all other conditions of approval. (Note: All conditions and requirements of the City Engineer for each unit map and the approved tract as a whole shall be satisfactory to the City Engineer.)

The following condition has been revised to reflect corrected address information for the section of the department undertaking condition clearance.

29. Pursuant to LAMC Section 16.1(D)(2), (Green Building Program), prior to the issuance of any building permit, the project must be reviewed and the plans stamped and approved by the Director for LEED® compliance. This green building clearance may be obtained at the Site Plan Review Office by the Major Projects Section in of the Department of City Planning located on the 6th Floor of 200 N. Spring Street at 221 N. Figueroa Street, Suite 1350, Los Angeles, or on the 4th Floor of at 6262 Van Nuys Boulevard, Van Nuys. ~~Appointments are required for both offices, and can be made by calling 213 978-1219 213 847-3688 or 213 847-3626.~~

As reflected in the letter dated May 17, 2019, from the Bureau of Engineering, the Deputy Advisory Agency has made the following modifications to the Conditions of Approval.

BUREAU OF ENGINEERING STANDARD CONDITIONS

CONDITION NOS. S-3(i) and (h) to be revised to read as follows:

S-3.

- (i) Plant street trees and remove any existing trees within the dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdividers or contractor shall notify the Urban Forestry Division (213 485-5575 213 847-3077) upon completion of construction to expedite tree planting.
- (h) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a. Support, protect and maintain in service the existing 48-inch storm drain in Gayley Avenue.
 - b. Improve Gayley Avenue adjoining the subdivision by the construction

of a ~~40~~15-foot concrete sidewalk with tree wells together with suitable surfacing to join the existing pavement and provide a 28-foot half roadway and any necessary removal and reconstruction of existing improvements satisfactory to the City Engineer. The subdivider shall obtain a revocable permit through the West Los Angeles District Office of the Bureau of Engineering for any alternate sidewalk materials or streetscape.

MODIFIED FINDINGS OF FACT (CEQA)

The Project proposal was reviewed by the Los Angeles Department of City Planning, Environmental Review Unit (serving as Lead Agency) in accordance with the requirements of the California Environmental Quality Act (CEQA) (Pub Resources Code §21000 et seq.; 14 Cal. Code Regs. §15000 et seq.). An Initial Study was then prepared for the Project and, in compliance with CEQA Section 21080.4, a Notice of Preparation (NOP) was prepared by the City of Los Angeles Department of City Planning and was distributed to the State Clearinghouse, Office of Planning and Research, responsible agencies, and other interested parties. The NOP identified specific areas where the Project could have adverse environmental effects and determined that an Environmental Impact Report (EIR) would need to be prepared to document these effects. The NOP requesting comments to be considered in a Draft EIR was circulated for a 30-day period starting on August 4, 2008 and ending on September 3, 2008. A Public Scoping Meeting was held on August 19, 2008 and public testimony was taken on the environmental impacts of the proposed Project.

On June 4, 2009, the Draft EIR was submitted to the State Clearinghouse, Office of Planning and Research, and was circulated for a 45-day public review period, ending on July 20, 2009. Copies of the original written comments received during the 45-day public review period are provided in the Final EIR. Pursuant to Section 15088 of the CEQA Guidelines, the City of Los Angeles, as lead agency, reviewed all comments received during the review period for the Draft EIR and responded to each comment in Section III of the Final EIR.

The Department of City Planning prepared a Final EIR for the Project, which is hereby incorporated by reference in full. The Final EIR is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and components of the proposed Project. The Final EIR addresses the environmental effects associated with implementation of the proposed Project, presents a refinement to the Project's Hotel Option (Option 1) and analyzes the potential environmental impacts associated with it and compares these impacts to each analyzed project alternative, identifies feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts, and includes written responses to all comments received on the Draft EIR during the public review period. Responses were sent to all public agencies that made comments on the Draft EIR at least 10 days prior to certification of the Final EIR pursuant to CEQA Guidelines Section 15088(b). In addition, all individuals that commented on the Draft EIR also received a copy of the Final EIR. The Final EIR was also made available for review on the City's website. Notices regarding availability of the Final EIR were sent to those within a 500-foot radius of the project site as well as individuals that attended the scoping meeting and provided comments during the NOP comment period. The Final EIR was adopted by the City Planning Commission on July 28, 2010.

A subsequent Addendum ("Addendum No. 1") was prepared in October of 2012. The Department of City Planning required the applicant to prepare an Addendum to analyze the change in the project. The applicant requested a vacation of a portion of the 20-foot wide east-west alley that abuts the northern portion of the project site. The alley would be vacated to a point 80 feet west

of Gayley Avenue and return it to limited use and for emergency access. In addition to the alley vacation, the applicant would simultaneously dedicate additional area at the northwestern corner of the site in order to provide a turning area at the terminus of the north-south alley where it intersects with the vacated portion of the east-west alley. No other changes to the approved project were proposed as part of the revised alley condition. Addendum No. 1 analyzed the following areas of impact - Traffic/Circulation, Noise, Air Quality and Land Use and Planning and found that the revised alley condition would not alter the impact findings and mitigation measures for any of the environmental issues presented in the EIR. With implementation of the prescribed mitigation measures in the EIR, there would be no new significant impacts and no substantial increase in the severity of environmental impacts resulting from the revised alley condition compared to those impacts previously identified in the EIR. No new mitigation measures are required for the revised alley condition, therefore the impacts for the revised alley condition are within the scope of impacts identified in the EIR.

A second Addendum ("Addendum No. 2") was prepared in October of 2014. The Department of City Planning required the applicant to prepare an Addendum to analyze the addition of a third development option for apartments, the "Q" Clarification, and the requested approval of several Zone Variances. Addendum No. 2 analyzed the following areas of impact - Aesthetics/Visual Resources, Air Quality, Greenhouse Gas Emissions (new section added), Hazards, Land Use and Planning, Noise, Public Services, Transportation and Circulation, and Utilities and Service Systems, and found that the addition of a third development option for apartments, which would require a tract modification, "Q" Clarification and requested Zone Variances, would not alter the impact findings and mitigation measures for any of the environmental issues presented in the EIR. With the exception of Mitigation Measure G-3 of the EIR and Mitigation Monitoring Program (MM-43 of the June 23, 2015 Letter of Determination for VTT-70935-CN-GB-M1), which was revised to include Option 3, all mitigation measures remain the same for all three development options. With implementation of the prescribed mitigation measures in the EIR, there would be no new significant impacts and no substantial increase in the severity of environmental impacts resulting from the revised project compared to those impacts previously identified in the EIR and Addendum No. 1. No new mitigation measures are required for the revised project, therefore the impacts for development Option 3 are within the scope of impacts identified in the EIR and Addendum No. 1.

The changes to the Project proposed as a result of this Modification No. 2 and the reduction in open space requested under concurrent Case No. ZA-2018-5747-ZV, are minor in nature. These minor changes are within the scope of impacts identified in the EIR and Addendum Nos. 1 and 2. As such, based upon substantial evidence in the whole of the administrative record, the City finds, pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162:

- That there have been no substantial changes to the Project that would require major revisions to the previous EIR; and
- That there have been no substantial changes with respect to the circumstances under which the Project has been undertaken that would require major revisions of the previous EIR; and
- That there has been no new information of substantial importance regarding the Project, which would result in new significant environmental effects or a substantial increase in the severity in previously identified significant environmental effects.

Therefore, no additional environmental review is required for the Project.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of the MODIFICATION of Vesting Tentative Tract Map No. 70935-CN-GB-M1, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

(a) **THE PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.**

The adopted Westwood Community Plan designates the project site Regional Center Commercial land use with the corresponding zones of C4, C1.5, C2, C4, RAS3, RAS4, R3, R4, and R5 and is located within the West Los Angeles Transportation Improvement and Mitigation Specific Plan area. The property contains approximately 0.58 net acres (25,120 net square feet after required dedication, including alley) and is presently zoned [T][Q]C4-2D-O.

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas).

The Tract Map (VTT-70935-CN-GB) was originally approved by the Advisory Agency on July 2, 2010 allowing the subdivision of one ground lot and three airspace lots, to allow Option 1 (250-room hotel and 6,510 square feet of commercial use), OR Option 2 (144-unit residential condominium with 6,510 square feet of commercial use).

In conjunction with the original tract approval (VTT-70935-CN-GB), the project was originally granted approvals to allow: 1.) a General Plan Amendment to the Westwood Community Plan to change the land use designation on the northerly portion of the site from Community Commercial to Regional Center Commercial; and to amend Footnote #3 to permit Height District 4 in lieu of Height District 2 for the proposed project site and to permit a Floor Area Ratio (FAR) of 10.93:1 in lieu of 6:1 as otherwise permitted; 2.) an Amendment to the Westwood Village Specific Plan to amend the boundaries of the Specific Plan to exclude the northern parcels which currently are a part of the Specific Plan; 3.) Pursuant to LAMC Section 12.32 a Vesting Zone/Height District Change from C4-2D-O on the northern parcels of the proposed project site and from [Q] C4-2-O on the southern parcel of the proposed project site to C4-4D-O to create consistent zoning across the entire site. The proposed change in the Height District and "D" Development Limitation would permit a FAR of 10.93:1. The change in the [Q] Qualified Condition on the southern parcel would delete conditions not related to the proposed project); 4.) a Vesting Conditional Use to permit the establishment of a hotel on a site classified in the C4 Zone that is located within 500 feet of properties classified in an R Zone; 5.) a Conditional Use to permit the sale and consumption of a full line of alcoholic beverages in a restaurant, in mini-bars within hotel guest rooms, for room service to hotel or condominium rooms and at the pool deck; 6.) a Variance to permit up to 226 of the required residential parking spaces to be provided off-site at a property controlled by the applicant and served by a 24-hour valet company [For Option 2 Only]; 7.) an Adjustment to permit a zero foot setback in lieu of the otherwise required minimum 16 foot setback for the west side yard at the floor level of the first story used for residential purposes; 8.) a Zoning Administrator's Adjustment for Option 2 to allow a 20% density increase to allow 144 condominium units in lieu of 125; and 9.) Site Plan Review for a development project that creates or results in an increase of 50 or more dwelling units or guest rooms, or combination thereof. Additional

approvals were also granted prior to submittal of the tract modification request, including a Clarification of "Q" Conditions to allow a third development option (Option 3) to permit the construction of 250 apartment units by the Department of City Planning and for the vacation of the east-west alley westerly of Gayley Avenue between Kinross Avenue and Wilshire Boulevard by the Bureau of Engineering.

On March 19, 2015, the project was granted a tract map modification (VTT-70935-CN-GB-M1), that permitted an "Option 3" to the potential development of the site that would allow 250 apartment units and 6,510 square feet commercial use. Together with the first tract map modification, the project was granted variances (ZA 2015-1076(ZV), pursuant that permitted the following: 1.) 125 apartment units with zero square feet of lot area per unit in lieu of the otherwise required 200 square feet of lot area per unit for a total of 250 apartment units; 2.) 281 residential parking spaces in lieu of the otherwise required 313 spaces and 76 commercial parking spaces in lieu of the otherwise required 116 spaces; 3.) 97 required residential parking spaces to be provided off-site; and 4.) alternative bicycle stall siting for the required bicycle parking, including possible off-site storage of up to 225 bicycles and a program to retrieve bicycles.

In this second tract map modification ("Second Modification"), the project is adjusting the building's location four feet to the northeast, subsequently requiring the modification of affected improvement conditions to reflect that adjustment. Together with this Second Modification, VTT-70935-CN-GB-M2, the project was granted a variance to permit 17,457 square feet of open space in lieu of the otherwise required 27,675 square feet.

The Subdivision Map Act requires the Advisory Agency to find the proposed map be consistent with the General Plan. The Westwood Community Plan, a part of the Land Use Element of the City's General Plan, states the following goal, objectives and policies relevant to the current project:

Goal 1: A safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the community.

Objective 1-1: To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.

Policy 1-1.3: Provide for adequate multi-family residential development.

Objective 1-2: To coordinate residential density with infrastructure and to reduce vehicular trips and pass-through traffic in single family neighborhoods by developing new multiple family housing in proximity to services and facilities.

Policy 1-2.1: Locate higher density residential within designated multiple family areas and near commercial centers and major bus routes where public service facilities and infrastructure will support this development. Wilshire Boulevard is a major transportation corridor with several MTA bus lines running east-west, including Rapid line 720 and 920. The project site is also located adjacent to the future location of a Metro Purple Line subway station. In addition, the proposed project is also subject to the provisions of the West Los Angeles Transportation Improvement and Mitigation Specific Plan which is monitored and enforced by the Department of Transportation. The purpose of the Plan is to provide a mechanism to fund specific transportation improvements due to transportation impacts generated by a proposed new development, to promote area wide transit

enhancement and to promote or increase work-related ridesharing and bicycling to reduce peak-hour trips, among other programs to ensure the construction of transportation facilities and infrastructure. The Plan requires applicants to provide the payment of Transportation Impact Assessment fees and/or the incorporation of a Transportation Demand Management program.

With approval of the requested Tract Map Modification and associated Zone Variance, the proposed project development of Option 1: Construction of a 250-room hotel and 6,510 square feet of ground floor commercial use **OR** Option 2: Construction of 144 residential condominium units and 6,510 square feet of ground floor commercial use **OR** Option 3: 250 apartment units and 6,510 feet of commercial use, as proposed would be consistent with the goals, objectives and policies of the Westwood Community Plan. The project will provide much needed new home ownership, rental or lodging opportunities along Wilshire Boulevard, a major transportation corridor within the Community Plan area.

Therefore, as conditioned and with the approval of Case No. ZA-2018-5747-ZV, the proposed tract map will be consistent with the intent and purpose of the applicable General, the Westwood Community Plan and the West Los Angeles Transportation Improvement and Mitigation Specific Plan.

(b) THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

In conjunction with the proposed project, the applicant will be required to make street improvements along Gayley Avenue and the adjacent alley as required by Bureau of Engineering. Wilshire Boulevard is a Major Highway-Class I dedicated to a 125-foot width at the project's street frontage. Gayley Avenue is a Secondary Highway dedicated to a 90-foot width at the project's street frontage. Portions of Gayley Avenue as shown on Section A-A of the tract map, dated March 20, 2019, have been permitted to be merged with the tract. The Bureau of Engineering is requiring improvements on Gayley Avenue adjoining the subdivision to include a 10-foot and variable width concrete sidewalk with tree wells as well as the maintenance of the existing 48-inch storm drain.

In addition, the applicant was granted approval of the vacation of the east-west alley westerly of Gayley Avenue between Kinross Avenue and Wilshire Boulevard (Council File No. 12-0148). With revised Condition No. 2, per BOE's letter dated May 17, 2019, the area of existing public alley to be merged and rededicated as limited public alley above an elevation of 1 foot below alley surface and below an elevation of 20 feet above alley surface. The applicant will be required to complete improvements, including construction of a turnaround area at the southerly terminus of the north-south alley westerly of Gayley Avenue, prior to recordation of the final map.

The project proposes to provide vehicular access to the site from the above referenced alley that runs along the north boundary of the site. This vehicular access would lead to the circular driveway, which would provide a drop-off and pick-up area for the uses of the building. The alley access would lead to the circular driveway, as well as to the subterranean parking structure. The subterranean parking structure would be accessed from the western end of the site. On-site parking would be provided in a four-level subterranean parking facility that would accommodate 200 parking spaces, and would extend under a portion of the alley and the sidewalk on Gayley Avenue. With the use of valet and tandem parking, the parking structure would be able to accommodate up to 260 spaces. Additional parking for Option 2 and Option 3 would be provided off-site at the

Center West building located at 10877 Wilshire Boulevard, or Plaza la Reina, located at 10844-10852 Lindbrook Drive, adjacent to Center West. Both locations are two blocks east of the site. The driveways to the underground parking at both locations are located on Lindbrook Drive and the driveways are adjacent to one another. The off-site parking would be reserved for use by The Wilshire Gayley project through a binding agreement by legal instrument that would be recorded and would run with the land.

The proposed project will provide Option 1: a minimum of 200 on-site parking spaces and an additional 60 on-site valet spaces **OR** Option 2: a minimum of 200 on-site parking spaces and an additional 60 on-site valet spaces **OR** Option 3: a minimum of 200 on-site parking spaces and an additional 60 on-site valet spaces. An additional 226 parking spaces for Option 2 or an additional 97 parking spaces for Option 3 will be provided off-site at Center West (10877 Wilshire Boulevard) or at Plaza la Reina (10844-10852 Lindbrook Drive) in accordance with City Planning approvals. In addition, Options 2 and 3 will provide 225 bicycle parking spaces for long and short-term use in conformance with the provisions of the Los Angeles Bicycle Ordinance (Ordinance No. 182,386). As conditioned the design and improvements of the proposed project are consistent with the applicable General and Specific Plans.

(c) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED TYPE OF DEVELOPMENT.

The site is currently developed with a vacant commercial building and a vacant lot. It's one of the few unimproved properties in the vicinity. The development of this tract is an infill of an otherwise mixed-density neighborhood.

The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

As referenced in the February 18, 2009 letter from the Department of Building and Safety, Grading Division, a review cannot be completed at this time, pending the submittal of addendum reports that shall include a comprehensive investigation and report with an evaluation of liquefaction and justifying calculations and recommendations for building construction, shall be submitted. The tract has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits.

(d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

Adjacent land uses are office and commercial uses to the north across the alley, high-rise office buildings to the south across Wilshire Boulevard, commercial and office uses to the east across Gayley, and the UCLA Parking Lot 36, UCLA Campus Police building, and the UCLA Library Tech Services building to the west in the PF-1XL Zone. The proposed project would provide an appropriate transitional development between the high rise office buildings to the south and the office uses to the north. The site was previously improved with a vacant commercial building and a vacant lot, and the proposed project would provide either Option 1: 250-room hotel and 6,510 square feet commercial use **OR** Option 2: 144 residential condominium units and 6,510 square feet commercial use **OR** Option 3: 250 apartment units and 6,510 feet of commercial use. As designed and with approval of concurrent Case No. ZA 2015-1076(ZV), the proposed project will be in compliance with all LAMC requirements for density, parking, yards, and open space. As conditioned the

proposed tract map is physically suitable for the proposed density of the development.

- (e) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife.

- (f) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

There appear to be no potential public health problems caused by the design or improvement of the proposed subdivision. The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

- (g) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

The proposed subdivision has been designed to incorporate sewer easements required by the Department of Public Works, Bureau of Engineering. The Bureau of Engineering is requiring a sewer easement to be dedicated over the Gayley Avenue merger areas adjoining the tract as well as a 4-foot wide portion of the public sidewalk easement for the public safety and welfare. In addition, the approval of the alley vacation requires the applicant to dedicate a 10-foot public utility easement under the northerly half of the alley for the existing sewer and any future utilities. The alley will also be available for public use by emergency vehicles. As designed and conditioned, the proposed subdivision will not conflict with the easement requirements.

- (h) THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements. Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed. The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation. The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

All other conditions and findings of Vesting Tentative Tract No. 70935-CN-GB and 70935-CN-GB-M1 shall remain as originally written.

VINCENT P. BERTONI, AICP
Advisory Agency


Luciralia Ibarra
Deputy Advisory Agency

LI:dn

COVID-19 INTERIM APPEAL FILING PROCEDURES: Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, the Department of City Planning is implementing new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction. There are two options for filing appeals, which are effective immediately and described in the Interim Appeal Filing Procedures attached to this Letter of Determination.

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Downtown	San Fernando Valley	West Los Angeles
Figueroa Plaza	Marvin Braude San	West Los Angeles
201 North Figueroa	Fernando	Development Services
Street, 4th Floor	Valley Constituent Service	Center
Los Angeles, CA 90012	Center	1828 Sawtelle Boulevard,
(213) 482-7077	6262 Van Nuys Boulevard,	2nd Floor
	Room 251	Los Angeles, CA 90025
	Van Nuys, CA 91401	(310) 231-2598
	(818) 374-5050	

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

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

If you have any questions, please call Development Services Center staff at (213) 482-7077, (818) 374-5050, or (310) 231-2598.

DEPARTMENT OF
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CITY PLANNING COMMISSION

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<http://planning.lacity.org>

July 25, 2016

Kambiz Hekmat (A)(O)
Wilshire Gayley, LLC
10877 Wilshire Boulevard, Suite 300
Los Angeles, CA 90024

RE: VTT-70935-CN-GB
Related Case: CPC-2009-143-GPA-SP-ZC-
HD-CU-CUB-ZV-ZAA-SPR-GB
Address: 10951-10955 West Wilshire
Boulevard, 1151-1157 South Gayley
Avenue
Community Plan: Westwood
Council District: 5

Daniel Green (R)
Latham & Watkins LLP
355 South Grand Avenue
Los Angeles, CA 90071

EXTENSION OF TIME

On July 2, 2010, the Advisory Agency conditionally approved Vesting Tentative Tract Map No. 70935. In accordance with the provisions of Section 66452.6(c), Article 2, Chapter 3 of the Government Code, and Section 17.07 or 17.56-A of the Los Angeles Municipal Code, the Advisory Agency hereby grants a 2 year extension, totaling 13 years, from the decision date for the recording of the final map for Tract No. 70935 located at 10951-10955 West Wilshire Boulevard and 1151-1157 South Gayley Avenue in the Westwood Community Plan.

Pursuant to AB 116, all maps are automatically granted an additional two years as long as those maps were approved after January 1, 2000 and have not expired before July 11, 2013

Therefore, the new expiration date for the subject vesting tentative tract map is July 2, 2023 and no further extension of time to record a final map can be granted. The associated case number CPC-2009-143-GPA-SP-ZC-HD-CU-CUB-ZV-ZAA-SPR-GB is synchronized per 12.36G (3) and will expire July 2, 2023.

Vincent P. Bertoni
Director of Planning

Ralph Avila
Senior City Planner
DSW: RA: SK

TIME EXTENSIONS PER ORDINANCE No. 182,106

City of Los Angeles – Department of City Planning

APPLICANT INFORMATION

Applicant's Name: Kambiz Hekmat Company: Wilshire Gayley, LLC
Address: 1087 Wilshire Blvd, Suite 300 Telephone: (310) 824-3000
Los Angeles, CA 90024 E-mail: peter.gutierrez@lw.com

PROJECT ADDRESS: 10951 Wilshire, 1151 S. Gayley ENVIRONMENTAL CASE #: ENV-2008-2368-EIR

PROJECT DESCRIPTION

A proposed project to develop either a 250-room hotel and 6,510 square feet of commercial uses OR 144 residential condominium units and 6,510 square feet of commercial uses OR 250 apartments and 6,510 square feet of commercial uses.

Subdivision Case No. (if applicable): VTT-70935-CN-GB	Effective Date of Approval: 07/02/10	Original Expiration Date*: 07/02/13	New Expiration Date: 07/02/21+ 07/02/23++
Approval Case No: CPC-2009-143-GPA-SP-ZC-HD-CU-CUB-ZV- ZAA-SPR-GB	Effective Date of Approval: 01/31/11	Original Expiration Date*: 01/31/17+++	New Expiration Date: 07/02/23++
Approval Case No:	Effective Date of Approval:	Original Expiration Date*:	New Expiration Date:
Approval Case No:	Effective Date of Approval:	Original Expiration Date*:	New Expiration Date:
Approval Case No:	Effective Date of Approval:	Original Expiration Date*:	New Expiration Date:

* may be eligible for an additional discretionary extension per LAMC

+ = Per Extension letter issued July 31, 2013.

++ = Per AB 116 and ZA Memo No. 131.

+++ = Per Extension approval issued October 8, 2013.

DISCLAIMER

This Time Extension does not grant a vested right to proceed. If your project has not been vested, then your project may be subject to new zoning ordinances adopted after your project was approved. A new discretionary land use approval and updated environmental documentation may be required in order to issue the necessary permits from the Department of Building and Safety.

CEQA ADEQUACY**

☐ N/A

↓

☐ No ☒ Yes Does the current project substantially conform to the project as approved?

☐ No ☒ Yes Did the subject discretionary approval consider significant aspects of the project?
 If "Yes", which significant aspects were considered?
☒ Building Location ☒ Height ☒ Density ☒ Use ☒ Parking ☒ Access
☐ Other: _____

☐ No ☒ Yes Was the environmental documentation for the project completed in compliance with the City's CEQA Guidelines?

☐ No ☒ Yes For projects **without** a Categorical Exemption, did the EIR, MND, ND, or other environmental document consider significant aspects of the project?
 If "Yes", which significant aspects were considered?
☒ Building Location ☒ Height ☒ Density ☒ Use ☒ Parking ☒ Access
☐ Other: _____

If any of the four questions can be answered "No", then the prior discretionary approval and environmental review did not consider significant aspects of the approved project and the existing environmental documentation under CEQA is not adequate for the issuance of the extension.

Director's Written Finding: The prior discretionary approval and environmental review considered significant aspects of the approved project and the existing environmental documentation under CEQA is adequate for the issuance of the extension.

☒ YES ☐ NO***

Completed by:	Date:	If Director's Written Finding "YES", Stamp:
JOHN DACEY	7/25/16	DEPARTMENT OF CITY PLANNING APPROVED BY:

** Time Extensions for subdivisions do not need to make the CEQA adequacy finding.

*** If "NO", the Director of Planning may require additional environmental review or documentation.

If "NO", please explain why CEQA is not adequate:

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INFORMATION
<http://planning.lacity.org>

Decision Date: June 23, 2015

Appeal Period Ends: July 6, 2015

Kambiz Hekmat (A)(O)
Wilshire Gayley, LLC
10877 Wilshire Boulevard, Suite 300
Los Angeles, CA 90024

Tom Stemnock (E)
Planning Associates
4040 Vineland Avenue, Suite 108
Studio City, CA 91604

RE: Vesting Tentative Map No.: 70935-CN-GB-M1
Related Cases: ZA 2015-1076(ZV),
DIR 2014-1874(CLQ) and CPC 2009-0143
(GPA)(SP)(ZC)(HD)(CUB)(CU)(ZV)(ZAA)
(SPR)(GB)
Address: 10951-10955 W. Wilshire Boulevard
and 1151-1157 S. Gayley Avenue
Community Plan: Westwood
Zone: [T][Q]C4-4D-O
Council District: 5
CEQA No.: Addendum No. 2 to Certified EIR,
ENV-2008-2368-EIR, SCH No. 2008081010

In accordance with provisions of Section 17.03 and 17.11 of the Los Angeles Municipal Code (LAMC), the Advisory Agency approved **MODIFICATION** of Vesting Tentative Tract Map No. 70935-CN-GB composed of one ground lot and four airspace lots, located at 10951-10955 West Wilshire Boulevard and 1151-1157 South Gayley Avenue for a maximum of either **Option 1: 250-room hotel and 6,510 square feet of commercial use OR Option 2: 144 residential condominium units and 6,510 square feet of commercial use OR Option 3: 250 apartment units and 6,510 feet of commercial use** as shown on map stamp-dated March 19, 2015 in the Westwood Community Plan. This unit density is based on the [T][Q]C4-4D-O Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning code as it applies to this particular property.) For an appointment with the Development Services Center call (213) 482-7077 or (818) 374-5050. The Advisory Agency's approval is subject to the following conditions, where each of the proposed new conditions is intended to replace and supersede any previous version of the same condition previously approved:

NOTE on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

NOTE on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

EXISTING CONDITION NO. 1 reads:

1. That portions of Gayley Avenue 10-foot and variable width above a depth of 3 feet below the finished sidewalk surface, 7-foot and variable width from a depth of 3 feet below to a variable depth of approximately 12 to 12.5 feet below the finished sidewalk surface, and 4-foot in width below a variable depth approximately 12 to 12.5 feet below the finished sidewalk surface, all substantially as shown in Section A-A on the revised map stamp dated May 27, 2010 be permitted to be merged with the remainder of the tract pursuant to Section 66499.20-1/2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
 - a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
 - b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.

Note: The Advisory Agency hereby finds that the dedications to be merged are unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.

NEW CONDITION NO. 1 to read:

1. That portions of Gayley Avenue 10-foot and variable width above a depth of 3 feet below the finished sidewalk surface, 7-foot and variable width from a depth of 3 feet below to a variable depth of approximately 12 to 12.5 feet below the finished sidewalk surface, and 4-foot in width below a variable depth approximately 12 to 12.5 feet below the finished sidewalk surface, all substantially as shown in Section A-A on the revised map stamp-dated March 19, 2015 be permitted to be merged with the remainder of the tract pursuant to Section 66499.20-2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
 - a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
 - b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.

Note: The Advisory Agency hereby finds that the dedications to be merged are unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.

EXISTING CONDITION NO. 2 reads:

2. That a 10-foot to 20 foot and variable width portion of the alley below a depth of one foot below the finished alley surface southerly of the alley centerline and a 10-foot and variable width portion of the alley above a height of approximately 44 feet above the finished alley surface southerly of the alley centerline all substantially as shown on the revised map in Section B-B stamp dated May 27, 2010 be permitted to be merged with the remainder of the tract pursuant to Section 66499.20-1/2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
 - a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
 - b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.

Note: The Advisory Agency hereby finds that the dedications to be merged are unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.

NEW CONDITION NO. 2 to read:

2. That a 10-foot to 20-foot and variable width portion of the alley below a depth of one foot below the finished alley surface southerly of the alley centerline and a 10-foot and variable width portion of the alley above a height of approximately 44 feet above the finished alley surface southerly of the alley centerline all substantially as shown on the revised map in Section B-B stamp-dated March 19, 2015, be permitted to be merged with the remainder of the tract pursuant to Section 66499.20-2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
 - a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
 - b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.

Note: The Advisory Agency hereby finds that the dedications to be merged are unnecessary for present or prospective public purposes and all

owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.

EXISTING CONDITION NO. 3 reads:

3. That an approximate 3-foot and variable width portion of the alley northerly of the alley centerline above a height of approximately 44 feet above the finished alley surface substantially as shown on the revised map stamp in Section B-B dated May 27, 2010 be permitted to be merged with the remainder of the tract pursuant to Section 66499.20-1/2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
 - a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
 - b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.

Note: The Advisory Agency hereby finds that the dedications to be merged are unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.

NEW CONDITION NO. 3 to read:

3. That an approximately 3-foot and variable width portion of the alley northerly of the alley centerline above a height of approximately 44 feet above the finished alley surface substantially as shown on the revised map stamp in Section B-B dated March 19, 2015 be permitted to be merged with the remainder of the tract pursuant to Section 66499.20-2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
 - a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
 - b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.

