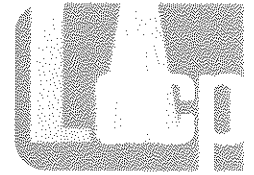




# DEPARTMENT OF CITY PLANNING

## RECOMMENDATION REPORT



### City Planning Commission

<b>Date:</b>	November 20, 2014	<b>Case No.:</b>	CPC-2013-3151-GPA-ZC-SPR
<b>Time:</b>	After 8:30 a.m.*	<b>CEQA No.:</b>	Addendum to the previously approved Final EIR SCH No. 2007111051 (Reference No. ENV-2013-3152-MND)
<b>Place:</b>	Los Angeles City Hall Board of Public Works Room 200 N. Spring Street, Rm 350 Los Angeles, CA 90012	<b>Incidental Cases:</b>	none
<b>Public Hearing:</b>	August 27, 2014	<b>Related Cases:</b>	none
<b>Appeal Status:</b>	General Plan Amendment is not appealable. Zone Change may be appealed by the applicant if denied. Site Plan Review is appealable to City Council.	<b>Council No.:</b>	8 - Bernard C. Parks
<b>Expiration Date:</b>	December 3, 2014	<b>Plan Area:</b