Notes: The Advisory Agency hereby finds that the dedications to be merged are unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.

This condition is not required if the vacation of the easterly 80 feet of the alley west of Gayley Avenue is completed prior to recordation of the final map.

EXISTING CONDITION NO. 5 reads:

5. That written consent from the owner of Lot 3, Block 8 Tract 10600 be obtained for the merger of the portion of the alley northerly of the alley centerline. In the event written consent cannot be obtained from said owner and as confirmed by the developer, this merger request and condition can be eliminated. The subdivider may still apply for a revocable permit for the portion of the structure northerly of the alley centerline under the normal Revocable Permit process through the West Los Angeles District Office of the Bureau of Engineering.

NEW CONDITION NO. 5 to read:

5. That written consent from the owner of Lot 3, Block 8 Tract 10600 be obtained for the merger of the portion of the alley northerly of the alley centerline. In the event written consent cannot be obtained from said owner and as confirmed by the developer, this merger request and condition can be eliminated. The subdivider may still apply for a revocable permit for the portion of the structure northerly of the alley centerline under the normal Revocable Permit process through the West Los Angeles District Office of the Bureau of Engineering.

This condition is not required if the vacation of the easterly 80 feet of the alley west of Gayley Avenue is completed prior to recordation of the final map.

EXISTING CONDITION NO. 14 reads:

14. That the existing future street at the intersection of Gayley Avenue and Wilshire Boulevard be accepted by suitable resolution.

NEW CONDITION NO. 14 to read:

14. That the existing future street at the intersection of Gayley Avenue and Wilshire Boulevard be accepted by suitable resolution, and that the subsurface portion of the future street measured one-foot below finished grade be permitted to be merged with the remainder of the tract pursuant to Section 66499.20-2 of the State Government Code.

ADD NEW CONDITION NO. 17a to read:

- 17a. That the vacation of the easterly 80 feet of the alley west of Gayley Avenue and joining the northerly tract boundary, approved under Council File No. 12-0148, be completed prior to the recordation of the final map.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISIONEXISTING CONDITION NO. 18 reads:

18. A comprehensive investigation and report with an evaluation of liquefaction and justifying calculations and recommendations for building construction, shall be

submitted. The 04/29/2008 report and the 01/14/2009 supplement prepared by Mactec contain information for the Environmental Impact Report (EIR), and do not contain information for the proposed building construction.

NEW CONDITION NO. 18 to read:

18. Prior to recordation of the final map or start of construction, a comprehensive investigation and report with an evaluation of liquefaction and justifying calculations and recommendations for building construction, shall be submitted. The 04/29/2008 report and the 01/14/2009 supplement prepared by Mactec contain information for the Environmental Impact Report (EIR), and do not contain information for the proposed building construction.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

EXISTING CONDITION NO. 19 reads:

19. Prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
 - a. Obtain permits for the demolition or removal of all existing structures on the site. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
 - b. The submitted Map dimensions do not agree with ZIMAS. Revise the Map to address the discrepancy or obtain approval from Department of City Planning.
 - c. Obtain zone change to C4-4D prior to tract recordation.
 - d. The submitted Map does not comply with the minimum side yards (16 ft.), rear yard (20 ft.), and maximum density (400 s.f. of lot area/dwelling unit) requirement of a residential use in the proposed **C4-4D** Zone. Revise the Map to show compliance with the above requirement(s) or obtain approval from the Department of City Planning.
 - e. Provide a copy of the application or resolution for street vacation. The street vacation shall be completed prior to or concurrently with the Map recording.
 - f. Due to the irregular configuration of the parcel, the Department recommends that the front, side and rear lot line locations be designated by the Advisory Agency.
 - g. Show all street/alley dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street/alley dedication.

- h. Submit a revised Map that dimensions each air space lot (all 29 stories) with a finite width, length, and upper and lower elevations. The final Map shall be based upon a site plan which accurately describes the location of such lots. Indicate the total number of air lots proposed on Map.
- i. Record a Covenant and Agreement to treat the buildings and structures located in an Air Space Subdivision as if they were within a single lot.

Notes:

Each Air Space lot shall have access to a street by one or more easements or other entitlements to use in a form satisfactory to the Advisory Agency and the City Engineer.

The submitted Map may not comply with the number of parking spaces required by Section 12.21 A 4 (a) based on number of habitable rooms in each unit. If there are insufficient number of parking spaces, obtain approval from the Department of City Planning.

The existing or proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. Any vested approvals for parking layouts, open space, required yards or building height, shall be "to the satisfaction of the Department of Building and Safety at the time of Plan Check."

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 to schedule an appointment.

NEW CONDITION NO. 19 to read:

- 19. Prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
 - a. Obtain permits for the demolition or removal of all existing structures on the site. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
 - b. Comply with the [Q] conditions of Ordinance 181,487 and/or comply with the conditions of City Planning approval of Case No. DIR 2014-1874(CLQ) for Option 3 that is not approved under Ordinance 181,487.
 - d. Provide a copy of the application or resolution for street vacation. The street vacation shall be completed prior obtaining Zoning clearance and street merger shall be completed concurrently with the Map recording.

- e. Show all street/alley dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street/alley dedication.
- f. Record a Covenant and Agreement to treat the buildings and structures located in an Air Space Subdivision as if they were within a single lot.

Notes:

Each Air Space lot shall have access to a street by one or more easements or other entitlements to use in a form satisfactory to the Advisory Agency and the City Engineer.

The submitted Map may not comply with the number of parking spaces required by Section 12.21A.4(a) based on number of habitable rooms in each unit. If there is insufficient number of parking spaces, obtain approval from the Department of City Planning.

The existing or proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. Any vested approvals for parking layouts, open space, required yards or building height, shall be "to the satisfaction of the Department of Building and Safety at the time of Plan Check."

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

EXISTING CONDITION NO. 20c reads:

- c. Pursuant to Section 5 of the WLA TIMP, an applicant for a project within the Specific Plan area, except as exempted, shall pay, or guarantee payment of, a TIA Fee prior to issuance of any building permit. The fee shall be paid prior to the issuance of a building permit to the satisfaction of the Department of Transportation.

NEW CONDITION NO. 20c to read:

- c. Pursuant to Section 5 of the WLA TIMP, an applicant for a project within the Specific Plan area, except as exempted, shall pay, or guarantee payment of, a TIA Fee prior to issuance of any building permit.

FIRE DEPARTMENT**EXISTING CONDITION NO. 21 reads:**

21. Prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
- a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
 - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
 - c. **Policy Exception:**

L.A.M.C. 57.09.03.B. Exception:
 - When this exception is applied to a fully fire sprinkle red residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.
 - It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term "horizontal travel" refers to the actual path of travel to be taken by a person responding to an emergency in the building.
 - This policy does not apply to single-family dwellings or to non-residential buildings.
 - d. Building designs for multi residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150 ft horizontal travel distance from the edge of the public street, private street on Fire Lane.
 - e. Entrance to the main lobby shall be located off the address side of the building or to the satisfaction of the Fire Department.
 - f. Any required Fire Annunciator panel or Fire Control Room shall be located within 50ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.

- g. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- h. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- i. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
- j. Submit plot plans indicating access road and turning area for Fire Department approval.
- k. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- l. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- m. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel. Exception: Dwelling unit travel distance shall be computed to front door of unit.
- n. Hydrants and sprinklers may be required after review of plot plans.
- o. Site plans shall include all overhead utility lines adjacent to the site.
- p. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- q. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- r. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- s. Where fire apparatus will be driven onto the road level surface of the subterranean parking structure, that structure shall be engineered to withstand a bearing pressure of 8,600 pounds per square foot.

NEW CONDITION NO. 21 to read:

- 21. Prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:

- a. Submit plot plans for Fire Department approval and review prior to recordation of Tract Action.
- b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- c. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
- d. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- e. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel.
- f. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- g. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- h. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150ft horizontal travel distance from the edge of the public street, private street or Fire Lane. This stairwell shall extend unto the roof.
- i. Entrance to the main lobby may be located off of Gayley Avenue and the address may be located off of Wilshire Boulevard.
- j. Any required Fire Annunciator panel or Fire Control Room shall be located within 50ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
- k. Site plans shall include all overhead utility lines adjacent to the site.
- l. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

Note: The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting please call (213) 482-6504. You should advise any consultant representing you of this requirement as well.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONSEXISTING CONDITION NO. 26 reads:

26. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- a. Limit the proposed development to Option 1: a maximum 250-room hotel and 6,510 square feet of ground floor commercial **OR** Option 2: 144 residential condominium units and 6,510 square feet of ground floor commercial use.
- b. Option 1: Provide a minimum of 200 parking spaces and an additional 60 additional valet spaces **OR** Option 2: a minimum of 200 parking spaces and a 60 additional valet spaces. An additional 226 parking spaces will be provided off-site at Center West (10877 Wilshire Boulevard) or at Plaza la Reina (10844-10852 Lindbrook Drive).

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 North Spring Street, Room 750).

- c. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- d. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
- e. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

NEW CONDITION NO. 26 to read:

26. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- a. Limit the proposed development to Option 1: a maximum 250-room hotel and 6,510 square feet of ground floor commercial **OR** Option 2: 144 residential condominium units and 6,510 square feet of ground floor commercial use **OR** Option 3: 250 apartment units and 6,510 square feet of ground floor commercial use.

- b. Option 1: Provide a minimum of 200 on-site parking spaces and an additional 60 on-site valet spaces **OR** Option 2: a minimum of 200 on-site parking spaces and an additional 60 on-site valet spaces **OR** Option 3: a minimum of 200 on-site parking spaces and an additional 60 on-site valet spaces. An additional 226 parking spaces for Option 2 or an additional 97 parking spaces for Option 3 will be provided off-site at Center West (10877 Wilshire Boulevard) or at Plaza la Reina (10844-10852 Lindbrook Drive) in accordance with City Planning approvals.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 North Spring Street, Room 750).

- c. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- d. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
- e. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
- f. Prior to the issuance of the building permit or the recordation of the final map, a copy of the ZA-2015-1076-ZV shall be submitted to the satisfaction of the Advisory Agency. In the event that ZA-2015-1076-ZV is not approved, the subdivider shall submit a tract modification.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

EXISTING MITIGATION MEASURE NO. 43 reads:

- MM-43. The Applicant shall submit a detailed accounting of the parking provided, required, and used in the off-site location for Option 2. Upon approval and prior to issuance of building permits for the project, a copy of a covenant that shall reserve the required number of spaces at the off-site facility in perpetuity for use by the project shall be submitted to LADOT.

Monitoring Phase: Post-Construction

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

Monitoring Agency: Los Angeles Department of Transportation; and Department of Building and Safety

NEW MITIGATION MEASURE NO. 43 to read:

MM-43. The Applicant shall submit a detailed accounting of the parking provided, required, and used in the off-site location for Option 2 or Option 3. Upon approval and prior to issuance of the certificate of occupancy, a copy of a binding agreement by legal instrument that shall reserve the required number of spaces at the off-site facility for use by the project shall be submitted to LADOT.

Monitoring Phase: Post-Construction

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

Monitoring Agency: Los Angeles Department of Transportation; and
Department of Building and Safety

MODIFIED FINDINGS OF FACT (CEQA)

The Project proposal was reviewed by the Los Angeles Department of City Planning, Environmental Review Unit (serving as Lead Agency) in accordance with the requirements of the California Environmental Quality Act (CEQA) (Pub Resources Code §21000 et seq.; 14 Cal. Code Regs. §15000 et seq.). An Initial Study was then prepared for the Project and, in compliance with CEQA Section 21080.4, a Notice of Preparation (NOP) was prepared by the City of Los Angeles Department of City Planning and was distributed to the State Clearinghouse, Office of Planning and Research, responsible agencies, and other interested parties. The NOP identified specific areas where the Project could have adverse environmental effects and determined that an Environmental Impact Report (EIR) would need to be prepared to document these effects. The NOP requesting comments to be considered in a Draft EIR was circulated for a 30-day period starting on August 4, 2008 and ending on September 3, 2008. A Public Scoping Meeting was held on August 19, 2008 and public testimony was taken on the environmental impacts of the proposed Project.

On June 4, 2009, the Draft EIR was submitted to the State Clearinghouse, Office of Planning and Research, and was circulated for a 45-day public review period, ending on July 20, 2009. Copies of the original written comments received during the 45-day public review period are provided in the Final EIR. Pursuant to Section 15088 of the CEQA Guidelines, the City of Los Angeles, as lead agency, reviewed all comments received during the review period for the Draft EIR and responded to each comment in Section III of the Final EIR.

The Department of City Planning prepared a Final EIR for the Project, which is hereby incorporated by reference in full. The Final EIR is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and components of the proposed Project. The Final EIR addresses the environmental effects associated with implementation of the proposed Project, presents a refinement to the Project's Hotel Option (Option 1) and analyzes the potential environmental impacts associated with it and compares these impacts to each analyzed project alternative, identifies feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts, and includes written responses to all

comments received on the Draft EIR during the public review period. Responses were sent to all public agencies that made comments on the Draft EIR at least 10 days prior to certification of the Final EIR pursuant to CEQA Guidelines Section 15088(b). In addition, all individuals that commented on the Draft EIR also received a copy of the Final EIR. The Final EIR was also made available for review on the City's website. Notices regarding availability of the Final EIR were sent to those within a 500-foot radius of the project site as well as individuals that attended the scoping meeting and provided comments during the NOP comment period. The Final EIR was adopted by the City Planning Commission on July 28, 2010.

A subsequent Addendum ("Addendum No. 1") was prepared in October of 2012. The Department of City Planning required the applicant to prepare an Addendum to analyze the change in the project. The applicant requested a vacation of a portion of the 20-foot wide east-west alley that abuts the northern portion of the project site. The alley would be vacated to a point 80 feet west of Gayley Avenue and return it to limited use and for emergency access. In addition to the alley vacation, the applicant would simultaneously dedicate additional area at the northwestern corner of the site in order to provide a turning area at the terminus of the north-south alley where it intersects with the vacated portion of the east-west alley. No other changes to the approved project were proposed as part of the revised alley condition. Addendum No. 1 analyzed the following areas of impact - Traffic/Circulation, Noise, Air Quality and Land Use and Planning and found that the revised alley condition would not alter the impact findings and mitigation measures for any of the environmental issues presented in the EIR. With implementation of the prescribed mitigation measures in the EIR, there would be no new significant impacts and no substantial increase in the severity of environmental impacts resulting from the revised alley condition compared to those impacts previously identified in the EIR. No new mitigation measures are required for the revised alley condition, therefore the impacts for the revised alley condition are within the scope of impacts identified in the EIR.

A second Addendum ("Addendum No. 2") was prepared in October of 2014. The Department of City Planning required the applicant to prepare an Addendum to analyze the addition of a third development option for apartments, the "Q" Clarification, and the requested approval of several Zone Variances. Addendum No. 2 analyzed the following areas of impact - Aesthetics/Visual Resources, Air Quality, Greenhouse Gas Emissions (new section added), Hazards, Land Use and Planning, Noise, Public Services, Transportation and Circulation, and Utilities and Service Systems, and found that the addition of a third development option for apartments, which would require a tract modification, "Q" Clarification and requested Zone Variances, would not alter the impact findings and mitigation measures for any of the environmental issues presented in the EIR. With the exception of Mitigation Measure G-3 of the EIR and Mitigation Monitoring Program (MM-43 of this report), which was revised to include Option 3, all mitigation measures remain the same for all three development options. With implementation of the prescribed mitigation measures in the EIR, there would be no new significant impacts and no substantial increase in the severity of environmental impacts resulting from the revised project compared to those impacts previously identified in the EIR and Addendum No. 1. No new mitigation measures are required for the revised project, therefore the impacts for development Option 3 are within the scope of impacts identified in the EIR and Addendum No. 1.

MODIFIED FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of the MODIFICATION of Vesting Tentative Tract Map No. 70935-CN-GB, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

- (a) THE PROPOSED MAP WILL BE/IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The adopted Westwood Community Plan designates the project site Regional Center Commercial land use with the corresponding zones of C4, C1.5, C2, C4, RAS3, RAS4, R3, R4, and R5 and is located within the West Los Angeles Transportation Improvement and Mitigation Specific Plan area. The property contains approximately 0.58 net acres (25,120 net square feet after required dedication, including alley) and is presently zoned [T][Q]C4-2D-O.

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas).

In conjunction with the tract modification, the applicant is requesting approval of Zone Variances, as part of Case No. ZA 2015-1076(ZV), pursuant to LAMC Section 12.27 to permit: 1.) 125 apartment units with zero square feet of lot area per unit in lieu of the otherwise required 200 square feet of lot area per unit for a total of 250 apartment units; 2.) 281 residential parking spaces in lieu of the otherwise required 313 spaces and 76 commercial parking spaces in lieu of the otherwise required 116 spaces; 3.) 97 required residential parking spaces to be provided off-site; and 4.) alternative bicycle stall siting for the required bicycle parking, including possible off-site storage of up to 225 bicycles and a program to retrieve bicycles.

The applicant was previously granted approvals to allow: 1.) General Plan Amendments to the Westwood Community Plan to change the land use designation on the northerly portion of the site from Community Commercial to Regional Center Commercial; and to amend Footnote #3 to permit Height District 4 in lieu of Height District 2 for the proposed project site and to permit a Floor Area Ratio (FAR) of 10.93:1 in lieu of 6:1 as otherwise permitted; 2.) an Amendment to the Westwood Village Specific Plan to amend the boundaries of the Specific Plan to exclude the northern parcels which currently are a part of the Specific Plan; 3.) Pursuant to LAMC Section 12.32 a Vesting Zone/Height District Change from C4-2D-O on the northern parcels of the proposed project site and from [Q] C4-2-O on the southern parcel of the proposed project site to C4-4D-O to create consistent zoning across the entire site (The proposed change in the Height District and "D" Development Limitation would permit a FAR of 10.93:1. The change in the [Q] Qualified Condition on the southern parcel would delete conditions not related to the proposed project); 4.) a Vesting Conditional Use to permit the establishment of a hotel on a site classified in the C4 Zone that is located within 500 feet of properties classified in an R Zone; 5.) a Conditional

Use to permit the sale and consumption of a full line of alcoholic beverages in a restaurant, in mini-bars within hotel guest rooms, for room service to hotel or condominium rooms and at the pool deck; 6.) a Variance to permit up to 226 of the required residential parking spaces to be provided off-site at a property controlled by the applicant and served by a 24-hour valet company [For Option 2 Only]; 7.) an Adjustment to permit a zero foot setback in lieu of the otherwise required minimum 16 foot setback for the west side yard at the floor level of the first story used for residential purposes; 8.) a Zoning Administrator's Adjustment for Option 2 to allow a 20% density increase to allow 144 condominium units lieu of 125; and 9.) Site Plan Review for a development project that creates or results in an increase of 50 or more dwelling units or guest rooms, or combination thereof. Additional approvals were also granted prior to submittal of the tract modification request, including a Clarification of "Q" Conditions to allow a third development option (Option 3) to permit the construction of 250 apartment units by the Department of City Planning and for the vacation of the east-west alley westerly of Gayley Avenue between Kinross Avenue and Wilshire Boulevard by the Bureau of Engineering.

The Subdivision Map Act requires the Advisory Agency to find the proposed map be consistent with the General Plan. The Westwood Community Plan, a part of the Land Use Element of the City's General Plan, states the following goal, objectives and policies relevant to the current project:

Goal 1: A safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the community.

Objective 1-1: To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.

Policy 1-1.3: Provide for adequate multi-family residential development.

Objective 1-2: To coordinate residential density with infrastructure and to reduce vehicular trips and pass-through traffic in single family neighborhoods by developing new multiple family housing in proximity to services and facilities.

Policy 1-2.1: Locate higher density residential within designated multiple family areas and near commercial centers and major bus routes where public service facilities and infrastructure will support this development.

Wilshire Boulevard is a major transportation corridor with several MTA bus lines running east-west, including Rapid line 720 and 920. The project site is also located adjacent to the future location of a Metro Purple Line subway station. In addition, the proposed project is also subject to the provisions of the West Los Angeles Transportation Improvement and Mitigation Specific Plan which is

monitored and enforced by the Department of Transportation. The purpose of the Plan is to provide a mechanism to fund specific transportation improvements due to transportation impacts generated by a proposed new development, to promote area wide transit enhancement and to promote or increase work-related ridesharing and bicycling to reduce peak-hour trips, among other programs to ensure the construction of transportation facilities and infrastructure. The Plan requires applicants to provide the payment of Transportation Impact Assessment fees and/or the incorporation of a Transportation Demand Management program.

With approval of the requested Zone Variances, the proposed project development of Option 1: Construction of a 250-room hotel and 6,510 square feet of ground floor commercial use **OR** Option 2: Construction of 144 residential condominium units and 6,510 square feet of ground floor commercial use **OR** Option 3: 250 apartment units and 6,510 feet of commercial use, as proposed would be consistent with the goals, objectives and policies of the Westwood Community Plan. The project will provide much needed new home ownership, rental or lodging opportunities along Wilshire Boulevard, a major transportation corridor within the Community Plan area.

Therefore, as conditioned and with the approval of Case No. ZA 2015-1076(ZV), the proposed tract map will be consistent with the intent and purpose of the applicable General, the Westwood Community Plan and the West Los Angeles Transportation Improvement and Mitigation Specific Plan.

(b) THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

In conjunction with the proposed project, the applicant will be required to make street improvements along Gayley Avenue and the adjacent alley as required by Bureau of Engineering. Wilshire Boulevard is a Major Highway-Class I dedicated to a 125-foot width at the project's street frontage. Gayley Avenue is a Secondary Highway dedicated to a 90-foot width at the project's street frontage. Portions of Gayley Avenue as shown on Section A-A of the tract map, dated March 19, 2015, have been permitted to be merged with the tract. The Bureau of Engineering is requiring improvements on Gayley Avenue adjoining the subdivision to include a 10-foot concrete sidewalk with tree wells as well as the maintenance of the existing 48-inch storm drain.

In addition, the applicant was granted approval of the vacation of the east-west alley westerly of Gayley Avenue between Kinross Avenue and Wilshire Boulevard (Council File No. 12-0148). Portions of the alley as shown on Section B-B of the tract map, dated March 19, 2015, have been permitted to be merged with the tract. The applicant will be required to complete improvements, including construction of a turnaround area at the southerly terminus of the north-south alley westerly of Gayley Avenue, prior to recordation of the final map.

The project proposes to provide vehicular access to the site from the above referenced alley that runs along the north boundary of the site. This vehicular access would lead to the circular driveway, which would provide a drop-off and

pick-up area for the uses of the building. The alley access would lead to the circular driveway, as well as to the subterranean parking structure. The subterranean parking structure would be accessed from the western end of the site. On-site parking would be provided in a four-level subterranean parking facility that would accommodate 200 parking spaces, and would extend under a portion of the alley and the sidewalk on Gayley Avenue. With the use of valet and tandem parking, the parking structure would be able to accommodate up to 260 spaces. Additional parking for Option 2 and Option 3 would be provided off-site at the Center West building located at 10877 Wilshire Boulevard, or Plaza la Reina, located at 10844-10852 Lindbrook Drive, adjacent to Center West. Both locations are two blocks east of the site. The driveways to the underground parking at both locations are located on Lindbrook Drive and the driveways are adjacent to one another. The off-site parking would be reserved for use by The Wilshire Gayley project through a binding agreement by legal instrument that would be recorded and would run with the land.

The proposed project will provide Option 1: a minimum of 200 on-site parking spaces and an additional 60 on-site valet spaces **OR** Option 2: a minimum of 200 on-site parking spaces and an additional 60 on-site valet spaces **OR** Option 3: a minimum of 200 on-site parking spaces and an additional 60 on-site valet spaces. An additional 226 parking spaces for Option 2 or an additional 97 parking spaces for Option 3 will be provided off-site at Center West (10877 Wilshire Boulevard) or at Plaza la Reina (10844-10852 Lindbrook Drive) in accordance with City Planning approvals. In addition, Options 2 and 3 will provide 225 bicycle parking spaces for long and short-term use in conformance with the provisions of the Los Angeles Bicycle Ordinance (Ordinance No. 182,386). As conditioned the design and improvements of the proposed project are consistent with the applicable General and Specific Plans.

(d) **THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.**

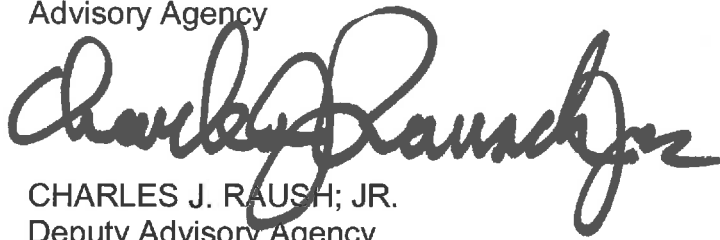
Adjacent land uses are office and commercial uses to the north across the alley, high-rise office buildings to the south across Wilshire Boulevard, commercial and office uses to the east across Gayley, and the UCLA Parking Lot 36, UCLA Campus Police building, and the UCLA Library Tech Services building to the west in the PF-1XL Zone. The proposed project would provide an appropriate transitional development between the high rise office buildings to the south and the office uses to the north. The site was previously improved with a vacant commercial building and a vacant lot, and the proposed project would provide either Option 1: 250-room hotel and 6,510 square feet commercial use **OR** Option 2: 144 residential condominium units and 6,510 square feet commercial use **OR** Option 3: 250 apartment units and 6,510 feet of commercial use. As designed and with approval of concurrent Case No. ZA 2015-1076(ZV), the proposed project will be in compliance with all LAMC requirements for density, parking, yards, and open space. As conditioned the proposed tract map is physically suitable for the proposed density of the development.

- (g) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

The proposed subdivision has been designed to incorporate sewer easements required by the Department of Public Works, Bureau of Engineering. The Bureau of Engineering is requiring a sewer easement to be dedicated over the Gayley Avenue merger areas adjoining the tract as well as a 4-foot wide portion of the public sidewalk easement for the public safety and welfare. In addition, the approval of the alley vacation requires the applicant to dedicate a 10-foot public utility easement under the northerly half of the alley for the existing sewer and any future utilities. The alley will also be available for public use by emergency vehicles. As designed and conditioned, the proposed subdivision will not conflict with the easement requirements.

All other conditions and findings of Vesting Tentative Tract No. 70935-CN-GB shall remain as originally written.

Michael LoGrande
Advisory Agency



CHARLES J. RAUSH, JR.
Deputy Advisory Agency

CJR:SMP:dn

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figueria Plaza
201 N. Figueria Street, 4th Floor
Los Angeles, CA 90012
(213) 482-7077

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

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

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

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

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
AND
6262 VAN NUY BLVD., SUITE 351
VAN NUY, CA 91401
-
CITY PLANNING COMMISSION
WILLIAM ROSCHEN
PRESIDENT
REGINA M. FREER
VICE-PRESIDENT
SEAN O. BURTON
DIEGO CARDOSO
CAMILA M. ENG
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ROBERT LESSIN
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CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

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INFORMATION
www.planning.lacity.org

July 31, 2013

Kambiz Hekmat (A)(O)
Wilshire Gayley, LLC
10877 Wilshire Boulevard, Suite 300
Los Angeles, CA 90024

Tom Stemnock (R)
Planning Associates, Inc.
4040 Vineland Avenue, Suite 108
Los Angeles, CA 91604

RE: Vesting Tentative Tract No. 70935-CN-GB
Address: 10951-10955 West Wilshire Boulevard
and 1151-1157 South Gayley Avenue
Community Plan: Westwood
Zone: C-2D-O & [Q]C4-2-O proposed to
C4-2D-O
Council District: 5
CEQA No.: ENV-2008-2368-EIR

EXTENSION OF TIME

On July 2, 2012, the Advisory Agency conditionally approved this Vesting Tentative Tract Map. In accordance with the provisions of Section 66452.6(e), Article 2, Chapter 3 of the Government Code, and Section 17.07 or 17.56-A of the Los Angeles Municipal Code, the Advisory Agency hereby grants a 6-year time extension, totaling 9 years, from the decision date for the recording of the final map for Vesting Tentative Tract No. 67122 located at 10951-10955 West Wilshire Boulevard and 1151-1157 South Gayley Avenue in the Westwood Community Plan.

Pursuant to AB 208, all maps are automatically granted an additional two years as long as those maps were still valid as of July 15, 2011 and expires before January 1, 2014.

Therefore, the new expiration date for the subject vesting tentative tract map is **July 2, 2021** and no further extension of time to record a final map can be granted.

Michael J. LoGrande
Director of Planning

David S. Weintraub
Deputy Advisory Agency

DSW:MN:mn

NOTE: IF THERE IS A RELATED CASE
WITH YOUR TRACT, THIS EXTENSION
WILL NOT EXTEND THE RELATED
CASE APPROVAL

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
AND
6262 VAN NUYS BLVD., SUITE 351
VAN NUYS, CA 91401
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CITY PLANNING COMMISSION

WILLIAM ROSCHEN
PRESIDENT
REGINA M. FREER
VICE-PRESIDENT
SEAN O. BURTON
DIEGO CARDOSO
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FAX: (213) 978-1275

INFORMATION
www.planning.lacity.org

Decision Date: July 2, 2010

Appeal Period Ends: July 12, 2010

Wilshire Gayley, LLC (A)(O)
A California Limited Liability Company
10877 Wilshire Boulevard, Suite 300
Los Angeles, CA 90024

Tom Sternnock (E)
Planning Associates
4040 Vineland Avenue, Suite 108
Studio City, CA 91604

RE: Vesting Tentative Map No.: 70935-CN-GB
Address: 10951-10955 W. Wilshire Boulevard
and 1151-1157 S. Gayley Avenue
Community Plan: Westwood
Zone: C4-2D-O & [Q]C4-2-O proposed to
C4-2D-O
Council District: 5
CEQA No.: ENV-2008-2368-EIR

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code (LAMC), the Advisory Agency approved Vesting Tentative Tract Map No. 709335-CN-GB composed of one ground lot and three airspace lots, located at 10951-10955 W. Wilshire Boulevard and 1151-1157 S. Gayley Avenue for a maximum of either **Option 1: 250-room hotel and 6,510 square feet of commercial use OR Option 2: 144 residential condominium units and 6,510 square feet of commercial use** as shown on map stamp-dated March 12, 2010 in the Westwood Community Plan. This unit density is based on the C4-2D-O Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning code as it applies to this particular property.) For an appointment with the Subdivision Counter call (213) 978-1362. The Advisory Agency's approval is subject to the following conditions:

NOTE on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That portions of Gayley Avenue 10-foot and variable width above a depth of 3 feet below the finished sidewalk surface, 7-foot and variable width from a depth of 3 feet below to a variable depth of approximately 12 to 12.5 feet below the finished sidewalk surface, and 4-foot in width below a variable depth approximately 12 to 12.5 feet below the finished sidewalk surface, all substantially as shown in Section A-A on the revised map stamp dated May 27, 2010 be permitted to be merged with the remainder of the tract pursuant to Section 66499.20-1/2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:

- a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
- b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.

Note: The Advisory Agency hereby finds that the dedications to be merged are unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.

2. That a 10-foot to 20 foot and variable width portion of the alley below a depth of one foot below the finished alley surface southerly of the alley centerline and a 10-foot and variable width portion of the alley above a height of approximately 44 feet above the finished alley surface southerly of the alley centerline all substantially as shown on the revised map in Section B-B stamp dated May 27, 2010 be permitted to be merged with the remainder of the tract pursuant to Section 66499.20-1/2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:

- a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
- b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.

Note: The Advisory Agency hereby finds that the dedications to be merged are unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.

3. That an approximate 3-foot and variable width portion of the alley northerly of the alley centerline above a height of approximately 44 feet above the finished alley surface substantially as shown on the revised map stamp in Section B-B dated

May 27, 2010 be permitted to be merged with the remainder of the tract pursuant to Section 66499.20-1/2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:

- a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
- b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.

Note: The Advisory Agency hereby finds that the dedications to be merged are unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.

4. That a 10-foot and variable width sidewalk, street light, street trees, drainage, fire hydrant, and sewer easement be dedicated over the Gayley Avenue street merger areas adjoining the tract.
5. That written consent from the owner of Lot 3, Block 8 Tract 10600 be obtained for the merger of the portion of the alley northerly of the alley centerline. In the event written consent cannot be obtained from said owner and as confirmed by the developer, this merger request and condition can be eliminated. The subdivider may still apply for a revocable permit for the portion of the structure northerly of the alley centerline under the normal Revocable Permit process through the West Los Angeles District Office of the Bureau of Engineering.
6. That any surcharge fee in conjunction with the street and alley merger requests be paid.
7. That a Covenant and Agreement be recorded satisfactory to the City Engineer binding the subdivider and all successors to the following:
 - a. That the owners shall be required to maintain all elements of the structure below the limited street and alley rights-of-way adjoining the subdivision in a safe and usable condition to the satisfaction of the City Engineer. The City shall be given reasonable access to the structure and adjacent to the limited street and alley rights-of-way areas for any necessary inspection, upon request during normal business hours. The City may request the owners to repair or replace damaged, defective or unsafe structural elements or to correct unacceptable conditions at the owner's expense if owner elects not to do so. Owner shall grant reasonable access to City's contractor to make said repairs.
 - b. The owners shall be required to limit use and occupancy the structures below the limited street and alley rights-of-way for parking use only. No combustible material shall be stored in the limited dedication area.

- c. The owners shall obtain a B-Permit from the City Engineer for any substantial structural modification below the street and alley rights-of-way area for any structural modification areas and for any structural element outside said areas which provides lateral or vertical support to structures within the areas.
8. That the subdivider execute and record an agreement satisfactory to the City Engineer to waive any right to make or prosecute any claims or demands against the City for any damage that may occur to the structures underneath the limited easements of the street and alley in connection with the use and maintenance operations within said street and alley easements. This waiver of damage shall also be shown on the final map.
9. That the petitioners record a covenant and agreement to run with the land pertaining to the limited street and alley dedication areas over existing street and alley areas to include the following:
 - a. That the owners be required to maintain the supports above the limited street and alley dedication areas for safety and usability to the satisfaction of the City Engineer. An annual fee of \$0.10 per plan square foot (with automatic annual escalation proportioned to the cost of Living index) shall be paid to the City Engineer for the purposes of City inspection of the facilities. The City shall be given reasonable access to the structure within and adjacent to the limited dedication areas for this purpose upon request during normal business hours. The City may request the owner to repair or replace damaged, defective or unsafe structural elements or to correct unacceptable conditions at the owner's expense. The City may make such repairs at the owner's expense if the owner elects not to do so or does not respond within a reasonable time. Owners shall grant reasonable access to the City's contractor to make said repairs.
 - b. No storage of combustibles will be allowed in the structure above the limited street and alley dedication areas.
10. That the following conditions regarding the limited dedication areas be complied with satisfactory to the City Engineer:
 - a. That the owners obtain approval of the City Engineer for any substantial structural modification within the street and alley areas of and for any structural element outside the limited dedication area which provides lateral or vertical support to the structures within the area.
 - b. That plans of structural details shown on standard size City sheets and structural calculations both signed by a Civil or Structural Engineer registered in the State of California, be submitted to the Structural Engineering Division of the Bureau of Engineering for review and approval.

- c. That a Class "B" permit be obtained from the Bureau of Engineering and that a deposit be made with said Bureau sufficient to cover the City's cost for plan checking, construction inspection, and incidental costs relative thereto.
 - d. That a building permit from the Department of Building and Safety be obtained for the construction of the portion of the structure located within the private property.
 - e. That the owners provide and maintain a policy of general liability insurance in an amount not less than \$2,000,000.00 combined single limit per occurrence. Evidence of such insurance shall be on the City's General Liability Special Endorsement form or other form acceptable to the City Attorney and shall provide coverage for premises/operations and contractual liability.
 - f. That a Waiver of Damages agreement and an Indemnification Agreement Covenant to run with the land be executed by the owners and submitted to the Bureau of Engineering for approval, and subsequently be recorded relieving the City of any liability arising from the construction, maintenance and use of the proposed limited dedication areas. This waiver and indemnity statement shall be also included in the final map.
 - g. That architectural plans be submitted to and approved by the Cultural Affairs Department as to the aesthetics of the structure over the alley area.
- 11. That prior to the issuance of the final Certificate of Occupancy for the building, the Subdivider shall submit an Offer to Dedicate as Future Street the area of the public sidewalk easement on Gayley Avenue between the curb face and four feet behind. Such Offer to Dedicate as Future Street shall only be accepted by the City Council upon making the finding that said four-foot portion of the public sidewalk easement is necessary for the public safety and welfare.
 - 12. That any fee deficit under Work Order No. EXT00385 expediting this project be paid.
 - 13. That two copies of a parking area and driveway plan be submitted to the West Los Angeles District Office of the Bureau of Engineering for review and approval or that a Covenant and Agreement be recorded agreeing to do the same prior to the issuance of a building permit.
 - 14. That the existing future street at the intersection of Gayley Avenue and Wilshire Boulevard be accepted by suitable resolution.
 - 15. That a complete set of drawings be submitted to the City Engineer showing the followings:
 - a. Plan view at different elevations.
 - b. Isometric views.

- c. Elevations views.
 - d. Section cuts at all locations where air space lot boundaries change.
16. That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary private easements for ingress and egress purposes to serve the proposed airspace parcels to use upon the sale of the respective parcels and they will maintain the private easements, free and clear of obstructions and in a safe conditions for use at all times.
17. That a revised map be submitted showing the exact elevations and dimensions of the merger areas. This revised map shall be used as reference for the final map checking.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

18. A comprehensive investigation and report with an evaluation of liquefaction and justifying calculations and recommendations for building construction, shall be submitted. The 04/29/2008 report and the 01/14/2009 supplement prepared by Mactec contain information for the Environmental Impact Report (EIR), and do not contain information for the proposed building construction.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

19. Prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
- a. Obtain permits for the demolition or removal of all existing structures on the site. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
 - b. The submitted Map dimensions do not agree with ZIMAS. Revise the Map to address the discrepancy or obtain approval from Department of City Planning.
 - c. Obtain zone change to C4-4D prior to tract recordation.
 - d. The submitted Map does not comply with the minimum side yards (16 ft.), rear yard (20 ft.), and maximum density (400 s.f. of lot area/dwelling unit) requirement of a residential use in the proposed **C4-4D** Zone. Revise the Map to show compliance with the above requirement(s) or obtain approval from the Department of City Planning.
 - e. Provide a copy of the application or resolution for street vacation. The street vacation shall be completed prior to or concurrently with the Map recording.

- f. Due to the irregular configuration of the parcel, the Department recommends that the front, side and rear lot line locations be designated by the Advisory Agency.
- g. Show all street/alley dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street/alley dedication.
- h. Submit a revised Map that dimensions each air space lot (all 29 stories) with a finite width, length, and upper and lower elevations. The final Map shall be based upon a site plan which accurately describes the location of such lots. Indicate the total number of air lots proposed on Map.
- i. Record a Covenant and Agreement to treat the buildings and structures located in an Air Space Subdivision as if they were within a single lot.

Notes:

Each Air Space lot shall have access to a street by one or more easements or other entitlements to use in a form satisfactory to the Advisory Agency and the City Engineer.

The submitted Map may not comply with the number of parking spaces required by Section 12.21 A 4 (a) based on number of habitable rooms in each unit. If there are insufficient number of parking spaces, obtain approval from the Department of City Planning.

The existing or proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. Any vested approvals for parking layouts, open space, required yards or building height, shall be "to the satisfaction of the Department of Building and Safety at the time of Plan Check."

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

- 20. Prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
 - a. A minimum of 60-foot and 40-foot reservoir space(s) be provided between any ingress security gate(s) and the property line when driveway is serving more than 300 and 100 parking spaces respectively.

- b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
- c. Pursuant to Section 5 of the WLA TIMP, an applicant for a project within the Specific Plan area, except as exempted, shall pay, or guarantee payment of, a TIA Fee prior to issuance of any building permit. The fee shall be paid prior to the issuance of a building permit to the satisfaction of the Department of Transportation.
- d. Driveways and vehicular access to projects shall be provided from a single driveway on Gayley Avenue and/or additional access off of alley.
- e. This project is subject to the West Los Angeles Transportation Improvement and Mitigation Specific Plan requirements. A parking area and driveway plan shall be submitted to the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Final DOT approval should be accomplished by submitting detailed site/driveway plans at a scale of 1"=40' to DOT's West LA/Coastal Development Review Section located at 7166 W. Manchester Ave., Los Angeles, 90045. For an appointment, call (213) 485-1062.

FIRE DEPARTMENT

- 21. Prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
 - a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
 - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
 - c. **Policy Exception:**

L.A.M.C. 57.09.03.B. Exception:

 - When this exception is applied to a fully fire sprinkle red residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.
 - It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside

the structure. The term "horizontal travel" refers to the actual path of travel to be taken by a person responding to an emergency in the building.

- This policy does not apply to single-family dwellings or to non-residential buildings.
- d. Building designs for multi residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150 ft horizontal travel distance from the edge of the public street, private street on Fire Lane.
- e. Entrance to the main lobby shall be located off the address side of the building or to the satisfaction of the Fire Department.
- f. Any required Fire Annunciator panel or Fire Control Room shall be located within 50ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
- g. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- h. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- i. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
- j. Submit plot plans indicating access road and turning area for Fire Department approval.
- k. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- l. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- m. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel. Exception: Dwelling unit travel distance shall be computed to front door of unit.
- n. Hydrants and sprinklers may be required after review of plot plans.
- o. Site plans shall include all overhead utility lines adjacent to the site.

- p. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- q. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- r. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- s. Where fire apparatus will be driven onto the road level surface of the subterranean parking structure, that structure shall be engineered to withstand a bearing pressure of 8,600 pounds per square foot.

BUREAU OF STREET LIGHTING

- 22. If new street light(s) are required, then prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

INFORMATION TECHNOLOGY AGENCY

- 23. Satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12th Floor, Los Angeles, CA 90012, 213 922-8363.

DEPARTMENT OF RECREATION AND PARKS

- 24. That the Quimby fee be based on the C4-2D-O Zone.

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

- 25. Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

Replacement by a minimum of 24-inch box trees in the parkway and on the site of the four trees to be removed, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Advisory Agency. (MM)

Note: Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: 213 485-5675. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

26. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- a. Limit the proposed development to Option 1: a maximum 250-room hotel and 6,510 square feet of ground floor commercial **OR** Option 2: 14 4 residential condominium units and 6,510 square feet of ground floor commercial use.
- b. Option 1: Provide a minimum of 200 parking spaces and an additional 60 additional valet spaces **OR** Option 2: a minimum of 200 parking spaces and a 60 additional valet spaces. An additional 226 parking spaces will be provided off-site at Center West (10877 Wilshire Boulevard) or at Plaza la Reina (10844-10852 Lindbrook Drive).

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 North Spring Street, Room 750).

- c. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
 - d. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
 - e. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
27. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
28. Prior to the issuance of the building permit or the recordation of the final map, a copy of the CPC-2009-143-GPA-SP-ZC-HD-CUB-CU-ZV-ZAA-SPR-GB shall be submitted to the satisfaction of the Advisory Agency. In the event that CPC-2009-143-GPA-SP-ZC-HD-CUB-CU-ZV-ZAA-SPR-GB is not approved, the subdivider shall submit a tract modification.

29. Pursuant to LAMC Section 16.10(D)(2), (Green Building Program), prior to the issuance of any building permit, the project must be reviewed and the plans stamped approved by the Director for LEED® compliance. This green building clearance may be obtained at the Site Plan Review Office in the Department of City Planning located on the 6th Floor of 200 N. Spring Street, Los Angeles, or on the 4th Floor of 6262 Van Nuys Boulevard, Van Nuys. Appointments are required for both offices, and can be made by calling 213-978-1219 for the Downtown location, or 213-978-1297 for the Valley location.

In order to obtain the clearance, the following materials must be provided:

- a. LEED Checklist - The project's LEED Checklist that demonstrates that the project will meet the intent of the selected LEED Rating System at the Certified level or higher. Each pursued credit must be annotated to indicate where supporting documentation can be found in the plans and specifications.
- b. Signed Declaration - A signed declaration from the Owner(s), Architect of Record and LEED AP stating that the plans and plan details have been reviewed, and that the project of the selected LEED Rating System at the Certified level or higher. The declaration (CP-4038) is a Planning Department General Form that can be accessed online at <http://cityplanning.lacity.org>.
- c. Stamped and Signed Drawings/Plans - A complete set of plans stamped and signed by a licensed architect or engineer that has the LEED Checklist and declaration copied onto the first page. Each plan sheet must be signed by the LEED AP verifying that the plans are consistent with the submitted checklist. The drawings/plans may be subject to audit.
- d. Fee - The fee set forth in Section 19.01 Y.

Exemption: At the time of the clearance request, projects that demonstrate that they have received confirmation from the USGBC that each of the project's Design Review credits has been designated as "Anticipated" shall be exempt from the aforementioned audit and fee.

For more information on the Standard of Sustainability, view the Standard of Sustainability Instructions (CP-4041) under Forms & Processes at <http://cityplanning.lacity>.

30. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

31. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

Aesthetics/Visual Resources

- MM-1. The Applicant shall ensure through appropriate postings and daily visual inspections that no unauthorized materials are posted on any temporary construction barriers or temporary pedestrian walkways, and that such temporary barriers and walkways are maintained in a visually attractive manner throughout the construction period.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

- MM-2. All landscaped areas 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 City of Los Angeles Department of Planning.

Monitoring Phase: Operation

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

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

- MM-3. All new street and pedestrian lighting within the public right of way shall be approved by the Bureau of Street Lighting and shall be tested in accordance with the requirements of the Bureau of Street Lighting.

Monitoring Phase: Pre-Construction, Construction

Enforcement Agency: Department of Public Works Bureau of Street Services and Bureau of Street Lighting

Monitoring Agency: Department of Public Works Bureau of Street Services and Bureau of Street Lighting

- MM-4. All new street and pedestrian lighting shall be shielded and directed away from any off-site uses, so that the light source cannot be seen from adjacent residential properties.

Monitoring Phase: Operation

Enforcement Agency: Department of Building and Safety; Department of Public Works Bureau of Street Services and Bureau of Street Lighting

Monitoring Agency: Department of Building and Safety; Department of Public Works Bureau of Street Services and Bureau of Street Lighting

- MM-5. Prior to the issuance of a building permit, architectural plans for all exterior lighting shall be submitted to the Department of Building and Safety for review to ensure that lighting has low reflectivity in accordance with Illuminating Engineers Society (IES) standards to minimize glare and limit light onto adjacent properties.

Monitoring Phase: Pre-Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

- MM-6. Prior to the issuance of a building permit, a final lighting and finish plan shall be submitted to the Director of Planning to ensure consistency with the approved design specifications and conditions.

Monitoring Phase: Pre-Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning

- MM-7. The exterior of the proposed building shall be constructed of materials such as high-performance tinted non-reflective glass and pre-cast concrete or fabricated wall surfaces. Prior to the issuance of a building permit, the type or categories of all exterior glass and architectural features on the building facade and rooftop shall be submitted for review to the Department of Building and Safety to ensure highly reflective materials are not utilized.

Monitoring Phase: Pre-Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

- MM-8. All signage plans shall be reviewed to ensure that signs are designed to be integrated with the architectural character of the building and convey a visually attractive character.

Monitoring Phase: Operation

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning

Air Quality

- MM-9. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting and/or use of soil binders could reduce fugitive dust by as much as 55 percent.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety; and South Coast Air Quality Management District

Monitoring Agency: Department of Building and Safety

- MM-10. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.

Monitoring Phase: Construction

Enforcement Agency: Department of Building; and Safety and South Coast Air Quality Management District

Monitoring Agency: Department of Building and Safety

- MM-11. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety; and South Coast Air Quality Management District

Monitoring Agency: Department of Building and Safety

- MM-12. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety; and South Coast Air Quality Management District

Monitoring Agency: Department of Building and Safety

- MM-13. All earth moving or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety; and South Coast Air Quality Management District

Monitoring Agency: Department of Building and Safety

- MM-14. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety; and South Coast Air Quality Management District

Monitoring Agency: Department of Building and Safety

- MM-15. The Project Applicant shall apply non-toxic chemical stabilizers according to manufacturers specifications to inactive construction areas as necessary.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety; and South Coast Air Quality Management District

Monitoring Agency: Department of Building and Safety

- MM-16. Following daily construction activities, adjacent paved streets found to contain visible soil material that carried over from the project site shall be swept to remove dirt dropped by construction vehicles or mud that would otherwise be carried off by trucks departing the site.

Monitoring Phase: Construction

Enforcement Agency: Department of Public Works; Bureau of Sanitation and South Coast Air Quality Management District

Monitoring Agency: Department of Building and Safety

- MM-17. All construction vehicles shall be prohibited from idling in excess of five minutes, both on- and off-site. Signs shall be posted limiting idling to five minutes or less.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety; and South Coast Air Quality Management District

Monitoring Agency: Department of Building and Safety

- MM-18. The project shall include air filtration systems for residential dwelling units designed to have a minimum efficiency reporting value (MERV) of 11 as indicated by the American Society of Heating Refrigerating and Air Conditioning Engineers (ASHRAE) Standard 52.2. The air handling systems shall be maintained on a regular basis per manufacturers recommendations by a qualified technician employed or contracted by the project proponent or successor. Operation and maintenance of the system shall ensure that it performs at or above the minimum reporting value.

Monitoring Phase: Pre-Construction, Operation

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Hazards

- MM-19. During subsurface excavation activities, including borings, trenching, and grading, Cal/OSHA worker safety measures shall be implemented as required to preclude an exposure to unsafe levels of soil contaminants.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

- MM-20. Any contaminated soil, groundwater and/or toxic materials encountered during excavation and grading shall be evaluated and excavated/disposed of, treated in-situ (in-place), or otherwise managed in accordance with applicable regulatory requirements. If contamination is discovered during grading activities, grading within such an area shall be temporarily halted and redirected around the area until the

appropriate evaluation and follow-up measures are implemented so as to render the area suitable for grading activities to resume.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety; County of Los Angeles Fire Department - Site Mitigation Unit (SMU); Los Angeles Regional Water Quality Control Board

Monitoring Agency: Department of Building and Safety; County of Los Angeles Fire Department - Site Mitigation Unit (SMU)

- MM-21. Prior to the issuance of building permits, the Applicant shall conduct site testing of subsurface geological formations in accordance with the Methane Mitigation Standards as indicated in LAMC Section 91.7104.1 to evaluate the existence of natural gas. Upon completion of the soil gas survey, the Applicant shall submit a report with the results of the survey to the City of Los Angeles.

Monitoring Phase: Pre-Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

- MM-22. If required by the site testing required by LAMC Section 91.7104.1, the Applicant shall develop and implement precautionary measures to address natural gas and to ensure construction worker safety. If necessary, these precautionary measures shall include having trained personnel on-site to monitor for odorous gases and discolored soils, and having instrumentation on-site to monitor for non-odorous gases.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

- MM-23. Construction contracts shall include provisions requiring continuous compliance with all applicable federal, state, and local government regulations and conditions related to hazardous materials and wastes management.

Monitoring Phase: Pre-Construction, Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

- MM-24. Should any unrecorded oil well be found during excavation, it shall be abandoned in accordance with the California Department of Conservation, Division of Oil, Gas and Geothermal Resources (DOGGR) under Title 124, Chapter 4 of the California Administrative Code or recorded per DOGGR regulations. Prior to issuance of any building permit, the Applicant shall submit a final clearance letter issued by DOGGR regarding the proper abandonment of the well(s).

Monitoring Phase: Pre-Construction

Enforcement Agency: Department of Building and Safety; California Department of Conservation, Division of Oil, Gas and Geothermal Resources (DOGGR)

Monitoring Agency: Department of Building and Safety

- MM-25. Should any unrecorded oil well be found, prior to issuance of any building permit an engineering plan that includes proper safety measures and timing of the implementation of those measures shall be submitted to and approved by LADBS.

Monitoring Phase: Pre-Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

- MM-26. If required by the site testing conducted in accordance with LAMC Section 91.7104.1, the Applicant shall develop and implement a methane gas mitigation system for the project in accordance with the applicable requirements of the City Methane Seepage Regulations. The specific design elements of the methane gas mitigation system, should it be required, shall be subject to review and approval of the LADBS in consultation with the LAFD.

Monitoring Phase: Operation

Enforcement Agency: Department of Building and Safety; Fire Department

Monitoring Agency: Department of Building and Safety; Fire Department

Noise

- MM-27. Construction activity shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

- MM-28. To the extent feasible, construction activities shall be scheduled so as to avoid operating several pieces of heavy equipment simultaneously, which causes high noise levels.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

- MM-29. Noise-generating construction equipment operated at the project site shall be equipped with effective noise control devices, (i.e., mufflers, lagging, 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.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

- MM-30. Engine idling from construction equipment such as bulldozers and haul trucks shall be limited.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety; and Southern California Air Quality Management District

Monitoring Agency: Department of Building and Safety

- MM-31. The construction staging area shall be located as far as possible from sensitive receptors.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

- MM-32. The Applicant shall retain the services of an acoustical engineer with expertise in design of building sound isolations, who shall submit a signed report prior to the issuance of building permits indicating the proposed building design shall meet the interior noise level of 45 dBA CNEL, as required by City's Building Code. Building design to address sound insulation shall include to the extent necessary to achieve the interior noise level of 45 dBA CNEL features such as (1) air-conditioning/mechanical ventilation such that the units shall not have to rely on open windows for ventilation; (2) dual insulating glazed systems; (3) doors and windows opening to the exterior with acoustical seals; (4) fitting vents with dampers and/or acoustic louvers.

Monitoring Phase: Prior to Issuance of Building Permit

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Public Services: Fire Protection

- MM-33. Prior to the occupancy of the hotel and/or residential component of the proposed project, the Applicant shall coordinate with LADWP to construct, or otherwise suitably guarantee to LADWP, the installation of a new fire hydrant along the Galey Avenue project frontage. The location and installation of the new fire hydrant shall be subject to the approval of the Fire Department and LADWP.

Monitoring Phase: Pre-Construction, Post-Construction

Enforcement Agency: Department of Water and Power; and Fire Department

Monitoring Agency: Department of Water and Power; and Fire Department

- MM-34. Project building plans including a plot plan shall be submitted for approval by the Los Angeles Fire Department prior to the issuance of a building permit. The plot plan shall include the following minimum design features location and grade of access roads and fire lanes, roadway widths, distance of buildings from an edge of a roadway of an improved street, access road, or designated fire lane, turning areas, and fire hydrants.

Monitoring Phase: Pre-Construction

Enforcement Agency: Department of Building and Safety; and Fire Department

Monitoring Agency: Fire Department

- MM-35. Prior to the issuance of a building permit, the Applicant shall consult with the Los Angeles Fire Department and incorporate fire prevention and suppression features and other life-saving equipment (e.g. defibrillators) appropriate to the design of the project.

Monitoring Phase: Pre-Construction, Post-Construction

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

- MM-36. Where fire apparatus (e.g., trucks, equipment, etc.) will be driven onto the road level surface of the subterranean parking structure, that structure shall be engineered to withstand a bearing pressure of 8,600 pounds per square foot, unless otherwise approved.

Monitoring Phase: Pre-Construction

Enforcement Agency: Department of Building and Safety; and Fire Department

Monitoring Agency: Department of Building and Safety; and Fire Department

- MM-37. The project shall comply with all applicable State and local Codes and Ordinances found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles, unless otherwise approved.

Monitoring Phase: Pre-Construction

Enforcement Agency: Department of Building and Safety; and Fire Department

Monitoring Agency: Department of Building and Safety; and Fire Department

Police Protection

- MM-38. The Applicant shall consult with the Los Angeles Police Department Crime Prevention Unit on crime prevention features appropriate for the design of the project. The plans shall incorporate the design guidelines

relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas. These measures shall be approved by the Police Department prior to the issuance of building permits.

Monitoring Phase: Pre-Construction

Enforcement Agency: Los Angeles Police Department

Monitoring Agency: Los Angeles Police Department

- MM-39. Upon project completion, the Applicant shall provide the West Los Angeles Community Police Station Commanding Officer with a diagram of each portion of the property, including access routes and provide additional information that might facilitate police response.

Monitoring Phase: Post-Construction, Operation

Enforcement Agency: Los Angeles Police Department

Monitoring Agency: Los Angeles Police Department

Parks and Recreation

- MM-40. The Applicant shall do one or more of the following (1) dedicate additional parkland to meet the requirements of Los Angeles Municipal Code Section 17.12; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) provide on-site improvements equivalent in value to said in-lieu fees, or record a covenant restricting use of private and common open space facilities for park and recreational purposes.

Monitoring Phase: Pre-Construction

Enforcement Agency: Department of Recreation and Parks; and Department of Building and Safety

Monitoring Agency: Department of Recreation and Parks; and Department of Building and Safety

Transportation and Circulation

- MM-41. Prior to the start of construction, the Applicant shall develop a Construction Staging and Traffic Management Plan to be implemented during construction of the proposed project. The Construction Staging and Traffic Management Plan shall identify all traffic control measures (including the use of flag persons and appropriate detour signage) to be implemented by the construction contractor through the duration of demolition and construction activities associated with the project. The Construction Staging and Traffic Management Plan shall be subject to final approval by LADOT.

Monitoring Phase: Pre-Construction, Construction

Enforcement Agency: Los Angeles Department of Transportation

Monitoring Agency: Los Angeles Department of Transportation

- MM-42. Prior to issuance of a certificate of occupancy, the Applicant shall prepare and submit a valet parking operation plan, which provides information such as staffing during operation at peak and non-peak hours, security, and procedures, for review and approval by LADOT.

Monitoring Phase: Post-Construction

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

Monitoring Agency: Los Angeles Department of Transportation

- MM-43. The Applicant shall submit a detailed accounting of the parking provided, required, and used in the off-site location for Option 2. Upon approval and prior to issuance of building permits for the project, a copy of a covenant that shall reserve the required number of spaces at the off-site facility in perpetuity for use by the project shall be submitted to LADOT.

Monitoring Phase: Post-Construction

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

Monitoring Agency: Los Angeles Department of Transportation; and Department of Building and Safety

Utilities and Service Systems: Water Supply

- MM-44. For the commercial uses on the project site, the Applicant shall (unless otherwise required and to the satisfaction of the City of Los Angeles Department of Building and Safety):

- Install high-efficiency toilets (maximum 1.28 gallons per flush), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gallon per flush), including no-flush or waterless urinals, in all restrooms as appropriate. Rebates may be offered through the City of Los Angeles Department of Water and Power to offset portions of the costs of these installations.
- Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- Install restroom faucets of a self-closing design (i.e., that would automatically turn off when not in use).
- Prohibit the use of single-passing cooling equipment. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements.

Monitoring Phase: Pre-Construction, Operation

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

MM-45. For the residential uses on the project site, the Applicant shall (unless otherwise required and to the satisfaction of the City of Los Angeles Department of Building and Safety):

- Install a demand (tankless or instantaneous) water heater system sufficient to serve the anticipated needs of the dwellings.
- Install high-efficiency toilets (maximum 1.28 gallons per flush), including dual-flush water closets in all restrooms as appropriate. Rebates may be offered through the City of Los Angeles Department of Water and Power to offset portions of the costs of these installations.
- Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance. Rebates may be offered through the Los Angeles Department of Water and Power to offset portions of the costs of these installations.
- Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.

Monitoring Phase: Pre-Construction, Operation

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

MM-46. In addition to the requirements of Ordinance No. 170,978 (Landscape Ordinance), any landscaping for the proposed project shall incorporate the following:

- Weather-based irrigation controller with rain shutoff;
- Matched precipitation (flow) rates for sprinkler heads;
- Drip/microspray/subsurface irrigation where appropriate;
- Minimum irrigation system distribution uniformity of 75 percent;
- Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials;
- Use of automatic irrigation timers to water landscaping during early morning or late evening hours to reduce water losses from evaporation;
- Use of landscape contouring to minimize precipitation runoff; and
- Any irrigated landscaping over of 5,000 square feet shall require submetering.

Monitoring Phase: Pre-Construction, Operation

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

- MM-47. The project developer shall ensure that the landscape irrigation system be designed, installed, and tested to provide uniform irrigation coverage. Sprinkler head patterns shall be adjusted to minimize over spray onto walkways and streets.

Monitoring Phase: Pre-Construction, Operation

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Cultural Resources

- MM-48. If any archaeological materials are encountered during the course of the project development, the project shall be halted. The services of an archaeologist meeting the Secretary of the Interior Professional Qualification Standards for Archaeology shall be secured by contacting the California Historical Resources Information System South Central Coastal Information Center (CHRIS-SCCIC) at Cal State University Fullerton, or a member of the Register of Professional Archaeologists (RPA) to assess the resources and evaluate the impact. A report on the archaeological findings shall be prepared by the qualified archaeologist. A copy of the report shall be submitted to the CHRIS-SCCIC. Recovered archaeological materials shall be curated at an appropriate accredited curation facility. If the materials are prehistoric in nature, affiliated Native American groups (identified by the Native American Heritage Commission) may be consulted regarding selection of the curation facility.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

- MM-49. A qualified paleontologist shall be retained by the applicant and approved by the City of Los Angeles to assess grading plans and geotechnical reports for the project to determine whether the older Quaternary Alluvium would be impacted by excavation. If so, the paleontologist shall prepare and execute a monitoring program for excavation in the older Quaternary Alluvium for identification and recovery of paleontological resources. If fossils are encountered at depths less than the anticipated depth of the older Quaternary Alluvium, the paleontologist shall be notified immediately and shall assess the significance of those fossils and shall make recommendations for recovery of those and other potential fossils in the shallower horizons. If fossils are found during monitoring, the paleontologist shall prepare a report summarizing the results of the monitoring program including methods of fossil recovery and curation, and a description of the fossils collected and their significance. A copy of the report shall be provided to the Applicant and to the City of Los Angeles. The fossils and a copy of the report shall be deposited in an accredited curation facility.

Monitoring Phase: Pre-Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

MM-50. The Applicant shall provide new homeowners with educational materials on the proper management and disposal of household hazardous waste.

Monitoring Phase: Operation

Enforcement Agency: County of Los Angeles, Department of Public Works

Monitoring Agency: County of Los Angeles, Department of Public Works

32. **Construction Mitigation Conditions** - Prior to the issuance of a grading or building permit, or the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

CM-1. That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract map number. **YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.**

- a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that the public can easily read it. The sign must be sturdily attached to a wooden post if it will be freestanding.
- b. Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.
- c. If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres, or portion thereof. Each sign must be posted in a prominent location.

CM-2. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.

CM-3. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

- CM-4. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- CM-5. Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These will shield and bind the soil.
- CM-6. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- CM-7. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- CM-8. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-9. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- CM-10. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-11. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-12. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop cloths to catch drips and spills.

DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS

- C-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:

1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
 2. All other conditions applying to Model Dwellings under LAMC Sections 12.22-A, 10 and 11 and LAMC Section 17.05-O shall be fully complied with satisfactory to the Department of Building and Safety.
- C-2. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with LAMC Section 17.12 and is to be paid and deposited in the trust accounts of the Park and Recreation Fund.
- C-3. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan prepared by a licensed landscape architect, shall be submitted to and approved by the Advisory Agency in accordance with CP-6730.

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

- C-4. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

BUREAU OF ENGINEERING - STANDARD CONDITIONS

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with LAMC Section 64.11.2.

- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
 - (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
 - (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
 - (e) That drainage matters be taken care of satisfactory to the City Engineer.
 - (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
 - (g) That any required slope easements be dedicated by the final map.
 - (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
 - (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
 - (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
 - (k) That no public street grade exceeds 15%.
 - (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:
- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the

setting of boundary monuments requires that other procedures be followed.

- (b) Make satisfactory arrangements with the Department of Transportation with respect to street name, warning, regulatory and guide signs.
- (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
- (d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
- (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.

S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
- (b) Construct any necessary drainage facilities.
- (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
 - a. No street lighting improvements if no street widening per BOE improvements conditions. Otherwise relocate and upgrade street lights; three (3) on Gayley Avenue.

NOTES:

The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering conditions, requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

- (d) 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 Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid

for tree planting, the subdivider or contractor shall notify the Urban Forestry Division (213-485-5675) upon completion of construction to expedite tree planting.

- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a. Support, protect and maintain in service the existing 48-inch storm drain in Gayley Avenue.
 - b. Improve Gayley Avenue adjoining the subdivision by the construction of a 10-foot concrete sidewalk with tree wells. The subdivider shall obtain a revocable permit through the West Los Angeles District Office of the Bureau of Engineering for any alternate sidewalk materials or streetscape.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract action. However the existing or proposed zoning may not permit this number of units.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with LAMC Section 17.05-N.

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

FINDINGS OF FACT (CEQA)

I. INTRODUCTION

Wilshire Gayley, LLC (the "Applicant") proposes redeveloping the northwest corner of Wilshire Boulevard and Gayley Avenue, which is located on the Wilshire Corridor in the Westwood community of the City of Los Angeles. The Project would replace an approximately 10,000 square foot retail building and two vacant parcels that formerly housed a gas station with a 29-story, 427-foot high building that would continue the pattern of high-rise development that currently exists on the north and south side of Wilshire Boulevard. The Project would contain 6,510 square feet of ground floor retail, extending existing retail development on Gayley Avenue to Wilshire Boulevard. The remaining space would either be developed with a 250-room luxury business hotel with related amenities or 144 condominiums and an approximately 10,000 square foot first class restaurant. Whether the Project were developed as a hotel or residences, it has been designed to and would provide an economic stimulus to Westwood and the City of Los Angeles by providing a high-quality building designed to enhance existing pedestrian activity in Westwood Village and along Wilshire Boulevard.

II. ENVIRONMENTAL DOCUMENTATION BACKGROUND

The Project proposal was reviewed by the Los Angeles Department of City Planning, Environmental Review Unit (serving as Lead Agency) in accordance with the requirements of the California Environmental Quality Act (CEQA) (Pub Resources Code §21000 et seq.; 14 Cal. Code Regs. §15000 et seq.). An Initial Study was then prepared for the Project and, in compliance with CEQA Section 21080.4, a Notice of Preparation (NOP) was prepared by the City of Los Angeles Planning Department (Planning Department) and was distributed to the State Clearinghouse, Office of Planning and Research, responsible agencies, and other interested parties. The NOP identified specific areas where the Project could have adverse environmental effects and determined that an Environmental Impact Report (EIR) would need to be prepared to document these effects. The NOP requesting comments to be considered in a Draft EIR was circulated for a 30-day period starting on August 4, 2008 and ending on September 3, 2008. A Public Scoping Meeting was held on August 19, 2008 and public testimony was taken on the environmental impacts of the proposed Project.

On June 4, 2009, the Draft EIR was submitted to the State Clearinghouse, Office of Planning and Research, and was circulated for a 45-day public review period, ending on July 20, 2009. Copies of the original written comments received during the 45-day public review period are provided in the Final EIR. Pursuant to Section 15088 of the CEQA Guidelines, the City of Los Angeles, as lead agency, reviewed all comments received during the review period for the Draft EIR and responded to each comment in Section III of the Final EIR.

The Planning Department prepared a Final EIR for the Project, which is hereby incorporated by reference in full. The Final EIR is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and components of the proposed Project. The Final EIR addresses the environmental effects associated with implementation of the proposed Project, presents a refinement to the Project's Hotel Option (Option 1) and analyzes the potential environmental impacts associated with it and compares these impacts to each analyzed project alternative, identifies feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts, and includes written responses to all comments received on the Draft EIR during the public review period. Responses were sent to all public agencies that made comments on the Draft EIR at least 10 days prior to certification of the Final EIR pursuant to CEQA Guidelines Section 15088(b). In addition, all individuals that commented on the Draft EIR also received a copy of the Final EIR. The Final EIR was also made available for review on the City's website. Notices regarding availability of the Final EIR were sent to those within a 500-foot radius of the project site as well as individuals that attended the scoping meeting and provided comments during the NOP comment period.

A duly noticed public hearing on the Project was held jointly by the Hearing Officer for the City Planning Commission and the Deputy Advisory Agency on May 5, 2010. The determination of the Deputy Advisory Agency certifying the EIR and issuing the first of the requested decisions for the project, a haul route and subdivision map action, was issued on with these findings. These findings represent the independent judgment of the Deputy Advisory Agency. The documents and other materials that constitute the record of proceedings on which the City of Los Angeles' CEQA findings are based are located at the Department of City Planning, Environmental Review Section, 200 North Main Street, Room 750, Los Angeles California 90012. This information is provided in compliance with CEQA Section 21081.6(a)(2).

III. FINDINGS REQUIRED TO BE MADE BY LEAD AGENCY UNDER CEQA

Section 21081 of the California Public Resources Code and Section 15091 of the CEQA Guidelines require a public agency, prior to approving a Project, to identify significant impacts of the Project and make one or more of three possible findings for each of the significant impacts. The possible findings are:

- "Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (State CEQA Guidelines, § 15091, subd. (a)(1))
- "Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency." (State CEQA Guidelines, § 15091, subd. (a)(2))
- "Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the final EIR." (State CEQA Guidelines, § 15091, subd. (a)(3))

The findings reported in the following pages incorporate the facts and discussions of the environmental impacts that are found to be significant in the Final EIR for the Project as fully set forth therein. Although Section 15091 of the CEQA Guidelines does not require findings to address environmental impacts that an EIR identifies as merely "potentially significant," these findings would nevertheless fully account for all such effects identified in the Final EIR for the purpose of better understanding the full environmental scope of the Project. For each of the significant impacts associated with the Project, either before or after mitigation, the following sections are provided:

- a) Description of Significant Effects - A specific description of the environmental effects identified in the EIR, including a judgment regarding the significance of the impact.
- b) Mitigation Measures - Identified mitigation measures or actions that are required as part of the Project (numbering of the mitigation measures corresponds to the Draft EIR and the Corrections and Additions section of the Final EIR).
- c) Findings - One or more of three specific findings in direct response to CEQA Section 21081 and CEQA Guidelines Section 15091.
- d) Rationale for Findings - A summary of the reasons for the finding(s).
- e) Reference - A notation on the specific section in the Final EIR which includes the evidence and discussion of the identified impact.

IV. PROJECT DESCRIPTION

The Applicant proposes to comprehensively redevelop three parcels at the northwest corner of Wilshire Boulevard and Gayley Avenue. The approximately 23,951 square foot (0.55 acre) Project Site is generally triangular in shape with the point of the triangle located on Wilshire Boulevard. The southernmost parcel is located at 10955 Wilshire Boulevard and the northern parcels are located from 1151 to 1157 Gayley Avenue. The Project is proposed to develop this western edge of the Wilshire Boulevard Corridor in Westwood in a manner consistent with the existing high-rise buildings on either side of Wilshire Boulevard while activating the street front and providing a landmark Flat Iron-design, mixed-use or luxury business hotel development.

Due to changing market forces, the Applicant completed environmental review pursuant to CEQA of two entitlement options. While both options would be developed within the same building envelope and in accordance with the design described below, the consideration of two development options both with residential uses would provide flexibility to respond to changing market conditions.¹

¹ Because the Project would have the same design under either mix of uses, where the mix of uses is not relevant to the potential environmental impact discussed (i.e., aesthetics, hazards) the term "Project" is used. Where the level of significance of the proposed Project varies based on use, the option being discussed, Hotel Option or Condominium Option, is identified.

Under the Hotel Option (Option 1), the Site would be developed with a 250-room luxury business hotel and related amenities.² Under the Condominium Option (Option 2), the same building envelope would be developed with 144 condominiums and no hotel rooms. Except for a fine dining restaurant on the fourth floor of the Project, both Project options would include the same public and private amenities and features. Public amenities under both use scenarios would include 6,510 square feet of high-quality retail uses on the ground floor. Amenities reserved for residents or hotel guests would include a business center with meeting rooms, a coffee shop, a swimming pool, a fitness center, and a spa. The fine dining restaurant on the fourth floor would be for private hotel use, only, under Option 1, and would be open to residents and to the public under Option 2.

The hotel rooms or condominiums would be located on floors five through 29 and would comprise 197,991 square feet of floor area, inclusive of corridors and passageways; the floor area of the rooms alone is proposed to be 169,191 square feet. The ground floor retail space would be developed on the Site's "tip" at Wilshire Boulevard and extend north along Gayley Avenue. The lobby and office for the hotel and residences would also be located on the ground floor to the north of the retail space along Gayley Avenue. The Project's second floor would provide a 4,500 square foot fitness center for hotel guests, administrative offices, and laundry and service areas for the hotel or for residents of the condominiums, and accommodate the building's mechanical rooms. Back-of-house uses, an approximately 2,600 square foot coffee shop, and an approximately 3,000 square foot day spa reserved for hotel guests or residents would be on the third floor.

A pool and pool deck would be located on the fourth floor. Under the Hotel Option, an approximately 4,950 square foot Class-A private restaurant for hotel guests only, would also be located on the fourth floor. Under the Condominium Option, the Class-A restaurant would encompass approximately 9,345 square feet and would be available to both condominium residents and the public. Under both Options, the pool and landscaped pool deck would be at the northern end of the Site and located above the Project's circular driveway to create a covered motor court. The pool's glass bottom would allow natural light to pass through to the motor court that would provide the singular ingress and egress point for the Project.

Access to the Site would be from the reconfigured Gayley Avenue and Lindbrook Drive intersection and would direct cars into the alley immediately north of the Site and then onto the Site's large circular driveway. Residents', guests', and visitors' cars would then be parked under the building in a 260-space (200 striped and 60 valet), valet-assisted subterranean parking lot. For the Condominium Option 2 only, additional code-required parking would be provided by valet approximately two blocks to the east in a subterranean garage on Lindbrook Drive that the applicant owns.

Landscaping would be provided in a setback from the sidewalk at Wilshire Boulevard,

² The Project's Final EIR analyzed a refined version of the Hotel Option discussed in the Draft EIR. The Hotel Option discussed herein is referred to as "Refined Option One" in the Final EIR. For purposes of these findings, all references to "Option One" are to the "Refined Option One" described and analyzed in Section IV of the Final EIR.

along the Gayley Avenue building frontage and in raised planter beds in the motor court and at the fourth floor pool deck. Planters would be equipped with storm water filtration systems. All lighting on the site would be shielded and directed towards the areas to be lit and away from adjacent uses.

In accordance with the City's goal of responsible environmental design the building has been designed at the level of the Leadership in Energy and Environmental Design Silver rating from the U.S. Green Building Council.

V. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT

The City of Los Angeles Planning Department prepared an Initial Study dated July 10, 2008 for the Project, which determined that the proposed Project would not have the potential to cause significant impacts in the following areas: Agricultural Resources, Biological Resources, Cultural Resources, Geology and Soils, Mineral Resources, Population and Housing, and Solid Waste, and Utilities, including water and wastewater. Therefore, these issue areas, with the exception of water and wastewater, were not examined in detail in the EIR. The rationale for the conclusion that no significant impact would occur in each of these issue areas is summarized below.

In response to the Notice of Preparation, a letter was submitted by the City of Los Angeles Wastewater Engineering Services Division of the Bureau of Sanitation. The letter indicated that potential impact could result from the project relative to wastewater and that a gauging study is necessary. Therefore an analysis regarding wastewater was added to the EIR. In addition, as the Project requires an amendment of the City of Los Angeles General Plan that would increase development intensity compared to the intensity of development allowed by the current land use designation, water supply was also added to the scope of subjects evaluated in the EIR. Both water and wastewater are addressed herein as impacts found not to be significant prior to mitigation, where mitigation was nonetheless provided to further reduce impacts.

A. Agricultural Resources

The Project site is fully developed within a highly urbanized area, and is not mapped as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. In addition, no agricultural or other related activities currently occur on the site or within the Project vicinity. Therefore, no impacts to farmland would occur.

The Project site encompasses to Commercial (C4) zoning designations as follows: C4-2D-O (1151-1157 Gayley Avenue); [Q]C4-2-O (10951 Wilshire Boulevard). No agricultural zoning is present in the surrounding area, and no nearby lands are enrolled under the Williamson Act. Therefore, no conflict with agricultural zoning or Williamson Act contracts would occur, and no impacts to agricultural resources would occur.

B. Biological Resources

The Project Site is located in a very high-density, urbanized area and is currently developed with commercial uses. Endangered and or threatened species have not been identified within a half-mile radius of the Project Site. The Project Site is not

located in or adjacent to a Significant Ecological Area (SEA), and no riparian habitat or other sensitive natural community exists on the site. No federally protected waters or wetlands exist on or in the vicinity of the site, and no body of water exists that could support a fish habitat. No native resident or migratory wildlife corridor exists in or adjacent to the Project Site. No locally protected biological resources (i.e. oak trees, California walnut woodlands) exist on site. However, with the removal of adjacent street trees, the Project would incorporate a landscaping plan and would act in accordance with the City of Los Angeles Street Tree Ordinance. In addition, the Project Site is not subject to a Habitat Conservation Plan, National Community Conservation Plan, or other approved local, regional, or state habitat conservation plan; and would not result in any impacts associated with conflict with the provisions of any habitat conservation plans. Therefore, no impacts to biological resources would occur due to Project development.

C. Cultural Resources

The Project Site is not identified as an area containing a historical resources as defined by CEQA. The Project Site is currently developed with a commercial building built in 1997 that would be demolished as part of the Project. This thirteen year old structure does not meet the CEQA Guideline's threshold of 45 years of age for evaluation as a historic resource.

A preliminary historic resources assessment was conducted pursuant to CEQA Guideline 15064.5 to determine if any historic resources exist on within immediate proximity to the Project Site. The investigation included a records search at the South Central Coastal Information Center at California State University, Fullerton and a review of the California Points of Historical Interest, the California Historical Landmarks, the California Register of Historic Place, the National Register of Historic Places, the California State Historic Resources Inventory and the Los Angeles Historic-Cultural Monument register. These searches revealed that there are previously recorded historic resources within a ½-mile radius of the project. These resources, however, are closely affiliated with the University of California, Los Angeles (UCLA) campus located a number of city blocks north of the Project Site or the central Westwood Village area and are allocated towards the outer periphery of the ½-mile Project radius. For example, Mira Hershey Hall, 801 Hilgard Avenue, is on the UCLA Campus, the Fox Village Theater, 945 Broxton Avenue, the Fox Westwood Village Theater, 959 Broxton Avenue, and the Fox Bruin Theater, 926-950 Broxton Avenue, are located in the center of Westwood Village and separated by multiple highly urbanized blocks from the Project Site. Similarly, Gayley Terrace, 959 Gayley Avenue, the Lindbrook, 10800-10808 Lindbrook Drive, the Strathmore Apartments, 11005-11013 ½ Strathmore Drive, and two Courtyard Apartment Complexes, 10830 and 10836-10840 Lindbrook Drive, are in areas characterized by similar residential uses and separated from the Project Site by multiple blocks of commercial development. No historic resources were identified adjacent to or within the Project Site's immediate proximity. There are no California Historical Landmarks or California Points of Historical Interest within a ½-mile radius of the Project Site.

As discussed above, the Project Site is separated from the identified historic resources by both distance and as a result of historic development patterns. Specifically, the intersection of Gayley Avenue and Wilshire Boulevard, is currently developed with high-

rise buildings at the northeast, southwest, and southeast corners. The Project Site sits on the intersection's northeast corner. The Project's development, therefore, would be consistent with and contribute to the current land use and development patterns for the southwest corner of Westwood Village. No impacts to historical resources would occur.

D. Geology and Soils

1. Landslides

The Project Site and the area surrounding the Project Site is relatively flat. The California Geologic Survey (CGS) and the City of Los Angeles General Plan Safety Element find that the Project Site is not in a landslide zone or landslide area, respectively. Accordingly, the Project is not susceptible to landslides and no impact would occur.

2. Destruction of Distinct Geographical or Topographical Features

Under significance thresholds set forth in the L.A. CEQA Thresholds Guide, a project would normally have a significant effect on landform alternation if one or more distinct and prominent geologic or topographic features would be destroyed, permanently covered or materially and adversely modified. Such features may include, but are not limited to, hilltops, ridges, hill slopes, canyons, ravines, rock outcrops, water bodies, streambeds and wetlands.

The Project Site is flat and does not support any distinct or prominent geologic or topographic features such as hilltops, ridges, hill slopes, canyons, ravines, rock outcrops, water bodies, streambeds and wetlands. Therefore, no impact would occur.

3. Seismic-Related Hazards, Including Liquefaction

Southern California is crossed by numerous active and potentially active faults. The CGS has established earthquake fault zones known as Alquist-Priolo Earthquake Fault Zones that identify areas where potential surface rupture along an active fault could prove hazardous. The Project Site is not located in an Alquist-Priolo Earthquake Fault zone and the closest such zone is located approximately 4.3 miles to the southeast. The closest known potentially active fault is 0.7 miles south of the project site. Accordingly, the Project would be subject to similar seismic risks as existing structures throughout California and would comply with the seismic safety requirements in the California Building Code and Los Angeles Municipal Code and with the *California Department of Conservation Division of Mines and Geology Special Publications 117, Guidelines for Evaluating and Mitigating Seismic Hazards in California (1997)*, which ensure safety in the event of an earthquake. The soils above approximately 24 feet on the Project Site may potentially be liquefiable. These soils will be removed as a part of the excavation related to the Project's construction, including the four-level subterranean parking garage that will reach approximately 40 feet below ground surface (bgs). Since the soils below 24 feet bgs are dense and not susceptible to liquefaction, the potential for liquefaction to occur at the Project Site is low.

E. Hydrology/Water Quality

1. Surface Water Quality

The Project Site is located in a highly urbanized area along the Wilshire Boulevard Corridor in the Westwood community of the City of Los Angeles. The Project Site's southern portion is developed with a single story commercial building and the northern portion is vacant. The Project Site is relatively flat, with a slight two percent grade from north to south. Storm water is directed off-site to Gayley Avenue or to the City of Los Angeles municipal storm drain system.

Construction will expose soil to potential precipitation. However, Project construction will comply with Los Angeles County's National Pollutant Discharge Elimination System (NPDES) Construction Permit and the Project would implement the City grading permit regulations that include compliance with erosion control measures. The City's Building Code, Chapter IX, requires permits, plans and inspections to reduce erosion and a storm water pollution protection plan and a wet weather erosion control plan would be developed for the project. These measures would require the implementation of Best Management Practices (BMPs) designed to reduce run-off during precipitation events. BMPs would also be designed and installed during the Project's operational phase to comply with the NPDES permit and the City of Los Angeles' Standard Urban Stormwater Mitigation Plan (SUSMP). These would reduce discharge of run-off from landscaped and non-landscaped areas and could include walled trash container areas, properly drained loading dock areas, and treatment systems in parking areas to prevent polluted run-off. Accordingly, compliance with applicable regulatory requirements would ensure that impacts to surface water quality would be less than significant.

2. Surface Water Hydrology

The Project Site is located in an highly urbanized setting and is currently developed with a single story commercial structure and, in part, vacant. The now-vacant portion of the Project Site was improved with a gas station, which was recently removed so that remediation could be completed. Because the Project would involve the replacement of existing urban uses with new development, the amount of impervious surface area historically present on the Project Site would not change. The amount of run-off from the Project, therefore, would be substantially similar to current and historical conditions. Site-generated run-off would continue to flow into the City's storm drain system and the Project would continue to be subject to the City's SUSMP and be required to implement BMPs. During construction activities, which would be temporary, site permeability would increase. However, the implementation of BMPs, an SWPPP and SUSMP and applicable NPDES requirements would adequately control any storm water run-off that could occur during a precipitation event. Therefore, compliance with applicable regulatory requirements would ensure that impacts to surface water hydrology would be less than significant.

The Project Site is not within a 100-year flood plain according to the City of Los Angeles General Plan Safety Element. The Project Site is not located within a tsunami zone as it is five miles from the Pacific Ocean, is not at risk from a seiche because the closest contained body of water is three miles away, and is not in an area of potential mudflow because the area surrounding the Project Site is relatively flat. The Project Site is, however, approximately three-miles downstream of the tone Canyon Reservoir and is identified within an inundation area in the event of dam failure. The reservoirs current

dam is designed to withstand the maximum credible earthquake for its location and, therefore, inundation at the Project Site as a result of dam failure is considered a low possibility and a less than significant impact.

3. Groundwater Quality & Hydrology

Groundwater was detected at approximately 40 feet below ground surface at the Project Site based on an April 2008 *Report of Geotechnical Evaluation* completed by MACTECT Engineering and Consulting, Inc. Excavation for the Project's subterranean parking garage is expected to be 40 feet below grade. As a result, there exists the possibility that groundwater could be contacted during construction. If this were to occur, any dewatering would be conducted in accordance with Regional Water Quality Control Board (RWQCB) and City of Los Angeles regulations to ensure that construction activities do not contaminate or otherwise deplete groundwater supplies.

Operation of the subterranean parking lot may require dewatering. If so, an NPDES discharge permit from the RWQCB would be required to discharge water into the storm drain or an appropriate Industrial Waste Discharge Permit issued by the City of Los Angeles would be required to discharge into the sanitary sewer. Monitoring of groundwater underneath the Project Site shows that there are no discernible impacts to groundwater from the underground storage tanks (USTs) that formerly occupied the Project Site as part of the gas station. However, contaminants from off-site locations were identified. Both approvals would ensure that groundwater supplies would not be adversely affected and that any contaminated groundwater would be disposed of so as not to cause an adverse impact on the environment.

Groundwater recharge would similarly be unaffected. The Project Site is developed with a single-story commercial structure and recently contained a gas station. As a result, the Project Site was developed almost entirely with impervious surfaces. The Project would result in impervious surfaces similar to that previously on the Project Site. Therefore, the Project would not result in a change in the amount of groundwater recharge available from the Project Site. The Project would also not use groundwater in its operations. Accordingly, the Project would not have a significant impact on groundwater supplies because it would not substantially deplete groundwater supplies, result in a net deficit in the aquifer volume, or lower the local groundwater table.

F. Mineral Resources

The Project Site is not identified as an area containing significant mineral deposits as defined by the City of Los Angeles, General Plan Framework DEIR, nor is it designated as an existing mineral resource extraction area by the State of California. Furthermore, the Project Site is not classified as a Non-Fuel Production area by the California Geological Survey (CGS). Additionally, the Project Site's land use (i.e., Regional Commercial) as defined by the City of Los Angeles General Plan Framework and the West Los Angeles Community Plan, is not designated as a mineral extraction land use. Therefore, the chances of uncovering mineral resources during construction and grading would be minimal. Project implementation would not result in the loss of availability of a known mineral resource of value to the region and residents of the State, nor of a locally important mineral resource recovery site. No impacts to mineral resources would occur.

G. Population and Housing

In 2006, and based on the most recent population estimates, the 2006 residential population of the Westwood Community Plan areas was approximately 40,700 people residing in approximately 19,700 housing units. The Westwood Community Plan estimates that the residential population of the area will grow to 49,605 by 2010, resulting for a net population increase of approximately 22 percent. Additionally, the Westwood Community Plan estimates that the number of housing units will increase to 21,331 units by 2010, reflecting growth of approximately eight percent.

Under the Condominium Option, the Project could add up to 144 condominiums to the area, which would constitute 8.8 percent of the projected growth for housing units in the Westwood Community Plan area by 2010. Based on an average household size of 2.06 persons for all residential uses in the Westwood Community Plan area, the Project would generate approximately 297 new residents. The Project's residential population would constitute approximately three percent of the population growth projected for the area by 2010. Thus, the proposed residential units and the residential population generated by the Project would be well within the established forecasts for the Community Plan area. Additionally, as stated in many adopted regional and local planning documents, including the City of Los Angeles General Plan Housing Element, the City is in need of new dwelling units to serve both the current population and the projected population. While the Project would not eliminate the housing shortage in the City, it would promote the goal of generating more housing.

Under the Hotel Option, the Project would add no new condominiums and, therefore, no new residents to the Westwood Community Plan Area. The Hotel Option would employ approximately 136 individuals, who are anticipated to already reside in the Los Angeles region.

The Project Site is located in a highly urbanized area of the City of Los Angeles on the Wilshire Boulevard Corridor. No new roadways or regional infrastructure would need to be developed to serve the Project. The Project would include infrastructure connections and minor improvements to accommodate Project residents and improvements, but new infrastructure that could indirectly induce substantial population growth is not proposed. Therefore, the Project's impacts regarding population growth would be less than significant. As there are no existing residential uses on the Project Site, implementation of the Project would not displace existing housing or people, and no impacts would occur.

H. Utilities and Service Systems

1. Solid Waste

The California Integrated Waste Management Act guides solid waste management in California. The Act requires the City of Los Angeles to prepare a Solid Waste Management Policy Plan that emphasizes resource conservation through reduction, recycling and reuse of solid waste. Various public agencies and private companies provide solid waste management services in the City of Los Angeles. Private collectors service most multi-family units and commercial developments, whereas the City's

Bureau of Sanitation collects the majority of residential waste from single-family and some smaller multi-family residences.

Aggressive waste reduction and diversion programs on a Countywide level have helped reduce disposal levels. Examples of such efforts include resource conservation per the provisions of the California Integrated Waste Management Act of 1989 (AB 939) and the diversion of waste to transformation (waste-to-energy) facilities or to intermodal facilities that transport the waste by rail to facilities outside of the County. In addition, based on the City of Los Angeles' most recent AB 939 Annual Report for Year 2000 and the City of Los Angeles Waste Characterization and Quantification Study, the City disposed of over 3.86 million tons of solid waste (approximately 12,332 tons per day) in 2000. The majority of this was disposed of at the Sunshine Canyon Landfill and the Chiquita Landfill. Additionally, as a result of implementing aggressive source reduction and recycling programs, the City diverted over 5.72 million tons of waste, which is a diversion rate of 60 percent. Thus, the City was successful in meeting the waste diversion goals set forth in AB 939. The City has adopted the goal of achieving 70 percent diversion by 2020.

Construction of the proposed project would generate demolition debris, some of which may be recycled or reused on-site to the extent feasible. Materials that could be recycled or salvaged include asphalt, glass, concrete, aluminum, steel, doors, and bathroom fixtures. Demolition debris not recycled or reused could be accepted at one of several landfills within the Los Angeles County. In addition, soil export of approximately 50,000 cubic yards of soil would be required. Since unclassified and Class III landfills in the County do not generally have capacity issues, landfills serving the site would have sufficient capacity to accommodate project construction solid waste disposal needs, and significant impacts would not occur. No new facilities would be required as a result of Project construction. Therefore, there is no potential for significant impacts with regard to the generation of solid waste by construction activities.

The Hotel Option (Option 1) is expected to generate approximately 620.87 tons per year. This amount of solid waste generated by the Hotel Option would represent approximately 0.00025 percent of the daily solid waste disposed of by the City of Los Angeles, representing an even smaller fraction of the total waste generated Citywide. The Condominium Option (Option 2) is expected to generate approximately 564.4 tons per year. This amount of solid waste generated by the Condominium Option would represent approximately 0.00023 percent of the daily solid waste disposed of by the City of Los Angeles, representing an even smaller fraction of the total waste generated Citywide. The waste generation factors utilized do not account for recycling or other waste diversion measures, and as such, the estimated solid waste generated by the Project would be less than that forecasted. Recycling bins will be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material to reduce the amount of solid waste generated by the Project. Thus, potential impacts on the capacity of existing landfills in Los Angeles County associated with the solid waste generated by the proposed project would be less than significant.

Lastly, the Project would comply with applicable regulations related to solid waste, including those pertaining to waste reduction and recycling. In accordance with the City's Space Allocation Ordinance (No. 171687), which requires that all new development projects provide an adequate recycling area or room for collecting and loading recyclable materials, the project would provide on-site recycling collection

facilities employees and residents. Additionally, the Project would promote compliance with the AB 939 through source reduction and recycling programs. Since the Project would comply with Federal, State, and local statutes and regulations related to solid waste, no impacts would occur.

VI. IMPACTS FOUND NOT TO BE SIGNIFICANT PRIOR TO MITIGATION

The City of Los Angeles Planning Department prepared an Initial Study for the Project, that indicated issues that should be addressed further in an EIR. Issues that were determined by the City to require further analysis in an EIR included: Aesthetics and Visual Resources; Air Quality; Hazards and Hazardous Materials; Land Use; Noise; Public Services, including Fire Protection, Police Protection, Schools, Libraries, and Parks and Recreation; and Transportation and Circulation. The following impact areas were concluded by the EIR to be less than significant prior to mitigation.

A. Aesthetics

1. Views

The Project would not block valued public views of scenic resources from off-site locations. Rather, views of and across the Project Site from surrounding public streets and commercial uses would, in many instances, be partially or entirely obstructed by existing intervening development. While the Project would partially obstruct existing views available to office buildings surrounding the site, the change in the availability of views from the nearby office towers would be incremental. Overall, based on the incremental changes in views that would result from the Project, the significance thresholds' focus on preservation of public views, and the consistency of the Project with the existing and anticipated development pattern of the surrounding area, view impacts would be less than significant and no mitigation is required.

Of the 23 related projects, eight projects could cumulatively contribute to aesthetic impacts. Although the Project could be located within the same view field when viewed from afar, such as from the Hollywood Hills, the projects are sufficiently distant so as not to cumulatively contribute to view blockage from public locations. When the Project is viewed from surrounding streets or open space, it would not be located in the same line-of-sight as the related projects. Again, therefore, no cumulatively considerable public view obstruction would occur and no mitigation is required.

2. Visual Character: Building Design (Operation)

The Project's high-rise nature would be consistent with the existing surrounding uses. The Project would remove a single story, 9,900 square foot commercial building with parking on the roof and develop two currently vacant parcels that previously contained a gas station. The Project Site's current development is inconsistent with the current pattern of development and visual character on Wilshire Boulevard and in Westwood Village. The high-rises that predominate over the portion of the Wilshire Corridor along which the Project Site is located create a distinctive component of the Westwood community's and City of Los Angeles' skyline. The Project's 29 stories would add to the already dense commercial development of high-rise commercial buildings ranging from 17 to 29 stories from Glendon Avenue to the 405 Freeway. Thus, the Project would

contribute features that enhance the Wilshire Boulevard high-rise corridor and would degrade the existing visual character or quality of the Project Site or its surroundings. At the same time, the Project would not degrade the visual character of Westwood Village, which sits immediately north of the Project Site. Unlike Wilshire Boulevard, Westwood Village is characterized by street-facing, low-rise commercial uses. The Project's design sets the tower back 75 feet from the Project Site's northern edge and the adjacent 45-foot building. This is consistent with the existing pattern of high-rise development along the north side of Wilshire Boulevard – high density pushed towards Wilshire Boulevard with a stepped down portion at the interface with Westwood Village. The Project's design, therefore, would not detract from Westwood Village's existing style or image and no mitigation is required. Rather, it furthers the existing pattern of development to its logical next step by extending it west along Wilshire Boulevard.

Eight related projects could cumulatively contribute to aesthetic impacts. Three of these projects are commercial or mixed-use developments planned for Wilshire Boulevard and five are residential projects are east of Glendon Avenue and located within the Wilshire-Westwood Scenic Corridor. The low-rise cumulative commercial projects planned for Westwood Village would contribute to Westwood Village's existing visual character as they are in keeping with the current pattern of low-rise, street-facing development. The high-rise residential projects located in the Wilshire-Westwood Scenic Corridor would also positively contribute to that area's visual character and would be consistent with the existing high-rise residential developments. Accordingly, since the Project would not degrade the visual character or the Project Site or surrounding area and the related projects would similarly contribute to the areas surrounding those sites, the Project would not have a cumulatively significant impact on Westwood's visual character and no mitigation is required.

3. Light and Glare (Construction)

Construction activities are not anticipated to result in flat, shiny surfaces that would reflect sunlight or cause other glare. Therefore, less than significant impacts with respect to reflected sunlight and natural glare are anticipated and no mitigation is required.

4. Shading (Operation)

The Project would not shade any shadow-sensitive uses for more than three hours between the hours of 9:00 a.m. and 3:00 p.m. between late October and early April or for more than four hours between the hours of 9:00 a.m. and 5:00 p.m. between early April and late October. Additionally, the project would not cast shadows onto adjacent residential buildings outside the Westwood Village Specific Plan area for more than two hours between 10 a.m. and 4 p.m. on December 21 or between 10 a.m. and 4 p.m. on March 21. Therefore, no significant shading impacts would occur and no mitigation is required.

There are five related projects (Nos. 6, 7, 11, 14, and 19) located within the Wilshire Boulevard high-rise corridor and Westwood Village area. However, each of the five related projects is located east of Malcolm Avenue and, therefore, would not shade the same areas of the proposed project. As the related projects' shadows would not shade contiguous areas to the Project, no cumulatively considerable shading impacts would

occur and no mitigation is required.

B. Air Quality

1. Global Climate Change

The City of Los Angeles has not formally established a project-level significance threshold for greenhouse gas (GHG) emissions. Therefore, the Project's global climate change impacts were evaluated based on consistency with the goals of AB 32. Using the goals of AB 32 to guide it, the City determined that Project operations at 30 percent below business as usual is the most appropriate threshold of significance. Under this threshold, both the Hotel Option (Option 1) and the Condominium Option (Option 2) would result in a less than significance impact with respect to global climate change.

The Project contains a number of project design features that will reduce greenhouse gas emissions, such as designing, constructing and operating the Project to obtain the Silver level of LEED Rating System, locating within a transit oriented development area, instituting transportation demand management measure to encourage alternative forms of transportation to the car, diverting 75% of construction waste from disposal, and installing water and energy efficient appliance and fixtures and utilizing low-water irrigation techniques, including the installation of a grey water system for irrigation purposes. Notably, by locating in a transit oriented development area and one heavily served by buses and, in the future, a subway line, the Project would result in lower vehicle miles traveled for hotel guests (Option 1), residents (Option 2), and Project employees.

A quantitative analysis of each use option was completed and both demonstrate that the Project will operate at or below 30% BAU. Specifically, the Hotel Option (Option 1) would have a net greenhouse gas savings of 2,058 metric tons per year, which is a 38% reduction as compared to if the Hotel Option were developed under BAU standards. The Condominium Option (Option 2) would have a net greenhouse gas savings of 1,582 metric tons per year, which is a 37% reduction as compared to if the Condominium Option were developed under BAU standards. Since both the Hotel Option and Condominium Option would operate at 38% and 37% below BAU standards, the Project would have a less than significant impact on global climate change on a project-level and cumulative basis. No mitigation is required.

C. Land Use

1. Consistency with Plans and Policies

The Project, both Hotel Option (Option 1) and Condominium Option (Option 2), is substantially consistent with the goals, objectives and policies of the City of Los Angeles General Plan Framework, General Plan Transportation Element, Walkability Checklist, Westwood Community Plan, Westwood Village Specific Plan, Westwood Community Design Review Board Specific Plan, the Los Angeles Municipal Code, Regional Transportation Element, and Compass Blueprint Growth Vision. The Project's and each option's consistency with each plan and policy is discussed below.

The Project, both Hotel Option (Option 1) and Condominium Option (Option 2), is consistent with the General Plan Framework's Land Use objectives because it provides

a mixed of uses on an underutilized site and within walking distance of a broad mix of uses within Westwood and Westwood Village; locating in an existing Regional Center well served by existing public transportation will reduce vehicle miles traveled; increasing job opportunities; and revitalizing a currently underused Project Site, which will enhance pedestrian activity and increase the general activity of the area. The Framework's Urban Form objectives to support plans that build on the activity, diversity and density of the Westwood Community and encourage development in centers and nodes along major arterials. The Condominium Option would further the Framework's Housing policies by providing 144 condominiums to help meet the City's 20-year projected need and would develop dense housing in a commercial area, thus preserving the City's lower density residential areas. However, the Project, because of its density, would not be consistent with the General Plan Framework's Long Range Land Use Diagram, West/Coastal Los Angeles, footnote D. The Diagram limits FAR to 2:1 on the two Gayley Avenue parcels and 6:1 on the Wilshire Boulevard parcel. The Project proposes increasing the maximum permitted FAR to 13:1 under Height District 4 although the Project's actual FAR would be somewhat less than 13:1. Additionally, the Gayley Parcels, which are currently designated Community Commercial, would be redesignated Regional Center to be consistent with the Wilshire Parcel's designation and the Diagram's current pattern of development, which designates all parcels south of Lindbrook Drive and north of Wilshire Boulevard as Regional Center. Unifying the existing site with a single designation on the Land Use Diagram to permit a cohesive redevelopment would not significantly impact adjacent or surrounding properties and would not result in significant physical land use impacts. Accordingly, both the Hotel Option and Condominium Option would have a less than significant impact with respect to the General Plan Framework and no mitigation is required.

The Project would support the General Plan's Transportation Element because it would locate development in Westwood and along the Wilshire Boulevard Corridor, which is a major economic activity area and located along existing transit lines, would improve circulation patterns by eliminating existing mid-block driveways and creating a single four-leg intersection for accessing the Project Site, and avoiding incursion into existing residential neighborhoods.

The Project would support all applicable policies of the Walkability Checklist. The Project would upgrade the existing pedestrian environment by providing a uniform, ten-foot wide sidewalk on Gayley Avenue and at least as a ten-foot wide sidewalk on Wilshire Boulevard, eliminating mid-block driveways, creating ground-floor retail with large display windows, installing new street trees and exterior lighting to enhance pedestrian safety.

The Project would be consistent with the Westwood Community Plan's land use goals to provide a strong and competitive commercial sector that promote economic vitality, serves the community's needs through well designed, safe and accessible areas while preserving its unique, historic and cultural character. The Project would provide high quality development of distinctive character while being consistent with the existing development pattern along Wilshire Boulevard and within Westwood Village. The Hotel Option would conserve and strengthen existing commercial development and provide opportunities for new commercial development through the introduction of a luxury business hotel. The Condominium Option would also introduce new commercial development through the advent of over 6,500 square feet of ground floor retail and an

approximately 10,000 square foot restaurant. The 144 residential units together with the ground floor retail and restaurant strongly support the Community Plan's objective to provide mixed-use development within the Plan area. An amendment to the Community Plan would redesignate the Gayley Parcels as Regional Center Commercial from Community Commercial and also reflect the removal of the Gayley Parcels from the Westwood Village Specific Plan. These amendments would allow the Project Site to be developed in a manner consistent with current land uses surrounding the Project Site and would not significantly impact adjacent or surrounding land uses as a result. Accordingly, the Project would have a less than significant impact under the Westwood Community Plan and no mitigation is required.

The Project would not be inconsistent with the Westwood Village Specific Plan and its companion implementation mechanism set forth in the Westwood Community Design Review Board Specific Plan. The Gayley Parcels are currently within the Westwood Village Specific Plan. The Wilshire Boulevard Parcel is not. The Project proposes amending the Specific Plan's boundaries to result in a consistent southern border for the Specific Plan area. Currently, the only instance where the Specific Plan goes south of Lindbrook Drive is on the Project Site. The Project would amend the Specific Plan to remove the Gayley Parcels from it and create a consistent, predictable southern border and one that is consistent with the current pattern of high-rise development south of Lindbrook Drive. Prior to amending the Specific Plan, the Project would be consistent with the Specific Plan's policies requiring 80% of the ground floor be occupied, parking, architectural articulation, and ground level entrances. Additionally, because of the Project's distance from culturally and architecturally significant buildings in Westwood Village, the Project would be consistent with the Specific Plan's objective to preserve them. The Hotel Option would also be consistent with the allowable uses – restaurant, retail and hotel. Since amending the Specific Plan would permit a Project consistent with existing land uses and land use patterns, a significant physical land use impact would not result and no mitigation is required.

The Project's commercial and residential uses contemplated for the Project Site are all permitted within the C4 zone. A zone change to amend existing D and Q limitations and the current height district is requested. The zone change would allow consistent development of up to a FAR of 13:1, although development at a lower rate is expected. After rezoning, the Project would not exceed the LAMC's allowable development standards for the Project Site. A Zoning Administrator Adjustment to eliminate the setback requirement on the Project Site's western boundary is also requested. While a commercial building would not be required to maintain any setback, the Project's residential uses, whether they be hotel or condominium would be required to be set back from the property line. Given the Project Site's very narrow profile, imposing the setback limitation would significantly reduce the Applicant's ability to develop a viable Project on-site. Elimination of the side yard setback requirement and zone change, however, would not result in a significant physical impact. For the Hotel Option, the Project requests a Conditional Use Permit (CUP) per LAMC Section 12.24 to locate a hotel within 500 feet of a residential zone. The residential zone is located south of Wilshire Boulevard and currently improved with parking for the adjacent high rises. As such, the requested CUP approval is in keeping with the intent to ensure harmony between residential and commercial uses.

There would be no shade or shadow impacts on sensitive uses, architecturally or

culturally significant buildings will not be impacted, and the Project is consistent with existing land use patterns. Therefore, no mitigation is required.

The Project would support the primary Southern California Association of Governments (SCAG) policies set forth in the SCAG's 2004 Regional Transportation Plan Compass Blueprint Growth Vision Report. The Project meets SCAG's goal of maximizing mobility and accessibility for all people and goods in the region and maximizing the productivity of the region's transportation system by locating along Wilshire Boulevard, which contains numerous bus transit lines and is in close proximity to Los Angeles County Metropolitan Transportation Authority's planned subway route along the same. The Project is also consistent with the Compass Blueprint Growth Vision Plan's designated two percent Strategy Opportunity Area for the City of Los Angeles by creating new jobs and residences (Condominium Option only) within in a mutually supportive environment by placing housing near jobs and vice versa.

It is anticipated that any new projects would be subject to the project permit approval process and would incorporate any mitigation measures necessary to reduce potential land use impacts as a result of any inconsistency with the City's land use plans and policies. With the implementation of the Westwood Village Specific Plan, no cumulative considerable development is anticipated as a result of the Project.

C. Land Use Compatibility

The Project would be compatible with existing land uses and the scale of existing development along the Wilshire Boulevard Corridor in Westwood and with Westwood Village. Locating the tower's mass at the southern edge of the Project Site allows the building to step down to only four stories at its northern edge. The approximately 75-foot setback results in a scale and design commensurate with the 45-foot commercial building immediately to the north and lower rise commercial along Lindbrook Drive and north on Gayley Avenue. This buffer between the Project's mass and Westwood Village will continue an existing pattern of development along Wilshire Boulevard that juxtaposes high-rise buildings with low-rise commercial and residential uses. The tower, in contrast, would be compatible with the existing high-rises on Wilshire Boulevard that stretch from the 405 Freeway to the City of Los Angeles' border with Beverly Hills. Accordingly, the Project would have a less than significant land use impact with respect to compatibility of scale and no mitigation is required. When analyzed together with the 23 related projects, the Project's impact on land use scale would not be cumulatively considerable.

The Project's proposed uses, either hotel or residential, retail, and restaurant are also consistent with the surrounding commercial community. Under the Hotel Option (Option 1), the Project would include a hotel and ground floor retail space. Under the Condominium Option (Option 2), the Project would include 144 residences, ground floor retail, and a high class restaurant. Any mix of these uses is consistent with the surrounding commercial community and would serve to enhance and support the existing commercial uses while preserving nearby residential areas. The Project, therefore, is compatible with existing land uses, no significant impacts would occur, and mitigation is not necessary. The related projects are generally consistent with the existing land use designations. Therefore, cumulative land use impacts would be less than significant.

D. Noise

1. Construction Vibration

Ground-borne vibrations from construction activities rarely reach the levels that damage structures because, in part, ground-borne vibration decreases rapidly with distance. For example, vibration velocities from typical heavy construction would range from approximately 0.0003 to 0.089 inches per second peak particle velocity (PPV) at 25 feet from the source of the activity and would range from 0.001 to 0.11 inches per second PPV 100 feet from the source. The nearest buildings to the site, which are approximately 20-25 feet, would be exposed to vibration velocities ranging from approximately 0.004 to 0.124 inches per second PPV. This value is below the 2.0 inches per second PPV. The Westwood Medical Building, which was identified as a building potentially containing sensitive uses would be subject to a vibration level of 0.003 inches per second root mean squared (RMS), which is below the 0.004 inches per second RMS for medical buildings with sensitive uses. Accordingly, vibration impacts associated with construction would be less than significant and no mitigation is required. Also, due to the rapid attenuation characteristics of ground-borne vibration, given the related projects' distance from the Project Site, there is no potential for cumulative construction impacts with respect to ground-borne vibration.

2. Project Operation

Project noise would be generated from both on-site and off-site sources. Project on-site noise sources would include noise from: mechanical equipment, the loading dock, the parking facility, the rooftop helipad, the pool facility and motor court. Each of these noise sources was analyzed and then a composite noise level increase, which included off-site noise sources, for sensitive receptors close to the Project Site was completed. Under the City's adopted thresholds of significance an increase of five dBA above existing ambient noise levels would be considered significant. Composite noise levels for both Project use scenarios (Hotel Option [Option 1] and Condominium Option [Option 2]) would be below existing ambient noise levels and, therefore, less than significant impacts would occur and no mitigation is required. Based on the Project Site's relative to the related projects, significant cumulative impacts associated with both on-site and off-site noise would not occur and no mitigation is required.

E. Public Services

1. Schools

The Project Site is served by the following Los Angeles Unified School District (LAUSD) schools: Warner Elementary School, Emerson Middle School, and University High School. Additionally, there are over 30 private schools located within a three-mile radius of the Project Site that draw students from the Westside of Los Angeles, including, Brentwood School, Archer School for Girls, Windward, Marymount School, and Crossroads School. Under the Hotel Option (Option 1), the Project would generate a total of four elementary school students, two middle school students, and two high school students. Under the Condominium Option (Option 2), the Project would

generate a total of 19 elementary school students, 11 middle school students, and 10 high school students. The school facilities serving the Project Site are projected to be operating well below capacity for the 2012-2013 school year. Due to the existing demographics of the area in which the Project Site is located and the anticipated demographics of the future residents of the Project, the Project's student generation forecast may be overstating the actual student generation and therefore, the analysis presents a conservative analysis of the Project's potential impacts on LAUSD facilities. Because of the relevant public schools will be operating well below capacity, the Project, under either the Hotel Option (Option 1) and the Condominium Option (Option 2), would not cause new facilities to be developed. Additionally, the Project's impacts on LAUSD school facilities would be reduced to a less than significant level under the law with the payment of developer impact fees in accordance with SB 50 and pursuant to Section 65995 of the California Government Code and no mitigation is required.

Project-related construction traffic and activities would not affect existing school traffic, pedestrian routes, or transportation safety in the Project vicinity as there are no schools adjacent to the Project Site. In addition, haul routes would not interfere with school pedestrian routes at Warner Elementary School, Emerson Middle School, and University High School. Safety and security would be maintained throughout Project construction, as construction activities would adhere to all applicable standard construction standards including the California Vehicle Code. Project-related construction would not alter existing traffic patterns or result in any significant traffic impacts. Therefore, school bus routes and pedestrian routes would not be negatively affected and no mitigation is required.

There would be no cumulative impact on schools. Pursuant to Government Code Section 65995, the payment of the developer fees under the provisions of SB 50 would constitute full mitigation for all impacts to school facilities. Therefore, cumulative impacts to LAUSD schools serving the Project Site would be less than significant and no mitigation is required.

2. Libraries

The Project Site is served by the Westwood Branch Library, as determined by the City of Los Angeles Public Library (LAPL). Additional library facilities within the Project Site's vicinity include the West Los Angeles Regional Branch Library, the Palms-Rancho Park Branch Library, and the UCLA Libraries. The increase in Project residents utilizing either Westwood Branch Library under the Hotel Option (Option 1) would be 0.02 percent as the project would be entirely commercial. The increase in Project residents utilizing either Westwood Branch Library under the Condominium Option (Option 2) is 0.3 percent, which represents a less than a one percent increase in the demand for library facilities. Therefore, the Project would result in a nominal increase in the demand for library facilities. As identified by the LAPL, both the Westwood Branch and Palms-Rancho Park Branch Libraries currently adequately meet the demand for library services within their respective communities. Thus, since the increased demand generated by the Project would be nominal, impacts on these library facilities would be less than significant.

Sixteen of the 23 related projects are located in the Westwood Branch Library service area and include a residential component. These 16 projects would generated a total of

977 residential units and a population of approximately 1,885 persons within the Westwood Branch Library service area for a total increase of 2,163 when the Condominium Option's residents are included. The total increase with the Hotel Option's residents would be approximately 1,904 new persons. Since the related projects are below LAPL's projected ambient growth for the Westwood Branch Library Service area, neither the Hotel Option or the Condominium Option would have a cumulatively considerable impact on library services causing the need for the construction of new or expanded facilities. No mitigation is necessary.

F. Transportation and Circulation (Operation)

1. Intersections

The Project would not create a significant impact at any of the ten studied intersections in either the A.M. or P.M. peak hours. The Project developed under the Hotel Option (Option 1) would generate a net total of 1,598 daily trips on a typical weekday, including 127 and 110 trips during the A.M. and P.M. peak hours respectively. The Hotel Option would not cause an increase of the volume-to-capacity ratio in exceedance of the City of Los Angeles' adopted thresholds of significance at any of the ten studied intersections. Therefore, the Hotel Option would not have a significant impact on traffic and no mitigation measures are required. The Project developed under the Condominium Option (Option 2) would generate a net total of 1,548 daily trips on a typical weekday, including 94 and 165 trips during the A.M. and P.M. peak hours respectively. The Hotel Option would not cause an increase of the volume-to-capacity ratio in exceedance of the City of Los Angeles' adopted thresholds of significance at any of the ten studied intersections. Therefore, the Hotel Option would not have a significant impact on traffic and no mitigation measures are required. The Applicant will install a camera at the intersection of Wilshire Boulevard and Gayley Avenue as a part of the Project that would be connected to the City of Los Angeles Traffic Management Center to monitor traffic at this intersection.

2. Parking (Hotel Option – Option 1)

The Project would be developed with four levels of subterranean parking. The four levels of parking would contain 260 total parking spaces (200 striped and 60 valet assisted). Based on LAMC requirements, the Hotel Option (Option 1) would require 134 parking spaces – 108 spaces for the 250 hotel rooms and 26 spaces for the 6,510 square feet of retail space. As the Project would provide 260 on-site parking spaces, the Project would not have a significant impact on parking and no mitigation is required if the Project were to be developed pursuant to the Hotel Option.

3. Freeway System (CMP Impacts)

The CMP arterial intersections closest to the Project Site are located at Wilshire Boulevard and Sepulveda Boulevard (two blocks west of the Project Site) and Beverly Glen Boulevard (about a mile east of the Project Site). Neither the Hotel Option (Option 1) or the Condominium Option (Option 2) would add more than 50 trips to both these intersections during both the A.M. and P.M. peak periods. Therefore, impacts to CMP arterial intersections are less than significant and no mitigation is required.

The Project would not create a significant impact at any of the two freeway segments (405 Freeway north of Venice Boulevard, and 405 Freeway south of Mulholland Drive) during the weekday A.M., weekday P.M., or weekend peak hours under either the Hotel Option (Option 1) or the Condominium Option (Option 2). Neither development option would generate more than 150 trips in either direction during the weekday A.M. or P.M. peak hours at these freeway monitoring stations. Therefore, impacts to freeway segments would be less than significant.

4. Access and Loading

Project access would be provided via the alley to the north of the Project Site and all passenger vehicle queuing would occur entirely within the Project's circular driveway. A loading dock would be located near the Project Site's northwest corner. Delivery trucks would arrive during non-peak hours and, therefore, would not conflict with passenger vehicles going to or from the Project Site. The Project's traffic study identified no potential Project Site access problems. Therefore, impacts with respect to Project Site access and circulation would be less than significant and no mitigation is required.

5. Pedestrian/Bicycle Safety

The Project would not introduce any hazardous design feature that could result in increased potential for pedestrian/vehicle or bicycle/vehicle conflicts. The Project would reduce the number of driveways that currently access the Project Site and consolidate access to a singular access point via the alley to the north of the Project Site. Consolidating driveways and increasing the width of the adjacent sidewalk on Gayley together with new street trees and a more enhanced landscape treatment around the Project Site's motor court will alert pedestrians and bicyclists to the potential for vehicles entering or leaving the Project Site and, therefore, reduce the risk of such conflicts. Accordingly, the Project would have a less than significant impact on pedestrian and bicycle safety and no mitigation is required.

6. Consistency with Plans

The Project developed under either the Hotel Option (Option 1) or the Condominium Option (Option 2) would support the Westwood Community Plan's transportation and land use objective and the policies of SCAG by locating a new development within close proximity to existing and planned public transit and along a major transportation corridor (Wilshire Boulevard). The Project would not conflict with the implementation of any adopted transportation programs, plans, and policies and, as such, would have a less than significant impact on traffic and no mitigation is required.

G. Utilities

1. Wastewater

The City of Los Angeles Department of Public Works (LADPW) provides wastewater services for the Project Site. The LADPW operates and maintains the existing sewer lines which convey wastewater from the site to the Hyperion Treatment Plant (HTP) in

El Segundo. The HTP is a part of the Hyperion Treatment System, which also includes Tillman Water Reclamation Plant (TWRP) and the Los Angeles-Glendale Water Reclamation Plant (LAGWRP). The current treatment capacity of the entire HTP System is approximately 550 mgd (consisting of 450 mgd at HTP, 80 mgd at TWRP, and 20 mgd at LAGWRP).

In November 2006, the City of Los Angeles, Integrated Resources Plan, Facilities Plan (IRP) developed by the LADPW was approved by the Los Angeles City Council. The IRP accounts for projected needs and sets forth improvements and upgrades to wastewater systems, recycled water systems, and runoff management programs in the City of Los Angeles through the year 2020. Furthermore, future increases in wastewater flows are addressed in the IRP through improvements, additions, and expansions within the Hyperion Treatment System. As part of the adopted IRP, proposed improvements include, but are not limited to the expansion of the HTP biosolids handling capacity (e.g. new digesters and truck loading facility); the addition of secondary clarifiers at HTP to meet existing treatment requirements; expansion and upgrade of the TWRP capacity to 100 mgd with advanced treatment; addition of 60 mg wastewater storage at TWRP; and the construction of a 5 mg diurnal storage for wastewater and a 5 mg recycled water storage at LAGWRP. These improvements would increase the capacity of the Hyperion Treatment System to a total of 570 mgd, consisting of the HTP's capacity of 450 mgd, the TWRP's new capacity of 100 mgd, and the LAGWRP's capacity of 20 mgd. As discussed in the IRP, projects have been completed within all the treatment plants and sewer lines and additional on-going improvements have been proposed in order to continually provide services and meet wastewater needs of the City. Implementation of the IRP improvements would be dependent on monitored triggers, including population growth, recycled water regulations, wastewater discharge regulations, Total Maximum Daily Load (TMDL) requirements, available funding, etc. This staging of projects enables the City to target the most critical and immediate wastewater treatment needs. As stated in the IRP, many of the projects are "Go-Projects" and are considered for immediate implementation to protect the public health and environment. Therefore, with implementation of the IRP, LADPW and the Bureau of Sanitation expect to provide ample amount of wastewater treatment services to the City of Los Angeles and contracting cities through the year 2020.

The Project developed pursuant to the Hotel Option (Option 1) would generate an average of 46,381 gallons per day. The peak wastewater generation, which was estimated to be 1.7 times the average daily wastewater generation, would be 78,849 gallons per day. The Project developed pursuant to the Condominium Option (Option 2) would generate an average of 30,360 gallons per day with a peak flow of 51,613 gallons per day. Estimated wastewater generated by the Hotel Option (Option 1) would represent 0.074 of HTP's protected treatment capacity in 2015 and 0.12 percent of HTP's projected treatment capacity in 2020. Estimated wastewater generated by the Condominium Option (Option 2) would represent 0.058 of HTP's protected treatment capacity in 2015 and 0.087 percent of HTP's projected treatment capacity in 2020. The Project would also be required to pay a connection fee through the City's Connection Fee Program that ensures that all users pay a fair share for necessary expansions of the sewer system, improvements to conveyance, treatment and disposal facilities. Thus, based on all of the above, the Project under either use scenario would not exceed wastewater treatment capacities at HTP. No significant impacts would occur and no

mitigation is required.

The Project would also not have a significant impact on wastewater infrastructure. Wastewater flows generated on-site are conveyed via an 8-inch and a 30-inch sewer line in Gayley Avenue and a 12-inch line in Wilshire Boulevard. These lines flow into a series of additional lines that eventually discharge into a treatment plant. Sewer lines exceeding 50 percent capacity are considered deficient. Based on the City's current gauging information, the current flow in the lines into which the lines adjacent to the Project Site feed appear to have sufficient capacity to accommodate the total flow from the Project. However, further detailed gauging and evaluation must occur to determine the exact sewer connection point. A final approval for sewer capacity and connection will be made at the time the necessary permits are issued. Since adequate sewage lines would be available through existing capacity or the construction of additional lines to a point in the system that has sufficient capacity, impacts with respect to sewer lines would be less than significant.

Cumulative impacts associated with wastewater treatment would be less than significant and no mitigation would be required. The related projects together with the Hotel Option (Option 1) and the Condominium Option (Option 2) would generate an average of 46,381 gallons per day with a peak generation rate of 78,489 gallons per day and an average of 33,939 gallons per day with a peak generation rate of 57,679 gallons per day. The HTP System currently has a 550 million gallons per day and a current ADWF of 410 million gallons per day. Accordingly, the City's wastewater treatment capacities would not be exceeded under either Project development option.

VII. IMPACTS FOUND NOT TO BE SIGNIFICANT PRIOR TO MITIGATION, WHERE MITIGATION NONETHELESS PROVIDED TO FURTHER REDUCE IMPACTS

The following effects associated with the proposed Project were analyzed in the EIR and found not to be significant prior to mitigation. Nonetheless, mitigation measures have been incorporated to further reduce these effects.

A. Aesthetics: Visual Character (Construction)

1. Description of Environmental Effects

Construction activities, although temporary, disrupt the general order of an aesthetic character of an area. In order to minimize the disruption to the aesthetic character surrounding the Project Site and ensure the public's safety, the Project will likely erect temporary construction barriers and walkways. If not properly maintained these barriers and walkways have the potential to cause visual blight.

2. Mitigation Measures

- A-1: The Applicant shall ensure through appropriate postings and daily visual inspections that no unauthorized materials are posted on any temporary construction barriers or temporary pedestrian walkways, and that such temporary barriers and walkways are maintained in a visually attractive manner throughout the construction period.

3. Findings

Although the Project would not result in significant impacts to visual quality or views during construction or operation prior to the implementation of mitigation measures, changes or alterations nonetheless have been incorporated into the Project that further reduce these less than significant environmental effects of construction and operation of the Project upon Aesthetics/Visual Resources (Visual Quality – Construction), as identified in the Draft EIR.

4. Rationale for Findings

Construction activities would be temporary in nature. Maintaining the Project Site in a visually attractive manner throughout the construction period will ensure that blight does not occur. The mitigation will ensure that the Project Site is so maintained and, therefore, prevent visual blight from developing on or around the Project Site. While the Project would not result in significant impacts, the above mitigation measure would reduce the Project's less than significant construction impacts to an even lower level of impact.

5. Reference

For a complete discussion of impacts to Aesthetics (Visual Quality – Construction and Operation), please see Section IV.A of the Draft EIR and Section IV.1 of the Final EIR.

B. Aesthetics: Visual Character – Landscaping and Signage (Operation)

1. Description of Environmental Effects

The Project site would be landscaped and posted with signage. If not maintained, landscaping has the potential to impact negatively the visual character of a neighborhood. Similarly, signage has the potential to impact the Project's aesthetics and the visual character of the area surrounding the Project Site if not designed to be in character with the Project and the existing surrounding development.

2. Mitigation Measures

- A-2: All landscaped areas 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 city of Los Angeles Department of Planning.
- A-8: All signage plans shall be reviewed to ensure that signs are designed to be integrated with the architectural character of the building and convey a visually attractive character.

3. Findings

Although the Project would not result in significant impacts to visual quality or views during construction or operation prior to the implementation of mitigation measures,

changes or alterations nonetheless have been incorporated into the Project that further reduce these less than significant environmental effects of the Project upon Aesthetics/Visual Resources (Visual Quality – Operation), as identified in the Draft EIR.

4. Rationale for Findings

The Project would contribute to the high quality architecture of the Westwood community and would be compatible with the existing urban skyline. Landscaping and signage will be integral parts of the Project and will contribute heavily to its visual character and have the potential to impact the visual character of the area surrounding the Project Site. While the Project would not result in significant impacts, the above mitigation measure would reduce the Project's less than significant construction impacts to an even lower level of impact.

5. Reference

For a complete discussion of impacts to Aesthetics (Visual Quality – Construction and Operation), please see Section IV.A of the Draft EIR and Section IV.1 of the Final EIR.

C. Aesthetics: Light and Glare (Construction and Operation)

1. Description of Environmental Effects

Construction activities would occur primarily during daylight hours and any construction-related illumination would be used for safety and security purposes only. With adherence to existing LAMC regulations, artificial light associated with construction activities would not significantly impact residential uses, substantially alter the character of off-site areas surrounding the construction area, or interfere with the performance of an off-site activity. Therefore, artificial light impacts associated with construction would be less than significant.

With regard to operations, new sources of artificial lighting from the Project would include lighting from storefront windows, windows in the residential tower, illuminated signage, security lighting, and street lights. However, with the implementation project design features and applicable LAMC regulations, lighting associated with the project would not substantially alter the character of the off-site areas surrounding the Project and would not interfere with the performance of an off-site activity. Therefore, impacts attributable to Project-induced artificial lighting would be less than significant.

Glare from construction is not anticipated because flat, metallic or glass surfaces that would reflect sunlight or cause other natural glare are not anticipated to be used. In any event, any reflective surface causing glare would be temporary in nature and, therefore, glare would be less than significant during construction.

2. Mitigation Measures

- A-3: All new street and pedestrian lighting within the public right of way shall be approved by the Bureau of Street Lighting and shall be tested in accordance with the requirements of the Bureau of Street Lighting.

- A-4: All new street and pedestrian lighting shall be shielded and directed away from any off-site uses, so that the light source cannot be seen from adjacent residential properties.
- A-5: Prior to the issuance of a building permit, architectural plans for all exterior lighting shall be submitted to the Department of Building and Safety for review to ensure that lighting has low reflectivity in accordance with Illuminating Engineers Society (IES) standards to minimize glare and limit light onto adjacent properties.
- A-6: Prior to the issuance of a building permit, a final lighting and finish plan shall be submitted to the Director of Planning to ensure consistency with the approved design specifications and conditions.

3. Findings

Although the Project would not result in significant impacts to aesthetics during construction or operation prior to the implementation of mitigation measures, changes or alterations nonetheless have been incorporated into the Project that further reduce these less than significant environmental effects of the Project upon Aesthetics/Visual Resources (Aesthetics – Operation and Construction), as identified in the Draft EIR.

4. Rationale for Findings

Project windows would be made of non-reflective glass and, although building accents may include metal or other highly polished surfaces, mitigation measures would require that architectural lighting be directed onto the building surfaces and have low reflectivity to minimize glare. Thus, Project design features, along with the implementation of mitigation measures, would ensure that glare impacts associated with Project operations would be less than significant.

5. Reference

For a complete discussion of impacts to Aesthetics/Visual Resources (Artificial Light), please see Section IV.A of the Draft EIR and Section IV.1 of the Final EIR.

D. Air Quality: Localized and Regional Emissions (Construction and Operation)

1. Description of Environmental Effects

Construction of the proposed Project has the potential to create air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated from construction workers traveling to and from the Project Site. In addition, fugitive dust emissions would result from demolition and construction activities. Mobile source emissions, primarily nitrogen oxides (NOx), would result from the use of construction equipment such as dozers, loaders, and cranes. During the finishing phase, paving operations and the application of architectural coatings (i.e., paints) and other building materials would release volatile organic compounds (VOCs). Construction omissions can vary substantially from day to day, depending on the level

of activity, the specific type of operation and, for dust, the prevailing weather conditions. Under the most conservative scenario in which phases of construction would overlap, construction-related daily maximum regional and localized construction emissions would not exceed the Southern California Air Quality Management District (SCAQMD) daily significance thresholds for volatile organic compounds (VOCs), NO_x, Carbon Monoxide (CO), particulate matter (PM₁₀ and PM_{2.5}) or sulfur oxides (SO_x). Therefore, regional construction emissions resulting from the Project would result in a less than significant short-term significant impact and no mitigation is required. Cumulative impacts to air quality during proposed Project construction would also be less than significant. Nevertheless the following mitigation measures are proposed to reduce further potential impacts.

2. Mitigation Measures

- B-1: All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting and/or use of soil binders could reduce fugitive dust by as much as 55 percent.
- B-2: The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- B-3: All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- B-4: All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- B-5: All earth moving or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- B-6: General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- B-7: The Project Applicant shall apply non-toxic chemical stabilizers according to manufacturers specifications to inactive construction areas as necessary.
- B-8: Following daily construction activities, adjacent paved streets found to contain visible soil material that carried over from the project site shall be swept to remove dirt dropped by construction vehicles or mud that would otherwise be carried off by trucks departing the site.

3. Findings

Although the Project would not result in significant short-term air quality impacts during construction prior to the implementation of mitigation measures, changes or alterations

nonetheless have been incorporated into the Project that further reduce these less than significant environmental effects of the Project upon Air Quality (Construction), as identified in the Draft EIR.

4. Rationale for Findings

Implementation of the mitigation measures described above would reduce construction emissions for all pollutants. As such, Project construction would continue to result in a less than significant localized and regional impact with incorporation of the above-listed mitigation measures.

5. Reference

For a complete discussion of impacts on air quality, please see Section IV.B of the Draft EIR and Section IV.1 of the Final EIR.

E. Air Quality: Toxic Air Contaminants (Construction and Operation)

1. Description of Environmental Effects

Diesel particulate emissions constitute a hazardous toxic air contaminant (TAC). The Office of Environmental Health Hazard Assessment (OEHHA) has developed a diesel particulate matter (DPM) inhalation non-cancer (long-term) reference exposure level of five micrograms per cubic meter. No non-cancer acute (short-term) reference exposure level has been established for DPM.

The greatest potential for TAC emissions during construction would be related to diesel particulate emissions associated with heavy equipment and truck idling during grading and excavation activities. However, because the construction schedule estimates that the construction phases that would require the most diesel equipment would last no more than a year, Project construction would not result in a long-term (i.e., 70 years or more) substantial source of TACs. Additionally, the SCAQMD CEQA guidance does not require a health risk assessment for short-term construction emissions. Since there would be no residual emissions after construction, there would be no corresponding individual cancer risk. As such, project-related TAC impacts during construction would be less than significant. A mitigation measure limiting idling time is proposed to limit DPM emissions.

The Project would not include any sources of acutely and chronically hazardous TACs. Therefore, the siting of a hotel use (Hotel Option [Option 1]) or residences (Condominium Option [Option 2]) on the Project Site would not result in a significant impact from the potential exposure of on-site residents to the TAC emission sources. Although there will be delivery trucks visiting the Project Site, compliance with the 2004 CARB adopted Airborne Toxic Control Measure (ATCM) would significantly limit potential emissions from loading dock activity. As such, the proposed Project would not be considered a substantial source of DPM, and a significant air quality impact would not occur. In addition, TAC emissions from the related cumulative projects are anticipated to be less than significant individually and cumulatively. Further, a health risk assessment was completed for the Project's operational phase. The Health Risk Assessment (HRA) evaluated the potential impacts on the Project's residents

(Condominium Option [Option 2]) and found that no hazard existed because the estimated cancer risk for the Condominium Option was 3.4 in a million. The threshold of significance for carcinogenic impacts from TACs is ten excess cancer cases per one million people. Similarly, the HRA concluded that with regard to non-carcinogenic impacts, a health hazard did not exist. Nevertheless, because of the Project Site's proximity to Wilshire Boulevard, a heavily traveled corridor mitigation was recommended to ensure impacts on Project residents remained less than significant.

2. Mitigation Measures

B-9: All construction vehicles shall be prohibited from idling in excess of five minutes, both on- and off-site. Signs shall be posted limiting idling to five minutes or less.

B-10: The project shall include air filtration systems for residential dwelling units designed to have a minimum efficiency reporting value (MERV) of 11 as indicated by the American Society of Heating Refrigerating and Air Conditioning Engineers (ASHRAE) Standard 52.2. The air handling systems shall be maintained on a regular basis per manufacturers recommendations by a qualified technician employed or contracted by the project proponent or successor. Operation and maintenance of the system shall ensure that it performs at or above the minimum reporting value.

3. Findings

Although the Project would not result in significant construction or operational air quality impacts prior to the implementation of mitigation measures, changes or alterations nonetheless have been incorporated into the Project that further reduce these less than significant environmental effects of the Project upon Air Quality (Construction and Operation: Toxic Air Contaminants), as identified in the Draft EIR.

4. Rationale for Findings

Implementation of the mitigation measures described above would reduce construction and project emissions for TACs and reduce residents (Condominium Option [Option 2]) potential exposure to them. As such, Project construction and operation would continue to result in a less than significant impact with respect to TACs with incorporation of the above-listed mitigation measures.

5. Reference

For a complete discussion of impacts on air quality, please see Section IV.B of the Draft EIR and Section IV.1 of the Final EIR.

F. Hazards and Hazardous Materials: Soil Contamination (Construction)

1. Description of Environmental Effects

The Project Site formerly housed a gas station. In August 2008, the Los Angeles

Regional Water Quality Control Board issued a letter indicating that its site investigation and corrective action carried out at the Project Site were in compliance with its remediation standards and that no further action related to the prior petroleum releases at the Project Site were required. Nevertheless, despite these completed remediation measures, there is still a potential for encountering contamination during project excavation. The Project Site is located in within a supplemental oil drilling district. There are no known existing or historic oil wells onsite. However, the possibility remains that an unrecorded oil well be found.

2. Mitigation Measures

- C-1: During subsurface excavation activities, including borings, trenching, and grading, Cal/OSHA worker safety measures shall be implemented as required to preclude an exposure to unsafe levels of soil contaminants.
- C-2: Any contaminated soil, groundwater and/or toxic materials encountered during excavation and grading shall be evaluated and excavated/disposed of, treated in-situ (in-place), or otherwise managed in accordance with applicable regulatory requirements. If contamination is discovered during grading activities, grading within such an area shall be temporarily halted and redirected around the area until the appropriate evaluation and follow-up measures are implemented so as to render the area suitable for grading activities to resume.
- C-4: If required by the site testing required by LAMC Section 91.7104.1, the Applicant shall develop and implement precautionary measures to address natural gas and to ensure construction worker safety. If necessary, these precautionary measures shall include having trained personnel on-site to monitor for odorous gases and discolored soils, and having instrumentation on-site to monitor for non-odorous gases.
- C-5: Construction contracts shall include provisions requiring continuous compliance with all applicable federal, state, and local government regulations and conditions related to hazardous materials and wastes management.
- C-6: Should any unrecorded oil well be found during excavation, it shall be abandoned in accordance with the California Department of Conservation, Division of Oil, Gas and Geothermal Resources (DOGGR) under Title 124, Chapter 4 of the California Administrative Code or recorded per DOGGR regulations. Prior to issuance of any building permit, the Applicant shall submit a final clearance letter issued by DOGGR regarding the proper abandonment of the well(s).
- C-7: Should any unrecorded oil well be found, prior to issuance of any building permit an engineering plan that includes proper safety

measures and timing of the implementation of those measures shall be submitted to and approved by LADBS.

3. Findings

Although the Project would not result in significant impacts relative to hazards or hazardous materials prior to the implementation of mitigation measures, changes or alterations nonetheless have been incorporated into the Project that further reduce these less than significant environmental effects of the Project, as identified in the Draft EIR.

4. Rationale for Findings

While soil contaminants have been removed from the Project Site, the potential exists for contaminated soils and groundwater to be discovered during construction of the Project. Pursuant to the above mitigation measures, soil contamination discovered during construction activities, will result in a temporary halt of excavation and grading within the potentially contaminated area. Until appropriate evaluation and follow-up measures are implemented to ensure that the area is suitable for further construction activities, excavation and grading will be re-directed around the area. Any contaminated soil will be evaluated and managed pursuant to applicable regulatory requirements. With implementation of mitigation specific to the potential discovery of contaminated soil during excavation and grading, potential hazardous materials impacts during construction would be minimized. Therefore, no significant impact is anticipated.

5. Reference

For a complete discussion of environmental impacts of construction noise, please see Section IV.C of the Draft EIR and Section IV.1 of the Final EIR.

G. Hazards and Hazardous Materials: Methane (Construction and Operation)

1. Description of Environmental Effects

The Project Site is located in an area designated as a methane buffer zone. Construction workers could potentially be at risk during excavation activities if gases are present in high concentrations. Therefore, appropriate precautionary measures should be taken to ensure construction worker safety. Additionally, because Methane is lighter than air, in near surface soils it has the potential to migrate into buildings through cracks, unsealed conduits or other small openings common in construction. At very high concentrations, methane can act as an asphyxiate by reducing the relative concentration of oxygen in inhaled air and is volatile.

2. Mitigation Measures

- C-3: Prior to the issuance of building permits, the Applicant shall conduct site testing of subsurface geological formations in accordance with the Methane Mitigation Standards as indicated in LAMC Section 91.7104.1 to evaluate the existence of natural gas. Upon

completion of the soil gas survey, the Applicant shall submit a report with the results of the survey to the City of Los Angeles.

- C-8: If required by the site testing conducted in accordance with LAMC Section 91.7104.1, the Applicant shall develop and implement a methane gas mitigation system for the project in accordance with the applicable requirements of the City Methane Seepage Regulations. The specific design elements of the methane gas mitigation system, should it be required, shall be subject to review and approval of the LADBS in consultation with the Los Angeles Fire Department.

3. Findings

Although the Project would not expose people or structures to substantial risk resulting from the release or explosion resulting from methane emissions, changes or alterations nonetheless have been incorporated into the Project which further reduce these less than significant impacts with regards to methane, as identified in the EIR.

4. Rationale for Findings

All potentially significant impacts relative to hazards associated with methane gas would remain less than significant with implementation of Mitigation Measures C-3 and C-8 outlined above. While the Project Site is located within a Methane Buffer Zone, Methane has not been detected on-site. Mitigation Measures C-3 and C-8, however, will ensure that appropriate testing occurs prior to construction and during the Project's operation of the Project as necessary.

5. Reference

For a complete discussion of environmental impacts of construction noise, please see Section IV.C of the Draft EIR and Section IV.1 of the Final EIR.

H. Noise (Construction)

1. Description of Environmental Effects

Noise would occur as a result of on-site project construction and off-site construction activity. The level of on-site construction noise is generally determined by the type and location of the noise generation activity and the location of nearby sensitive uses. During Project construction, individual pieces of construction equipment would produce maximum noise levels of 74 dBA to 81 dBA at a reference distance of 50 feet from the noise source. The Project would incorporate the following design features in order to reduce further noise impacts from construction: all equipment would be equipped with properly operating and maintained noise mufflers; the haul route would access the Project Site via Wilshire Boulevard from the 405 Freeway to avoid noise sensitive uses; and construction hours for exterior construction and hauling would be limited to 7:00 A.M. to 9:00 P.M. weekdays and 8:00 A.M. to 6:00 P.M. on Saturday. For modeling purposes, these controls were not included and it was assumed that during each construction phase, multiple pieces of construction equipment operated at once. Under

this worst-case scenario, the nearest residences to the Project Site would not experience construction noise levels that exceed the City's thresholds of significance.

Off-site hauling would also generate noise. The maximum number of truck trips would occur during excavation of the Project Site. An analysis of construction-related noise impacts on sensitive uses closest to the haul route concluded that the Project's haul trucks would generate noise at a level below the existing ambient noise level. Therefore, noise generated by haul trucks would be imperceptible to the closest sensitive uses.

Noise from construction of the Project and related projects would be localized, thereby potentially affecting areas immediately surrounding or between each particular Project Site. Each of the related projects would be required to comply with the LAMC's noise regulations and would be subject to noise-limiting mitigation measures similar to those prescribed for the proposed Project. As such, cumulative impacts associated with construction noise would be less than significant.

2. Mitigation Measures

- E-1: Construction activity shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574.
- E-2: To the extent feasible, construction activities shall be scheduled so as to avoid operating several pieces of heavy equipment simultaneously, which causes high noise levels.
- E-3: Noise-generating construction equipment operated at the project site shall be equipped with effective noise control devices, (i.e., mufflers, lagging, 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.
- E-4: Engine idling from construction equipment such as bulldozers and haul trucks shall be limited.
- E-5: The construction staging area shall be located as far as possible from sensitive receptors.

3. Findings

Although the Project would not result in significant construction noise impacts prior to the implementation of mitigation measures, changes or alterations nonetheless have been incorporated into the Project which further reduce these less than significant construction noise impacts, as identified in the Draft EIR.

4. Rationale for Findings

The construction noise impacts evaluated in the EIR represent a worst-case scenario. All construction equipment for a given construction phase was assumed to operate simultaneously and the modeling was completed without assuming the implementation

of operating mufflers on heavy construction equipment. Therefore, this analysis may overstate the actual impacts from construction noise on the Project Site. Nevertheless, the analysis concludes that the Project's construction would not result in significant noise impacts. Implementation of the mitigation measures described above would reduce construction noise further. As such, Project construction and operation would continue to result in a less than significant impact with respect to noise with incorporation of the above-listed mitigation measures.

5. Reference

For a complete discussion of environmental impacts of construction noise, please see Section IV.E of the Draft EIR and Section IV.1 of the Final EIR.

I. Public Services: Fire Protection (Operation)

1. Description of Environmental Effects

The Project would marginally increase the demand for Los Angeles Fire Department (LAFD) services. If the Project use mix is defined in the Hotel Option (Option 1), the Project could potentially generate 73 additional incidents per year. If the Project mix use is defined as the Condominium Option (Option 2), the Project could potentially generate 41 additional incidents per year. Four LAFD fire stations are located in the Project vicinity (Station Nos. 37, 71, 92, and 59). LAFD Station No. 17 is closest to the Project Site at 0.2 miles from the Project Site and responds to approximately 15.1 incidents on average, while the combined four fire stations report to 37.5 daily incidents on average and range from 2.1 to 2.3 miles from the Project Site. LAFD Station No. 17's approximate response time to the Project Site is 2.9 minutes and no other station has a response time longer than eight minutes. Project related increases in construction and operational traffic are not expected to cause emergency response time to fall below five minutes, which is generally considered an acceptable level of service. Therefore, construction of additional stations closer to the Project Site would not be required. The water mains and fire hydrants proximit to the Project Site provide a combined fire flow of 5,270 gallons per minute. With the implementation of Mitigation Measure F-1, the Project would ensure that potential impacts related to fire flow would be reduced to a less than significant level.

Related projects would comply with LAMC Fire Code and Building Code regulations related to fire safety, access, and fire flow. These related projects are also located within existing, accessible fire service areas in which no deficiencies in the ability of the LAFD fire stations, including Station No. 37, have been identified. Therefore, cumulative impacts on fire protection would be less than significant.

2. Mitigation Measures

- F-1: Prior to the occupancy of the hotel and/or residential component of the proposed project, the Applicant shall coordinate with Los Angeles Department of Water and Power (LADWP) to construct, or otherwise suitably guarantee to LADWP, the installation of a new fire hydrant along the Gayley Avenue project frontage. The location

and installation of the new fire hydrant shall be subject to the approval of the Fire Department and LADWP.

- F-2: Project building plans including a plot plan shall be submitted for approval by the Los Angeles Fire Department prior to the issuance of a building permit. The plot plan shall include the following minimum design features location and grade of access roads and fire lanes, roadway widths, distance of buildings from an edge of a roadway of an improved street, access road, or designated fire lane, turning areas, and fire hydrants.
- F-3: Prior to the issuance of a building permit, the Applicant shall consult with the Los Angeles Fire Department and incorporate fire prevention and suppression features and other life-saving equipment (e.g. defibrillators) appropriate to the design of the project.
- F-4: Where fire apparatus (e.g., trucks, equipment, etc.) will be driven onto the road level surface of the subterranean parking structure, that structure shall be engineered to withstand a bearing pressure of 8,60 pounds per square foot, unless otherwise approved.
- F-5: The project shall comply with all applicable State and local Codes and Ordinances found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles, unless otherwise approved.

3. Findings

Although the Project would not result in significant impacts to fire protection services prior to the implementation of mitigation measures, changes or alterations nonetheless have been incorporated into the Project which further reduce these less than significant environmental effects on fire protection services, as identified in the Draft EIR.

4. Rationale for Findings

In compliance with the LAMC, Fire Code, the Los Angeles General Plan, the General Plan Safety Element, all other applicable ordinances and requirements, and with implementation of the above mitigation measures, the proposed Project would not result in any significant impacts on fire protection services.

5. Reference

For a complete discussion of impacts of Project operations on fire protection, please see Section IV.F.1 of the Draft EIR and Section IV.1 of the Final EIR.

J. Public Services: Police Protection (Operation)

1. Description of Environmental Effects

The Project could generate an increase in crime calls to the Los Angeles Police Department. Under the Hotel Option (Option 1) use mix, the Project would generate approximately 13.4 crimes/calls per year. Under the Condominium Option (Option 2) use mix, the Project would generate approximately eight crimes/calls per year. The Project Site is served by the West Los Angeles Community Police Station. The West Los Angeles Community Police Station has a lower rate of crime than the City average with 22.21 crimes per 1,000 residents as compared to the City average of 30.0 crimes per 1,000 residents. The Hotel Option's (Option 1) use mix would increase the estimated crimes per 1,000 residents by 0.22 percent or from 22.21 to 22.26 crimes per 1,000 residents. The Condominium Option's (Option 2) use mix would increase the estimated crimes per 1,000 residents by 0.14 percent or from 22.21 to 22.23 crimes per 1,000 residents. Due to the minimal increase in crimes/calls per year under either Project option, an increase in staffing such that an expansion or relocation of the existing West Los Angeles Community Police Station or the addition of a new station would not be required. The Project, therefore, would have a less than significant impact on police services. In addition, all related projects would be reviewed by the LAPD to ensure that sufficient security measures are implemented to reduce potential impacts to police protection services. Project related calls when combined with project calls for the related projects would represent an approximately one percent increase in annual crimes/calls within the West Los Angeles community Police Station service area. Due to the very small increase in calls and existing police services in the area cumulative impacts to the existing police protection services would be less than significant.

2. Mitigation Measures

- F-6: The Applicant shall consult with the Los Angeles Police Department Crime Prevention Unit on crime prevention features appropriate for the design of the project. The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas. These measures shall be approved by the Police Department prior to the issuance of building permits.
- F-7: Upon project completion, the Applicant shall provide the West Los Angeles Community Police Station Commanding Officer with a diagram of each portion of the property, including access routes and provide additional information that might facilitate police response.

3. Findings

Although the Project would not result in significant impacts to operational police services prior to the implementation of mitigation measures, changes or alterations nonetheless have been incorporated into the Project which further reduce these less than significant

environmental effects of operation of the Project on police services, as identified in the EIR.

4. Rationale for Findings

No significant impacts on police protection have been identified for Project operations. However, Mitigation Measures F-6 and F-7 are recommended to ensure that specific design features would be implemented that will ensure a safe and secure Project and one that does not generate more calls/crimes than projected.

5. Reference

For a complete discussion of impacts of Project operations on police protection, please see Section IV.F.2 of the Draft EIR and Section IV.1 of the Final EIR.

K. Transportation and Circulation (Construction)

1. Description of Environmental Effects

Project construction would generate truck and car trips. Truck traffic would be greater during the demolition phase, excavation and grading, and during concrete pour/delivery. Construction truck trips would occur at off-peak hours. Any queuing would occur along the alley in order to avoid impacting street parking. Construction workers, which also travel during off-peak hours due to daily construction schedules, will park off-site at 10877 Wilshire Boulevard, which is two blocks east of the Project Site. For all these reasons, construction traffic would not cause a temporary significant impact at any of the studied intersections.

Construction-related traffic could potentially impact emergency access to or around the Project Site. However, interruptions in traffic flow would be infrequent and short in duration. Additionally, any work within the right-of-way would require prior approval from the City of Los Angeles and would be restricted to non-peak hours – 10:00 A.M. to 3:00 P.M. To ensure that construction impacts remain less than significant, a Construction Staging and Traffic Management Plan would be prepared. The Plan would require review and final approval from LADOT.

2. Mitigation Measure

- G-1: Prior to the start of construction, the Applicant shall develop a Construction Staging and Traffic Management Plan to be implemented during construction of the proposed project. The Construction Staging and Traffic Management Plan shall identify all traffic control measures (including the use of flag persons and appropriate detour signage) to be implemented by the construction contractor through the duration of demolition and construction activities associated with the project. The Construction Staging and Traffic Management Plan shall be subject to final approval by the Los Angeles Department of Transportation.

- G-2: The Applicant shall submit a detailed accounting of the parking provided, required, and used in the off-site location for Option 2 (development of dwelling units). Upon approval and prior to issuance of building permits for the project, a copy of a covenant that shall reserve the required number of spaces at the off-site facility in perpetuity for use by the project shall be submitted to LADOT.

3. Findings

Although the Project would not result in significant impacts to traffic during construction prior to the implementation of mitigation measures, changes or alterations nonetheless have been incorporated into the Project that further reduce these less than significant environmental effects of Project construction on traffic, as identified in the Draft EIR.

4. Rationale for Findings

Although it was determined that construction-related traffic impacts from construction worker trips and construction truck trips would be less than significant, implementation of the above mitigation measures would further reduce these less than significant construction traffic environmental impacts, as identified in the EIR.

5. Reference

For a complete discussion of environmental impacts of the Project on construction-related traffic, please see Section IV.G of the Draft EIR and Section IV.1 of the Final EIR.

L. Transportation and Circulation: Parking (Operation)

1. Description of Environmental Effects

The Project would contain a four-level subterranean parking garage that would provide 260 parking spaces. Parking would be valet only. The Hotel Option (Option 1) would require 134 parking spaces (108 spaces for the 250 hotel rooms) and 26 spaces for the 6,510 square feet of retail floor area). Parking for the Hotel Option, therefore, would be provided completely on-site. The Condominium Option (Option 2) would require 486 spaces (360 for the condominium uses and 126 for the commercial uses). As 260 spaces would be provided on-site, a shortfall of 226 spaces would result. Off-site parking would be located at 10877 Wilshire Boulevard or 10844-10852 Lindbrook Drive. A variance to provide off-site parking for the residential portion of the condominium is pending. The related projects would be required to meet the LAMC's requirements for on-site parking and, therefore, no cumulative significant impacts on parking would occur.

2. Mitigation Measures

- G-2: Prior to issuance of a certificate of occupancy, the Applicant shall prepare and submit a valet parking operation plan, which provides information such as staffing during operation at peak and non-peak

hours, security, and procedures, for review and approval by LADOT.

- G-3: The Applicant shall submit a detailed accounting of the parking provided, required, and used in the off-site location for Option 2 (development of dwelling units). Upon approval and prior to issuance of building permits for the project, a copy of a covenant that shall reserve the required number of spaces at the off-site facility in perpetuity for use by the project shall be submitted to LADOT.

3. Findings

Although the Project would not result in significant impacts with regard to operational parking prior to the implementation of mitigation measures, changes or alterations nonetheless have been incorporated into the Project which further reduce these less than significant environmental effects of Project operation on traffic and circulation, and specifically on operational parking, as identified in the Draft EIR.

4. Rationale for Findings

All of the Project's Hotel Option (Option 1) LAMC-required parking would be provided on-site and the City-approved valet plan would ensure that the Applicant provided sufficient valet assistance so that visitors to the Project would utilize the Project-provided valet service. Therefore, there would be no significant parking impacts. Assuming approval of the variance to provide a portion of the required parking for the Condominium Option (Option 2) off-site is approved, the Project development with the mix of uses proposed for the Condominium Option (Option 2) would not have a significant parking impact because all of the Project's LAMC-required parking would be provided off of the street.

5. Reference

For a complete discussion of environmental impacts of the Project on operation-related parking, please see Section IV.G of the EIR and Section IV.1 of the Final EIR.

M. Utilities: Water Use (Construction and Operation)

1. Description of Environmental Effects

A short-term demand for water would occur during construction associated with demolition, excavation, grading, and other construction-related activities on site. Thus, the demand for water supplies for construction activities such as soil watering (i.e. for fugitive dust control), demolition and construction activities, clean up, masonry, painting, and other related activities would be temporary and would require minimal water. The demand for water is not anticipated to have adverse impacts on the available water supply or the existing water distribution system. Furthermore, the water demand generated by Project construction activities would be offset by the reduction in water consumption resulting from the demolition of existing uses. Overall, demolition and construction activities would require minimal water and would not be expected to have

any adverse impact on available water supplies or the existing water distribution system. Therefore, impacts associated with short-term construction activities would be less than significant.

The Project would result in a long-term increase in water demand from the commercial and residential uses and landscaping. The Hotel Option (Option 1) would use approximately 54.2 acre feet per year and the Condominium Option would use approximately 36 acre feet per year. The current General Plan designation at the Project Site could support a land use with a water demand of approximately 22.58 acre feet per year. Thus, the Hotel Option is expected to result in an increase demand of 28.62 acre feet per year, a 0.027 percent increase in the City's Urban Water Management Plan (UWMP) projected increase for demand between 2015 and 2030 and approximately 0.004 percent of the UWMP's projected water demand by 2030. The Condominium Option is expected to result in an increase demand of approximately 23 acre feet per year, a 0.012 percent increase in the City's UWMP projected increase for demand between 2015 and 2030 and approximately a 0.002 percent of the UWMP's protected water demand by 2030. These estimates do not take into account the water saving methods that will be implemented through a LEED silver certificate rating. Since the Hotel Option (Option 1) and the Condominium Option (Option 2) would incorporate water conservation features, would meet LEED silver certification rating for water efficiency, and would represent a minute fraction of the forecasted increase in water demand under the UWMP, the Project, whether developed under either option, would have a less than significant impact with respect to water supply.

Existing infrastructure is sufficient to serve the Project's water needs. The Project would connect to the existing 8-inch water main in Gayley Avenue and/or the 12-inch water main in Wilshire Boulevard. The Applicant would be responsible for providing the necessary infrastructure on the Project Site in addition to any extensions to connect the Project Site to these existing water mains. The Wilshire Boulevard and Gayley Avenue water mains provide 2,500 gpm and 2,770 gpm, respectively, with residual pressures of 66 psi. These flows exceed LAFD's required fair flow pressures and are greater than either mix of uses that the Project could develop. Therefore, the project would have a less than significant impact on existing water delivery systems.

2. Mitigation Measures

H-1: For the commercial uses on the project site, the Applicant shall (unless otherwise required and to the satisfaction of the City of Los Angeles Department of Building and Safety):

- Install high-efficiency toilets (maximum 1.28 gallons per flush), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gallon per flush), including no-flush or waterless urinals, in all restrooms as appropriate. Rebates may be offered through the City of Los Angeles Department of Water and Power to offset portions of the costs of these installations.
- Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.

- Install restroom faucets of a self-closing design (i.e., that would automatically turn off when not in use).
- Prohibit the use of single-passing cooling equipment. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements.

H-2: For the residential uses on the project site, the Applicant shall (unless otherwise required and to the satisfaction of the City of Los Angeles Department of Building and Safety):

- Install a demand (tankless or instantaneous) water heater system sufficient to serve the anticipated needs of the dwellings.
- Install high-efficiency toilets (maximum 1.28 gallons per flush), including dual-flush water closets in all restrooms as appropriate. Rebates may be offered through the City of Los Angeles Department of Water and Power to offset portions of the costs of these installations.
- Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance. Rebates may be offered through the Los Angeles Department of Water and Power to offset portions of the costs of these installations.
- Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.

H-3: In addition to the requirements of Ordinance No. 170,978 (Landscape Ordinance), any landscaping for the proposed project shall incorporate the following:

- Weather-based irrigation controller with rain shutoff;
- Matched precipitation (flow) rates for sprinkler heads;
- Drip/microspray/subsurface irrigation where appropriate;
- Minimum irrigation system distribution uniformity of 75 percent;

- Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials;
- Use of automatic irrigation timers to water landscaping during early morning or late evening hours to reduce water losses from evaporation;
- Use of landscape contouring to minimize precipitation runoff; and
- Any irrigated landscaping over of 5,000 square feet shall require submetering.

H-4: The project developer shall ensure that the landscape irrigation system be designed, installed, and tested to provide uniform irrigation coverage. Sprinkler head patterns shall be adjusted to minimize over spray onto walkways and streets.

3. Findings

Although the Project would not result in significant impacts with regard to water usage, changes or alterations nonetheless have been incorporated into the Project that further reduce these less than significant environmental effects of Project operation on water usage, as identified in the Draft EIR.

4. Rationale for Findings

Although it was determined that the Project under either the Hotel Option (Option 1) or the Condominium Option (Option 2) would have a less than significant impact on water supply or water delivery systems, implementation of the above mitigation measures would further reduce these less than significant water use impacts, as identified in the EIR.

5. Reference

For a complete discussion of environmental impacts of the Project on operation-related parking, please see Section IV.H.1 of the Draft EIR and Section IV.1 of the Final EIR.

N. Cultural: Archeological and Paleontological (Construction)

1. Description of Environmental Effects

Paleontological record searches indicate that the Project Site is considered to have a high sensitivity for paleontological resources. However, no known discoveries have been made on the Project Site. Archeological record searches and a Sacred Lands Search for the Project Site requested from the Native American Heritage Commission failed to indicate the presence of Native American cultural resources in the immediate area of the Project Site. Therefore, the Project would not have a significant impact on archeological or paleontological resources.

2. Mitigation Measures

- I-1: If any archaeological materials are encountered during the course of the project development, the project shall be halted. The services of an archaeologist meeting the Secretary of the Interior Professional Qualification Standards for Archaeology shall be secured by contacting the California Historical Resources Information System South Central Coastal Information Center (CHRIS-SCCIC) at Cal State University Fullerton, or a member of the Register of Professional Archaeologists (RPA) to assess the resources and evaluate the impact. A report on the archaeological findings shall be prepared by the qualified archaeologist. A copy of the report shall be submitted to the CHRIS-SCCIC. Recovered archaeological materials shall be curated at an appropriate accredited curation facility. If the materials are prehistoric in nature, affiliated Native American groups (identified by the Native American Heritage Commission) may be consulted regarding selection of the curation facility.
- I-2: A qualified paleontologist shall be retained by the applicant and approved by the City of Los Angeles to assess grading plans and geotechnical reports for the project to determine whether the older Quaternary Alluvium would be impacted by excavation. If so, the paleontologist shall prepare and execute a monitoring program for excavation in the older Quaternary Alluvium for identification and recovery of paleontological resources. If fossils are encountered at depths less than the anticipated depth of the older Quaternary Alluvium, the paleontologist shall be notified immediately and shall assess the significance of those fossils and shall make recommendations for recovery of those and other potential fossils in the shallower horizons. If fossils are found during monitoring, the paleontologist shall prepare a report summarizing the results of the monitoring program including methods of fossil recovery and curation, and a description of the fossils collected and their significance. A copy of the report shall be provided to the Applicant and to the City of Los Angeles. The fossils and a copy of the report shall be deposited in an accredited curation facility.

3. Findings

Although the Project would not result in significant impacts with regard to archaeological and paleontological resources, changes or alterations nonetheless have been incorporated into the Project that further reduce these less than significant environmental effects of Project operation on archaeological and paleontological resources, as identified in the Draft EIR.

4. Rationale for Findings

The Project Site is located in an urbanized area and is currently developed with a commercial building. There are no known prehistoric archeological resources or

paleontological resources at the Project Site. No vertebrate fossil site has been identified in the vicinity of the Project Site and the previously disturbed surficial layers in the Project area are not likely to contain substantive fossils. Therefore, Project impacts to archeological and paleontological resources would likely be less than significant.

However, there is a remote possibility that unsuspected archeological resources and/or paleontological resources exist below the surface of the Project Site, and that these remains could be encountered during site excavation and construction. Destruction of a currently unknown significant archaeological or paleontological resource at the Project Site would constitute a significant impact. Should archaeological or paleontological materials be encountered during the course of Project development, Mitigation Measures I-1 and I-2 would ensure that there are no significant impacts on archaeological or paleontological resources. Disposition of human remains and associated grave goods would follow all pertinent legal procedures and requirements set forth in California Health and Safety Code Section 7050.5 and Public Resources Code Sections 5097.91 and 5097.98, as amended. Compliance with these measures would ensure that any potential impact to archaeological or paleontological resources would be reduced to a less than significant level.

Moreover, implementation of measures comparable to these in connection with the 23 related projects should reduce potential cumulative archaeological and paleontological impacts to less than significant levels. Therefore, cumulative impacts to cultural resources would be less than significant.

5. Reference

Further analysis of impacts to archaeological and paleontological resources is provided in Section IV.I of the Draft EIR and Section IV.1 of the Final EIR.

VIII. ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT AFTER MITIGATION

A. Aesthetics and Visual Resources: Glare (Operation)

1. Description of Environmental Effects

The Project would have the potential to reflect sunlight on eastbound drivers on Wilshire Boulevard. However, reflection from large, unbroken plans is not expected due to the architectural detailing on the Project's western façade and the incorporation of double-paned tinted glass. Reflective glare would not be expected for drivers traveling southbound on Gayley Avenue or from northbound drivers on streets south of Wilshire Boulevard due to the respective positions of the sun and intervening structures. While Project windows would be made of non-reflective glass, building accents may include metal or other highly polished surfaces that have the potential to create glare. While acute glare conditions that hazardously interfere with driving are rare, they do occur and have the potential to exist on the southwestern façade of the residential tower. This impact is considered potentially significant; however implementation of mitigation measures would reduce the impact to a less than significant level. Since the Project's potential glare impacts would be eliminated through the implementation of Project design features and the recommended mitigation measure, it would not contribute to

any cumulative increase in glare in combination with the related projects.

2. Mitigation Measures

- A.-7: The exterior of the proposed building shall be constructed of materials such as high-performance tinted non-reflective glass and pre-cast concrete or fabricated wall surfaces. Prior to the issuance of a building permit, the type or categories of all exterior glass and architectural features on the building facade and rooftop shall be submitted for review to the Department of Building and Safety to ensure highly reflective materials are not utilized.

3. Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effects of operational glare, as identified in the EIR, to less than significant levels.

4. Rationale for Findings

Project windows would be made of non-reflective glass and, although building accents may include metal or other highly polished surfaces, mitigation measures would require that architectural lighting be directed onto the building surfaces and have low reflectivity to minimize glare. Thus, Project design features, along with the implementation of mitigation measures, would ensure that glare impacts associated with Project operations would be less than significant.

5. Reference

For a complete discussion of environmental impacts of the Project on operation-related parking, please see Section IV.A of the Draft EIR and Section IV.1 of the Final EIR.

B. Public Services: Parks and Recreation (Operation)

1. Description of Environmental Effects

Only the Condominium Option (Option 2) would generate new residents on the Project Site. The Condominium Option would generate approximately 278 residents requiring approximately 0.56 acres of neighborhood parkland to meet the City's Public Recreation Plan's (PRP) long-range standard and 0.28 acres to meet PRP's more attainable short- and intermediate-range standard for neighborhood parks. The Condominium Option would develop a total of 26,252 square feet, approximately 0.60 acres, of open space on the Project Site. This would exceed the City's short-, intermediate-, and long-range acreage standard for neighborhood parks. Accordingly, the Project would not have a significant impact under the City's PRP. Similarly, the Condominium Option would satisfy the LAMC's open space requirements as discussed above. However, this area would not be dedicated to the City of Los Angeles. As such, potentially significant impacts could occur. Mitigation would ensure that through the provision of on-site open space, payment of in-lieu fees, dedication of parkland, or a combination of these methods, the Project would comply with the maximum requirements that the Quimby

Act establishes. All related projects with residential uses would be required to comply with the requirements of the PRP, LAMC Sections 12.21 and 17.12, and the Quimby Act. As such, potential cumulative impacts to parks and recreational facilities would be reduced to a less than significant level.

2. Mitigation Measures

F-8: The Applicant shall do one or more of the following (1) dedicate additional parkland to meet the requirements of Los Angeles Municipal Code Section 17.12; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) provide on-site improvements equivalent in value to said in-lieu fees, or record a covenant restricting use of private and common open space facilities for park and recreational purposes.

3. Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effects of the Project's residents to parks and recreational facilities, as identified in the EIR, to less than significant levels.

4. Rationale for Findings

Potentially significant impacts to park and recreational facilities associated with the proposed Project, based on the maximum requirements established under the Quimby Act and the PRP, would be reduced to a level that is less than significant via compliance with Mitigation Measure F-8.

5. Reference

For a complete discussion of environmental impacts of the Project on operation-related parking, please see Section IV.F of the Draft EIR and Section IV.1 of the Final EIR.

C. Noise: Impacts on Project Residents (Operation)

1. Description of Environmental Effects

The Project Site would locate sensitive receptors along Wilshire Boulevard, a major arterial corridor in the City of Los Angeles. Therefore, the Project's guest rooms under the Hotel Option (Option 1) or dwelling units under the Condominium Option (Option 2) would likely be exposed to existing noise levels that exceed the City of Los Angeles' compatibility standard of 65 dBA CNEL for residential uses. Interior noise limits for residential and hotel uses is a maximum of 45 dBA CNEL. The fourth floor pool deck would be shielded by a structural parapet wall at the pool level that would provide effective sound attenuation from traffic on Gayley Avenue. Without incorporation of mitigation measures, potentially significant impacts could occur to the interior of the dwelling units or guest rooms.

2. Mitigation Measures

- E-6: The Applicant shall retain the services of an acoustical engineer with expertise in design of building sound isolations, who shall submit a signed report prior to the issuance of building permits indicating the proposed building design shall meet the interior noise level of 45 dBA CNEL, as required by City's Building Code. Building design to address sound insulation shall include to the extent necessary to achieve the interior noise level of 45 dBA CNEL features such as (1) air-conditioning/mechanical ventilation such that the units shall not have to rely on open windows for ventilation; (2) dual insulating glazed systems; (3) doors and windows opening to the exterior with acoustical seals; (4) fitting vents with dampers and/or acoustic louvers.

3. Findings

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect of noise on the Project's residents or hotel guests, as identified in the EIR, to less than significant levels.

4. Rationale for Findings

Upon implementation of the mitigation measure interior Project noise within its dwelling units or guest rooms would be reduced to below 45 dBA CNEL and, therefore, would be reduced to a less than significant level.

5. Reference

For a complete discussion of environmental impacts of construction noise, please see Section IV.E of the Draft EIR and Section IV.1 of the Final EIR.

IX. ALTERNATIVES TO THE PROJECT

A. Summary of Findings

The Project would not have a significant unmitigated effect on the environment. Nevertheless, pursuant to CEQA's requirements alternatives that would reduce the Project's less than significant impacts on the environment were developed and their potential impacts on the environment were analyzed in the EIR. Based upon the EIR and the following analysis, the Deputy Advisory Agency finds, pursuant to CEQA Guidelines section 15096(g)(2), that no alternative or feasible mitigation measure within its powers would substantially lessen or avoid any significant effect the Project could have on the environment.

B. The Wilshire Gayley Project Objectives

1. Development Objectives

- Create a high quality, luxury, mixed use hotel and/or residential building of significant architectural interest that offers a unique experience for guests and/or residents while promoting an active pedestrian environment with access to uses in the area.
- Support regional mobility goals by locating higher density uses along a major transit corridor, thereby reducing vehicle trips and infrastructure costs.
- Maximize development on a site with a well-designed mixed-use project that is compatible with surrounding high density development.
- Encourage pedestrian activity by introducing new dining, retail, and lodging uses adjacent to Westwood Village and within close proximity to a university and an art museum.
- Support the diverse array of services and dining needs of the community by developing a project with a restaurant and ground floor retail space.
- Provide a physical and visual transition between the high-rise Wilshire Boulevard corridor and Westwood Village with development that complements Wilshire Boulevard's high-rise development and respects Westwood Village's low-rise buildings.

2. Design Objectives

- Create an architecturally significant building that fits the unique shape of the site thereby creating a permanent landmark structure at a prominent intersection that serves as the western entryway to Westwood Village.
- Encourage pedestrian activity by enhancing the pedestrian scale along Gayley Avenue through the development of ground level retail uses and providing enhanced sidewalks and connections.
- Incorporate sustainable elements such as mechanical and electrical systems that meet LEED silver level, lighting controls and use of natural light to reduce the project's energy consumption, and the reclamation of groundwater from dewatering for irrigation and cooling uses.
- Enhance the visual quality of Gayley Avenue and Wilshire Boulevard through the use of high quality materials and the provision of drought tolerant public landscaping along the street frontage.

3. Community Plan Objectives

- Develop new, high quality housing in proximity to services and facilities to meet the needs of the Westwood Community Plan area's existing residents and projected population of the Plan area.
- Develop a project that contributes to and preserves Westwood community's unique commercial, historic, and cultural character.

- Develop a high quality, mixed-use project with a distinctive character that is compatible with the intensity of development along the Wilshire corridor and the pedestrian character of the Westwood Village.

4. Economic Objectives

- Develop a project that will generate additional annual sales tax revenues through commercial development as well as generate general revenues.
- Maximize the value of the site and ensure support of the future economic vitality of Westwood Village through revitalization of the site and the provision of hotel units and/or residences in conjunction with and adjacent to commercial uses.
- Maintain and enhance the economic vitality of the region by providing job opportunities.
- Accommodate future economic expansion by providing lodging and/or housing within a community that has the necessary infrastructure to support the development.

The following objectives are specific to the Hotel Option (Option 1):

- Support local and regional visitor-serving needs by providing hotel units, and by providing ancillary facilities, such as meeting facilities for hotel guests.
- Provide a hotel to serve local and regional luxury business needs.

C. Project Alternatives

In addition to the proposed Project, the Draft EIR evaluated a reasonable range of five alternatives to the proposed Project. These alternatives are: (1) No Project/No Build Alternative; (2) Development in Accordance with Existing Regulations Alternative; (3) Modified Project Alternative; (4) Hotel Alternative; and (5) Office Alternative. In accordance with CEQA requirements, the alternatives to the Project include a "No Project" alternative and alternatives capable of reducing potential environmental impacts of the proposed Project. These alternatives and their impacts, which are summarized below, are more fully described in Chapter V of the Draft EIR.

1. Alternative A - No Project/No Build Alternative

A. Description of Alternative

Under the No Project Alternative, the Project would not be constructed and the existing vacant 9,973 square foot retail commercial building would continue to occupy the Project Site. This alternative assumed that the vacant building would be occupied. The analysis of the No Project/No Build Alternative assumes the continuation of existing conditions, as well as development of the related projects.

B. Impact Summary of Alternative A

The No Project/No Build Alternative would not result in new environmental impacts and overall would result in a reduced level of impact when compared to either the Hotel Option (Option 1) or the Condominium Option (Option 2). Specifically, impacts with respect to visual quality/views, light, glare, and shading; air quality local operational emissions; geology and soils; land use; operational noise; public services; traffic and circulation; wastewater; and water supply would result in no impact.

C. Finding

With this Alternative, the new environmental impacts projected to occur from the Project's development would be avoided. Therefore, this Alternative would be an environmentally superior alternative to the Project. However, this Alternative does not meet the objectives of the Project. It is found pursuant to Public Resources Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations make infeasible the No Project/No Build Alternative described in the EIR.

D. Rationale for Finding

The No Project/No Build Alternative would not meet the underlying objective of the Project to create a high quality, architecturally-significant mixed-use project that is compatible with the development intensity of Wilshire corridor. It also would not meet the objectives of maximizing development on the Project Site in a way that is compatible with the surrounding high-intensity development or the Regional Center designation under the Community and General Plans. Additionally, it would not meet the Development, Design, Community and Economic objectives of either Project option. For example, with regard to Development Objectives, the No Project/No Build Alternative would not locate a high density use along a major transit corridor. It also would not maximize development on an underutilized site with a mixed-use project that is compatible with the surrounding high-intensity development. In addition, Alternative A would not encourage pedestrian activity, would not create landmark structure at the western gateway to Westwood Village, would not result in a LEED certified building, and would not maximize the value of the site. Overall, under the Alternative A, the City-established objectives for the Project would not be attained and the Alternative is therefore inferior with respect to achieving the important project objectives that would allow for an integrated, mixed use development that is compatible with surrounding uses and supportive of community needs. Therefore, the City finds that this alternative is infeasible and less desirable than the proposed Project and rejects this alternative for the reasons stated above.

E. Reference

For a complete discussion of impacts associated with Alternative A, please see Section V of the Draft EIR and Section IV.1 of the Final EIR.

2. Alternative B - Development in Accordance with Existing Regulations Alternative

A. Description of Alternative

This Alternative would develop the site based on existing land use regulations, which would result in approximately 63,010 square feet of floor area. 56,500 square feet of floor area would be devoted to medical office use based on market demand and approximately 6,510 square feet would be ground floor retail space. Building height would be stepped, with the northern portion of the Project Site reaching 35-40 feet and the southern portion of the development between 25 and 30 feet. The required 246 parking spaces would be provided in a four-level subterranean garage.

B. Impact Summary of Alternative B

Environmental impacts under Alternative B would be similar to, or less than those generated by both Project options, except that visual character and traffic impacts would be greater. Specifically, the Alternative would be similar to the proposed Project's Hotel Option (Option 1) with regard to visual quality (construction), light and glare, air quality (construction), hazards, noise (construction), public services (fire, police, schools, libraries and parks and recreation), and transportation and circulation (construction and parking). The Alternative would have a reduced level of impact as compared to the Hotel Option (Option 1) with regard to view obstruction, shade/shadow, operational air quality, land use consistency with Plans and land use compatibility, operational noise, and water and wastewater. The Alternative would also have greater, though still less than significant, impacts for visual character. However, unlike project the Hotel Option (Option 1), Alternative B would result in significant impacts on transportation intersections during operation.

With regard to the Condominium Option (Option 2), the Alternative would be similar to the proposed Project with regard to visual quality (construction), light and glare, air quality (construction), hazards, noise (construction), public services (fire and police), and transportation and circulation (construction). The Alternative would have a reduced level of impact as compared to the Condominium Option (Option 2) with regard to view obstruction, shade/shadow, land use, public services (schools, libraries and parks and recreation), transportation and circulation (parking), water, and wastewater. The Alternative would have greater, though still less than significant, impacts on visual character, operational air quality, and operational noise. However, unlike the Condominium Option (Option 2), Alternative B would result in significant impacts on transportation intersections during operation.

In addition to producing greater impacts than the proposed Project, Alternative B would also not meet the majority of the Project objectives and would not meet others to the same extent that they would be met by either the Hotel Option (Option 1) or the Condominium Option (Option 2).

C. Finding

With this Alternative, while some operational impacts associated with the Project, such

as view obstruction, shade/shadow, and parking would be lessened, other impacts, including visual character, operational air quality (compared to the Condominium Option [Option 2]) and noise would increase. In addition, this Alternative would create significant impacts on transportation intersections during operation that would not be generated by either the Hotel Option (Option 1) or the Condominium Option (Option 2). Moreover, Alternative B would not meet the majority of Project objectives and would not meet other objectives to the same extent that they would be met by either Project option. Therefore, this Alternative would not be an environmentally superior alternative to either Project option, and it is found pursuant to Public Resources Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations make infeasible the Development in Accordance with the Existing Regulations Alternative described in the EIR.

D. Rationale for Finding

Due to existing height and density restrictions on the property, Alternative B would fail to meet the development objective of creating a physical and visual transition between the high rise Wilshire Boulevard corridor and Westwood Village with a building that complements Wilshire Boulevard's high-rise development and respects Westwood Village's low-rise buildings. The result of development within existing property restrictions would be a building that would be stepped down in the middle and taller on both ends, creating a visually unattractive and less distinctive gateway or landmark building that would mass density both toward Wilshire Boulevard and toward lower-density commercial uses in Westwood Village. As compared to Option 2, Alternative B would also result in greater impacts to operational air quality due customer-related trips to the medical office land use, which would present an approximately five percent increase in trips above the Condominium Option (Option 2).

Additionally, Alternative B would result in significant transportation and circulation impacts at study intersections where the Hotel Option (Option 1) and the Condominium Option (Option 2) would result in less than significant impacts. While Alternative B and the Hotel Option (Option 1) would produce similar daily trip counts, the Hotel Option (Option 1) would result in no significant impacts and Alternative B would result in significant impacts due to peak hour distribution associated with the medical office use. Similarly, Alternative B would present an increase of 753 daily trips over Option 2, creating a significant impact. For the reasons stated above, the City finds that this alternative is infeasible and less desirable than the proposed Project and rejects this alternative.

E. Reference

For a complete discussion of impacts associated with Alternative B, please see Section V of the Draft EIR and Section IV.1 of the Final EIR.

3. Alternative C - Modified Project Alternative

A. Description of Alternative

The Modified Project Alternative assumes that similar to improvements to the Project Site and development of retail, restaurant, hotel, and residential uses proposed under

the Hotel Option (Option 1) of the Project would be implemented. However, under the Modified Project Alternative, an approximately 10,000 square foot public restaurant would not be developed. Rather, an approximately 10,000 square foot private restaurant that would be reserved for hotel guests, residents and their guests would be developed. This alternative would not otherwise alter the Hotel Option's design or construction schedule. Thus, the Project Site would be developed with a 29-story, approximately 427 high amenities for hotel guests and ground floor retail space, access would be from the alley to the north of the Project Site and a four-level subterranean parking garage would be developed.

B. Impact Summary of Alternative C

Environmental impacts under Alternative C would be similar to, or less than those generated by both Project options, except that the Alternative would produce greater public service impacts on schools, libraries and parks and recreation than would proposed the Hotel Option (Option 1). Additionally, while Alternative C would meet most of the project objectives, it would not meet them to the extent that they would be met by the Project.

Impacts generated by Alternative C would be similar those generated by the proposed the Hotel Option (Option 1) with regard to aesthetics, air quality (construction), hazards, land use, noise (construction), public services, and transportation and circulation (construction and parking). The Alternative would have a reduced level of impact as compared to the Hotel Option (Option 1) with regard to operational air quality, operational noise, transportation and circulation (intersections), and water and wastewater. The Alternative would have greater, though still less than significant, impacts on several public services including schools, libraries, and parks and recreation.

With regard to the Condominium Option (Option 2), the Alternative would be similar to the proposed Project with regard to visual quality, air quality (construction), hazards, land use, noise (construction), public services (fire and police), and transportation and circulation (construction). The Alternative would have a reduced level of impact as compared to the Condominium Option (Option 2) with regard to air quality (operation), noise (operation), public services (schools, libraries and parks and recreation), transportation and circulation (intersections), and water and wastewater.

C. Finding

While Alternative C would produce similar, or reduced impacts from proposed the Hotel Option (Option 1), it would also increase impacts on schools, libraries, and parks and recreation, and would therefore not be an environmentally superior alternative to Option 1. Similarly, it would produce largely similar impacts to those produced by Option 2 and would therefore not be environmentally superior. In addition, while the Alternative would meet most of the project objectives, it would not meet them to the same extent as either the Hotel Option (Option 1) or 2. Therefore, it is found pursuant to Public Resources Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations make infeasible the Modified Project Alternative described in the EIR.

D. Rationale for Finding

While Alternative C would meet many of the identified project objectives, it would fail to meet those objectives as fully as would Project Options 1 or 2. More specifically, Alternative C would not encourage pedestrian activity through the introduction of new dining uses since the restaurant/bar would be provided for private use by hotel guests and residents and so would be inferior to the Condominium Option (Option 2). Alternative C also would limit the proposed mix of public uses and therefore would not develop a high-quality, mixed-use project with a distinctive character that is compatible with the intensity of development along the Wilshire corridor and the pedestrian character of Westwood Village as fully as would the Condominium Option (Option 2). As compared to the Hotel Option (Option 1), Alternative C would result in greater impacts to public services, including schools, libraries and parks and recreation due to its incorporation of dwelling units and would therefore be environmentally inferior to the Hotel Option (Option 1).

For the reasons stated above, the City finds that this alternative is infeasible and less desirable than the proposed Project and rejects this alternative.

E. Reference

For a complete discussion of impacts associated with Alternative C, please see Section V of the Draft EIR and Section IV.1 of the Final EIR.

4. Alternative D - Hotel Alternative

A. Description of Alternative

The Hotel Alternative assumes that similar improvements to the Project Site and development of retail, restaurant, hotel, and residential uses proposed under the Hotel Option (Option 1) of the Project would be implemented. However, under the Hotel Alternative, 250 hotel rooms would be developed. The Hotel Alternative would contain no condominiums. This alternative would not otherwise alter the Hotel Option's design or construction schedule. Thus, the Project Site would be developed with a 29-story, approximately 427 high amenities for hotel guests and ground floor retail space, access would be from the alley to the north of the Project Site and a four-level subterranean parking garage would be developed.

B. Impact Summary of Alternative D

Alternative D would produce largely similar environmental impacts to the Hotel Option (Option 1) and the Condominium Option (Option 2). However, Alternative D would result in greater impacts to operational air quality, noise and intersections than would occur under Option 1, and greater impacts to operational air quality, noise, intersections, water, and wastewater than would occur under the Condominium Option (Option 2). In addition, while most project objectives would be met by the Hotel Alternative, they would not be attained to the same level as they would by either Project option.

Impacts generated by Alternative D would be similar to those generated by the proposed Hotel Option (Option 1) with regard to aesthetics, air quality (construction), hazards, land use, noise (construction), public services, transportation and circulation

(construction and parking), water, and wastewater. The Alternative would not result in reduced impacts from Option 1 in any category. The Alternative would have greater, though still less than significant, impacts on operational air quality and operational noise than would Option 1, and it would also result in significant impacts not otherwise generated by Option 1 to intersections during operation.

With regard to the Condominium Option (Option 2), impacts generated by the Alternative would be similar to those generated by the Project for aesthetics, air quality (construction), hazards, land use, noise (construction), public services (fire and police), and transportation and circulation (construction). The Alternative would have a reduced level of impact as compared to the Condominium Option (Option 2) with regard to public services (schools, libraries, and parks and recreation) and transportation (parking). Alternative D would have greater, though still less than significant, impacts on operational air quality, operational noise, water, and wastewater, and would result in significant impacts not otherwise generated by the Condominium Option (Option 2) to intersections during operation.

C. Finding

While Alternative D would produce similar impacts to those generated by proposed the Hotel Option (Option 1), it would also result in greater impacts to operational air quality, noise and intersections than would occur under Option 1. Similarly, while it would produce largely similar impacts to those produced by the Condominium Option (Option 2), it would also result in greater impacts to operational air quality, noise, intersections, water, and wastewater than would occur under the Condominium Option (Option 2). Therefore, Alternative D would not be an environmentally superior alternative to either Project Option.

In addition, while the Alternative would meet most of the project objectives, it would not meet them to the same extent as either project Option 1 or 2. Therefore, it is found pursuant to Public Resources Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations make infeasible the Modified Project Alternative described in the EIR.

D. Rationale for Finding

Impacts generated by the Hotel Alternative would be greater for many issue areas than they would under either Project options. More specifically, as compared to the Hotel Option (Option 1) and the Condominium Option (Option 2) respectively, Alternative D would be expected to generate 746 and 1,628 more daily trips, with proportionate impacts to operational air quality and traffic study intersections. Indeed, the Hotel Alternative would

result in significant impacts to transportation and circulation where the proposed Project options would not, and is therefore an environmentally inferior Alternative. Also as a result of the increase in daily operational trips, the ambient noise level produced by the Hotel Alternative would be expected to be higher than that produced by either the Hotel Option (Option 1) or the Condominium Option (Option 2). Finally, Alternative D would result in higher average water demand and average wastewater generation rates than would the Condominium Option (Option 2) due to the increases in demand expected

from a 250-room hotel. The City finds that this alternative is infeasible and less desirable than the proposed Project and rejects this alternative for the reasons stated above.

E. Reference

For a complete discussion of impacts associated with Alternative D, please see Section V of the Draft EIR and Section IV.1 of the Final EIR.

5. Alternative E - Office Alternative

A. Description of Alternative

The Office Alternative assumes a development with the same envelope as the Project. However, the hotel and residential uses would be replaced with office space. The Office Alternative, therefore, would provide approximately 287,617 square feet of office space. The balance of the Project's characteristics would remain the same. The Office Alternative would result in a 29-story, approximately 427 foot building. Vehicular access would be provided via the alley to the north of the Project Site and a circular driveway would be provided for pickup and drop off. Four levels of subterranean parking that could accommodate 260 cars would be on-site and an additional 224 parking spaces would be provided off-site.

B. Impact Summary of Alternative E

The Office Alternative would result in similar (less than significant) environmental impacts for most issue areas as compared to the Hotel Option (Option 1), except that greater impacts would result in air quality (operation), noise (operation), intersections, water, and wastewater. When compared to the Condominium Option (Option 2), the Office Alternative would result in reduced impacts in some issue areas, but would still result in increased impacts in operational air quality, operational noise, public services (schools), water, and wastewater.

Specifically, when compared to proposed the Hotel Option (Option 1), the Alternative would result in similar impacts to aesthetics, air quality (construction), hazards, land use, noise (construction), all public services, and transportation and circulation (construction). The Office Alternative would not result in reduced impacts in any category as compared to the Hotel Option (Option 1). However, it would produce increased (less than significant) impacts to operational air quality, operational noise, operational parking, water, and wastewater. It would also result in greater, significant impacts to intersections during project operation.

When compared to the Condominium Option (Option 2), the Alternative would result in similar impacts to aesthetics, air quality (construction), hazards, land use, noise (construction), public services (fire and police), and transportation and circulation (construction and parking). The Alternative would reduce impacts in the issue areas of public services (schools, libraries and parks and recreation). However, the Office Alternative would also result in greater (less than significant) impacts to air quality (operation), noise (operation), water, and wastewater; it would produce greater,

significant impacts on intersections during project operation.

Additionally, while the majority of the project objectives would be attained under Alternative E, they would not be attained to the same degree as they would under proposed either Project option.

C. Finding

While Alternative E would produce similar impacts to those generated by the Hotel Option (Option 1), it would also result in greater impacts to air quality (operation), noise (operation), intersections, water, and wastewater. Similarly, while it would produce largely similar impacts to those produced the Condominium Option (Option 2), it would also result in greater impacts to operational air quality, operational noise, public services (schools), water, and wastewater than would occur under the Condominium Option (Option 2). As a result, Alternative E would not be an environmentally superior alternative to either Project Option. In addition, while the Alternative would meet most of the project objectives, it would not meet them to the same extent as either Project use scenario. It is therefore found, pursuant to Public Resources Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations make infeasible the Modified Project Alternative described in the EIR.

D. Rationale for Finding

The Office Alternative would result in impact levels above those generated for both Project options and is therefore environmentally inferior to both options. More specifically, as compared to the Hotel Option (Option 1), Alternative E would result in greater impacts to air quality and operational noise due to increases in project traffic generation and the resulting proportional differences in air pollutants and ambient noise. Under Alternative E, development would result in an average daily trip rate of 2,964, an increase of 534 daily trips over Option 1. These additional trips would also impact traffic intersections, creating a significant traffic impact where Option 1 would result in traffic impacts below the threshold of significance. Expected average water demand and wastewater generation rates for office uses would also result in increases above those levels anticipated under the Hotel Option (Option 1).

As compared to proposed the Condominium Option (Option 2), the Office Alternative would also result in greater impacts to operational air quality and noise due to increased daily trip generation (2,964 daily trips for Alternative E vs. 1,548 daily trips for the Condominium Option [Option 2]). Alternative E would also result in increases in average water demand and wastewater generation due to the nature of office land uses.

Therefore, the City finds that this alternative is infeasible and less desirable than the proposed Project and rejects this alternative for the reasons stated above.

E. Reference

For a complete discussion of impacts associated with Alternative E, please see Section V of the Draft EIR and Section IV.1 of the Final EIR.

D. Environmentally Superior Alternative

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives to a proposed Project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR. In addition, Section 15126.6 of the CEQA Guidelines states that: "If the environmentally superior alternative is the 'no Project' alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives."

Of the Alternatives analyzed in the Draft EIR, the No Project/No Build Alternative is considered the overall environmentally superior alternative as it would reduce the vast majority of the significant or potentially significant impacts occurring under the proposed Project to no impact or levels that are less than significant. However, this Alternative would not meet most of the community, site design, or applicable land use plan objectives established for the Project.

Although neither the Project's Hotel Option (Option 1) or the Condominium Option (Option 2) have no significant unmitigable impacts, Alternative C would reduce more of the Project's less significant impacts than any of the remaining alternatives. Alternative C would result in fewer daily trips and reduce air quality and operational noise impacts. However, Alternative C would not meet the Project objectives to the same degree as the Project under either the Hotel Option (Option 1) or the Condominium Option (Option 2).

X. FINDINGS REGARDING OTHER CEQA CONSIDERATIONS

A. Growth Inducing Impacts of the Proposed Project

Section 15126.2(d) of the CEQA Guidelines requires an EIR to discuss the ways the proposed Project could foster economic or population growth or the construction of additional housing, directly or indirectly, in the surrounding environment. Growth-inducing impacts include the removal of obstacles to population growth (e.g., the expansion of a wastewater treatment plant allowing more development in a service area) and the development and construction of new service facilities that could significantly affect the environment individually or cumulatively. In addition, growth must not be assumed as beneficial, detrimental, or of little significance to the environment.

The Project would involve the redevelopment of the northwest corner of Wilshire Boulevard and Gayley Avenue with a commercial/residential mixed use high-rise. Additional subterranean parking facilities would also be developed. Under the Hotel Option (Option 1), Project development would result in a net decrease of approximately 3,390 square feet of retail uses and 255,373 square feet of hotel uses. Under the Condominium Option, Project development would result in a net increase of approximately 13,365 square feet of retail space (ground floor retail and restaurant) and 144 residential units.

Under either the Hotel Option (Option 1) or the Condominium Option (Option 2), the Project's development of retail uses and hotel or residential uses would not be considered growth-inducing because it would not cause a progression of growth beyond the Project itself. As the Project Site is located in a very urbanized area, new infrastructure or an extension of the current infrastructure (e.g., roads and utilities), and

community service facilities (e.g., police, fire, schools, and libraries) would not be expanded beyond the needs of the Project and, therefore, would not induce off-site population growth. Hotel and retail uses would increase the number of employees on the Project Site, though no growth-inducing impacts beyond the direct effects of the expansion of employees would result. Project generated population growth would not exceed the established SCAG regional forecast for the City of Los Angeles or the Community Plan area. Therefore, the Project would not foster economic or population growth in the surrounding area.

B. Significant Irreversible Impacts

CEQA Guidelines Section 15126.2(c) indicates that:

“Uses of nonrenewable resources during the initial and continued phases of the Project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the Project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.”

The Project would necessarily consume limited, slowly renewable and non-renewable resources. This consumption would occur during the construction phase of the Project and would continue throughout its operational lifetime. This new development would require a commitment of resources that would include: (1) building materials, (2) fuel and operational materials/resources, and (3) the transportation of goods and people to and from the Project Site. Construction of the Project would require the consumption of resources that are not replenishable or which may renew so slowly as to be considered non-renewable. These resources would include the following construction supplies: certain types of lumber and other forest products; aggregate materials used in concrete and asphalt such as sand, gravel and stone; metals such as steel, copper, and lead; petrochemical construction materials such as plastics; and water. Fossil fuels such as gasoline and oil would also be consumed in the use of construction vehicles and equipment, as well as the transportation of goods and people to and from the Project Site.

The resources that would be committed during operation of the Project would be similar to those currently consumed within the City of Los Angeles and on the Project Site. These would include energy resources such as electricity, petroleum-based fuels required for vehicle-trips, fossil fuels, and water. Fossil fuels would represent the primary energy source associated with both construction and ongoing operation of the Project, and the existing, finite supplies of these natural resources would be incrementally reduced. Operation of the Project would occur in accordance with Title 24, Part 6 of the California Code of Regulations, which sets forth conservation practices that would limit the amount of energy consumed by the Project. In addition, the Project would be subject to energy efficient planning and construction guidelines as set forth by

the City of Los Angeles. In addition, the Project would be designed and constructed to achieve at least the Silver level of the LEED Rating System established by the US Green Building Council (USGBC) to promote sustainability. Despite conservation practices and guidelines in energy conservation, commitment to the use of the nonrenewable resources would be long-term.

The limited use of potentially hazardous materials, including cleaning agents and pesticides for landscaping would be used and stored on the Project Site. These materials would be used, handled, stored, and disposed of in accordance with manufacturers' instructions and applicable government standards and regulations. In addition, demolition activities would comply with regulatory requirements to ensure that asbestos and lead-based paints are not released into the environment. Compliance with such regulations would serve to protect against a significant and irreversible environmental change resulting from the accidental release of hazardous materials. Similarly, mitigation has been included to address any hazardous materials discovered construction, thereby avoiding any significant environmental change that could occur as a result of environmental accidents during construction.

In sum, construction and operation of the Project would result in the irretrievable commitment of limited, slowly renewable, and nonrenewable resources, which would limit the availability of these particular resource quantities for future generations or for other uses during the life of the Project. However, continued use of such resources would be on a relatively small scale and would be consistent with regional and local urban design and development goals for the area. As a result, the nonrenewable resources would not result in significant irreversible changes to the environment.

XI. OTHER CEQA CONSIDERATIONS

1. The City of Los Angeles (the "City"), acting through the Planning Department, is the "Lead Agency" for the Project evaluated in the EIR. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the EIR for the Project, that the Draft EIR which was circulated for public review reflected its independent judgment and that the Final EIR reflects the independent judgment of the City.
2. The City finds that the EIR provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review period and responds to comments made during the public review period.
3. The Planning Department evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the Planning Department prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned responses to the comments. The Planning Department reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR.

The Lead Agency has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental impacts identified and analyzed in the EIR.

4. The EIR evaluated the following potential Project and cumulative environmental impacts: Aesthetics, Air Quality, Historical Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Surface Water Quality, Land Use, Noise, Public Services, Traffic and Circulation, and Water Supply. Additionally, the EIR considered, in separate sections, Significant Irreversible Environmental Changes, Growth Inducing Impacts and potential secondary effects of the Project. The significant environmental impacts of the Project were identified in the Final EIR. The significant environmental impacts of the Project and the alternatives were also identified in the Draft and Final EIR.
5. The mitigation measures which have been identified for the Project were identified in the Draft and Final EIR. The final mitigation measures are described in the Mitigation Monitoring and Reporting Program (MMRP). Each of the mitigation measures identified in the MMRP, and contained in the Final EIR, is incorporated into the Project. The City finds that the impacts of the Project have been mitigated to the extent feasible by the mitigation measures identified in the MMRP, and contained in the Final EIR.
6. Textual refinements and errata were compiled and presented to the decisionmakers for review and consideration. The Planning Department staff has made every effort to notify the decisionmakers and the interested public/agencies of each textual change in the various documents associated with the Project review. These textual refinements arose for a variety of reasons. First, it is inevitable that draft documents would contain errors and would require clarifications and corrections. Second, textual clarifications were necessitated in order to describe refinements suggested as part of the public participation process.
7. The responses to the comments on the Draft EIR, which are contained in the Final EIR, clarify and amplify the analysis in the Draft EIR.
8. Having reviewed the information contained in the EIR and in the administrative record as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the City finds that there is no new significant information in the Final EIR and finds that recirculation of the Draft EIR is not required.
9. CEQA requires the Lead Agency approving a Project to adopt an MMRP for the changes to the Project which it has adopted or made a condition of Project approval in order to ensure compliance with the mitigation measures during Project implementation. The mitigation measures included in the EIR as certified by the City and included in the MMRP as adopted by the City serves that function. The MMRP includes all of the mitigation measures identified in the EIR and adopted by the City in connection with the approval of the Project and has been designed to ensure compliance with such measures during implementation of the Project. In accordance with CEQA, the MMRP provides the means to

ensure that the mitigation measures are fully enforceable. In accordance with the requirements of Public Resources Code §21081.6, the City hereby adopts the MMRP.

10. In accordance with the requirements of Public Resources Code §21081.6, the City hereby adopts each of the mitigation measures expressly set forth herein as conditions of approval for the Project.
11. The custodian of the documents or other material which constitute the record of proceedings upon which the City's decision is based is the Los Angeles City Planning Department, Parcel Map Unit, 7th Floor, LA City Hall, 200 N. Spring St., Los Angeles, CA 90012.
12. The City finds and declares that substantial evidence for each and every finding made herein is contained in the EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.
13. The City is certifying an EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the EIR as comprising the Project. It is contemplated that there may be a variety of actions undertaken by other State and local agencies (who might be referred to as "responsible agencies" under CEQA). Because the City is the Lead Agency for the Project, the EIR is intended to be the basis for compliance with CEQA for each of the possible discretionary actions by other State and local agencies to carry out the Project.
14. The EIR is a Project EIR for purposes of environmental analysis of the Project. A Project EIR examines the environmental effects of a specific Project. The EIR serves as the primary environmental compliance document for entitlement decisions regarding the Project by the City of Los Angeles and the other regulatory jurisdictions.

XII. MITIGATION MONITORING AND REPORTING PROGRAM

A. Introduction

This Mitigation Monitoring and Reporting Program has been prepared pursuant to Public Resources Code Section 21081.6, which requires adoption of an MMRP for Projects in which the Lead Agency has required changes or adopted mitigation to avoid significant environmental effects. The Los Angeles Department of City Planning, Environmental Review Unit is the Lead Agency for the proposed Project and, therefore, is responsible for administering and implementing the MMRP. The decision makers must define specific reporting and/or monitoring requirements to be enforced during Project implementation prior to final approval of the Project. The primary purpose of the MMRP is to ensure that the mitigation measures identified in the EIR are implemented, thereby minimizing identified environmental effects.

The MMRP for the Project will be in place through all phases of the Project, including pre-construction (design), construction, and operation (post-construction, both prior to and post-occupancy). The Planning Department shall be responsible for administering

the MMRP activities to its staff, other City departments (e.g., Department of Building and Safety, Department of Public Works, etc.), consultants, and/or contractors. The Planning Department will also ensure that mitigation monitoring is documented through reports and that deficiencies are promptly corrected. The designated environmental monitor (e.g., City building inspector, Project contractor, certified professionals, etc., depending on the provisions specified below) will track and document compliance with mitigation measures, note any problems that may result, and take appropriate action to remedy problems.

Each mitigation measure is categorized by impact area, with an accompanying identification of:

- The phase of the project during which the mitigation measure should be monitored (i.e., prior to issuance of building permit, construction, or occupancy);
- The enforcement agency (i.e., the agency with the authority to enforce the mitigation measure); and
- The monitoring agency (i.e., the agency which monitors compliance and implementation of the required mitigation measure).

The Applicant shall be obligated to provide certification prior to the issuance of site or building plans that compliance with the required mitigation measures has been achieved. All departments listed below are within the City of Los Angeles unless otherwise noted. The entity responsible for the implementation of all mitigation measures shall be the Applicant unless otherwise noted.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 70935-CN-GB, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

- (a) THE PROPOSED MAP WILL BE/IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The adopted Westwood Community Plan designates the southern portion of the site Regional Center Commercial land use with the corresponding zones of C4, C1.5, C2, C4, RAS3, RAS4, R3, R4, and R5 and the northern portion of the subject site Community Commercial land use with the corresponding zones of CR, C2, C4, RAS3, and RAS4. The north parcel is located within the Westwood Village Specific Plan, while the south parcel located just outside the Specific Plan area. The property contains approximately 0.55 net acres (23,951 net square feet after required dedication) and is presently zoned C4-2D-O and [Q]C4-2D-O.

The applicant is also requesting an incidental case no. CPC-2009-143-GPA-SP-ZC-HD-CUB-CU-ZV-ZAA-SPR-GB to allow: 1.) General Plan Amendments to the Westwood Community Plan to change the land use designation on the northerly portion of the site from Community Commercial to Regional Center Commercial;

and to amend Footnote #3 to permit Height District 4 in lieu of Height District 2 for the proposed project site and to permit a Floor Area Ratio (FAR) of 10.93:1 in lieu of 6:1 as otherwise permitted; 2.) an Amendment to the Westwood Village Specific Plan to amend the boundaries of the Specific Plan to exclude the northern parcels which currently are a part of the Specific Plan; 3.) a Vesting Zone/Height District Change from C4-2D-O on the northern parcels of the proposed project site and from [Q] C4-2-O on the southern parcel of the proposed project site to C4-4D-O to create consistent zoning across the entire site. The proposed change in the Height District and "D" Development Limitation would permit a FAR of 10.93:1. The change in the [Q] Qualified Condition on the southern parcel would delete conditions not related to the proposed project; 4.) a Vesting Conditional Use to permit the establishment of a hotel on a site classified in the C4 Zone that is located within 500 feet of properties classified in an R Zone; 5.) a Conditional Use to permit the sale and consumption of a full line of alcoholic beverages in a restaurant, in mini-bars within hotel guest rooms, for room service to hotel or condominium rooms and at the pool deck; 6.) a Variance to permit up to 226 of the required residential parking spaces to be provided off-site at a property controlled by the applicant and served by a 24-hour valet company [For Option 2 Only]; 7.) an Adjustment to permit a zero foot setback in lieu of the otherwise required minimum 16 foot setback for the west side yard at the floor level of the first story used for residential purposes; 8.) a Zoning Administrator's Adjustment for Option 2 to allow a 20% density increase to allow 144 condominium units lieu of 125; and 9.) Site Plan Review for a development project that creates or results in an increase of 50 or more dwelling units or guest rooms, or combination thereof.

If the incidental cases are approved by the City Council, the proposed project development of Option 1: Construction of a 250-room hotel and 6,510 square feet of ground floor commercial use **OR** Option 2: Construction of 144 residential condominium units and 6,510 square feet of ground floor commercial use will be consistent, as proposed. The project will provide much needed new home ownership opportunities for the Community Plan area.

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas). Therefore, as conditioned and with the approval of case no. CPC-2009-143-GPA-SP-ZC-HD-CUB-CU-ZV-ZAA-SPR-GB, the proposed tract map is consistent with the intent and purpose of the applicable General and Specific Plans.

- (b) THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

Wilshire Boulevard is a Major Highway-Class I dedicated to a 125-foot width at the project's street frontage. Gayley Avenue is a Secondary Highway dedicated to a 90-foot width at the project's street frontage. In a letter dated June 28, 2010 the Bureau of Engineering is satisfactory with the proposed layout, satisfactory with the proposed conditions.

The proposed project will provide Option 1: a minimum of 200 parking spaces and an additional 60 additional valet spaces **OR** Option 2: a minimum of 200 parking spaces and an 60 additional valet spaces. An additional 226 parking spaces will be provided off-site at Center West (10877 Wilshire Boulevard) or at Plaza la Reina (10844-10852 Lindbrook Drive) in conformance with the LAMC and the Deputy Advisory Agency's parking policy for condominium projects in parking congested areas. As conditioned the design and improvements of the proposed project are consistent with the applicable General and Specific Plans.

(c) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED TYPE OF DEVELOPMENT.

The site is currently developed with a vacant commercial building and a vacant lot. It's one of the few unimproved properties in the vicinity. The development of this tract is an infill of an otherwise mixed-density neighborhood.

The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

As referenced in the February 18, 2009 letter from the Department of Building and Safety, Grading Division, a review cannot be completed at this time, pending the submittal of addendum reports that shall include a comprehensive investigation and report with an evaluation of liquefaction and justifying calculations and recommendations for building construction, shall be submitted. The tract has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits.

(d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

Adjacent land uses are office and commercial uses to the north across the alley, high-rise office buildings to the south across Wilshire Boulevard, commercial and office uses to the east across Gayley, and the UCLA Parking Lot 36, UCLA Campus Police building, and the UCLA Library Tech Services building to the west in the PF-1XL Zone. The proposed project would provide an appropriate transitional development between the high rise office buildings to the south and the office uses to the north. The site currently contains a vacant commercial building and a vacant lot, and the proposed project would provide either Option1: 250-room hotel and 6,510 square feet commercial use **OR** Option 2: 144 residential condominium units and 6,510 square feet commercial use. With approval of incidental case no. CPC-2009-143-GPA-SP-ZC-HD-CUB-CU-ZV-ZAA-SPR-GB and a Zoning Administrator's Adjustment to allow a 15% density increase for Option 2, the proposed project will comply with all LAMC requirements for parking, yards, and open space. As conditioned the proposed tract map is physically suitable for the proposed density of the development.

(e) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR

SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife.

- (f) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

There appear to be no potential public health problems caused by the design or improvement of the proposed subdivision.

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

- (g) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

No such easements are known to exist. Needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed tract.

- (h) THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans, planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract Map No. 70935-CN-GB.

S. Gail Goldberg, AICP
Advisory Agency



JIM TOKUNAGA
Deputy Advisory Agency

JT:TI:CTL:jg

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

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

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

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

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

If you have any questions, please call Subdivision staff at (213) 978-1362.

REVISED VESTING TENTATIVE TRACT NO. 70935*

IN THE CITY OF LOS ANGELES
COUNTY OF LOS ANGELES
STATE OF CALIFORNIA
(For Condominium Purposes)

BEING A MERGER AND RESUBDIVISION OF LOTS 1 AND 2, BLOCK 8, OF TRACT NO. 10600, PER MAP RECORDED IN BOOK 161, PAGES 1 AND 2 OF MAPS, LOT 2 BLOCK 3, OF TRACT NO. 9768 RECORDED IN BOOK 147, PAGES 70-73 OF MAPS AND A PORTION OF GAYLEY AVENUE AND THE ALLEY WESTERLY OF GAYLEY AVENUE VACATED BY RESOLUTION TO VACATE NO. 08-1400978 RECORDED AS INSTRUMENT NO. 2008-0946978 ON MAY 29, 2008, ALL RECORDS OF LOS ANGELES COUNTY.

OWNER/SUBDIVIDER:
WILSHIRE GAYLEY, LLC,
A CALIFORNIA LIMITED LIABILITY COMPANY
10877 WILSHIRE BOULEVARD, SUITE 300
LOS ANGELES, CA 90024
PHONE: (310) 824-3000

PROJECT ADDRESS:
10855 WILSHIRE BOULEVARD
1151-1157 GAYLEY AVENUE
LOS ANGELES, CA 90024

THOMAS GUIDE:
PAGE 632-A3

DISTRICT MAP:
1326149 AND 1326153

CIVIL ENGINEER:
TOM STEWNOCK, RCE 18662
PLANNING ASSOCIATES, INC. 4040
VINELAND AVE. # 108 STUDIO CITY,
CA 91604
PHONE: (818) 487-6789
FAX: (818) 487-6760

EXISTING COMMUNITY PLAN:
WESTWOOD COMMUNITY PLAN
COMMUNITY COMMERCIAL AND REGIONAL
CENTER COMMERCIAL

PROPOSED COMMUNITY PLAN:
REGIONAL CENTER COMMERCIAL

ZONING:
EXISTING: C4-20-O AND [O]C4-2-O
PROPOSED: C4-40-O

PROJECT AREA:
AREA = 23,951 S.F. NET
0.55 ACRES
39,640 S.F. GROSS
0.91 ACRES

PROPOSED PROJECT:
1. TWO DEVELOPMENT OPTIONS ARE REQUESTED:
REFINED OPTION 1: 250-ROOM LUXURY BUSINESS HOTEL AND QUALITY GROUND FLOOR RETAIL USES, WITH A PRIVATE RESTAURANT, BAR, COFFEE SHOP, BUSINESS CENTER, MEETING ROOMS, LIBRARY, SWIMMING POOL, SPA AND FITNESS CENTER.
OPTION 2: 144 LUXURY RESIDENTIAL CONDOMINIUMS AND QUALITY GROUND FLOOR RETAIL USES, WITH A PUBLIC RESTAURANT, BAR AND COFFEE SHOP, AND A BUSINESS CENTER, LIBRARY, MEETING ROOMS, SWIMMING POOL, SPA AND FITNESS CENTER FOR THE CONDOMINIUM RESIDENTS ONLY.

THIS VESTING TENTATIVE MAP INCLUDES 1 GROUND LOT AND 3 AIRSPACE LOTS WHICH ARE THE SAME FOR BOTH REFINED OPTION 1 AND OPTION 2. THE MAXIMUM NUMBER OF CONDOMINIUM UNITS SHALL NOT EXCEED 144.

3. 29 STORIES, 427 FEET, IN HEIGHT.

4. APPROXIMATELY 314,325 S.F. GROSS FLOOR AREA, 261,883 S.F. FLOOR AREA PER ZONING CODE DEFINITION.

5. 4 LEVELS OF SUBTERRANEAN PARKING, PARTIALLY UNDER THE ALLEY ON THE NORTH AND THE SIDEWALK ALONG GAYLEY AVENUE.

6. 200 STRIPED SPACES.

7. 60 ADDITIONAL VALET ASSISTED SPACES.

8. ADDITIONAL OFF-SITE PARKING WOULD BE PROVIDED BY COVENANT AND AGREEMENT FOR OPTION 2, 144 RESIDENTIAL CONDOMINIUMS.

NOTES:
1. ALL EXISTING STRUCTURES TO BE REMOVED.
2. SEWERS ARE AVAILABLE IN ADJACENT STREETS.
3. PROPERTY IS NOT IN A FLOOD HAZARD ZONE.
4. DRAINAGE BY EXISTING SUBSURFACE STORM DRAINS.
5. THERE ARE NO HAZARDOUS AREAS ON THIS SITE.
6. GRADING: CUT = 50,000 C.Y.
FILL = 50,000 C.Y.
EXPORT = 50,000 C.Y.
7. APPROVAL OF HAUL ROUTE IS REQUESTED.
8. THERE ARE NO PROTECTED TREES ON SITE.
9. ENVIRONMENTAL CLEARANCE: EIR NO. 2008-2368.
10. ANY PORTION OF THE PROPOSED ABOVE SURFACE MERGER OF THE ALLEY WHICH EXTENDS NORTH OF THE CENTERLINE OF THE ALLEY MAY BE MERGED BY THE FINAL MAP IF WRITTEN CONCURRENCE IS OBTAINED FROM THE OWNER OF THE ADJACENT PROPERTY TO THE NORTH OF THE ALLEY. THE RIGHT TO OCCUPY THIS PORTION OF THE AREA ABOVE THE ALLEY SURFACE MAY ALSO BE OBTAINED BY THE SUBDIVIDER THROUGH A REVOCABLE PERMIT OR OTHER SEPARATE CITY APPROVAL.

NO.	REVISIONS	DATE	BY	CHKD.
1	UPDATE THE FILING PACKAGE	01-12-09	J.S.	
2	MAP REVISED TO CORRECT TRACT NUMBER ISSUED BY U.S. COUNTY (INCORRECT TRACT NUMBER WAS 6800)	02-19-09	J.S.	
3	REVISION TO CORRECT TRACT NUMBER (WAS 6800) TO 70935	02-19-09	J.S.	
4	REVISION TO CORRECT TRACT NUMBER (WAS 6800) TO 70935	02-19-09	J.S.	
5	REVISION TO CORRECT TRACT NUMBER (WAS 6800) TO 70935	02-19-09	J.S.	
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9	REVISION TO CORRECT TRACT NUMBER (WAS 6800) TO 70935	02-19-09	J.S.	
10	REVISION TO CORRECT TRACT NUMBER (WAS 6800) TO 70935	02-19-09	J.S.	

WILSHIRE GAYLEY, LLC.

REVISED VESTING TENTATIVE TRACT NO. 70935*

SHEET NO. 1
OF 3 SHEETS
JOB NO. 5019-031

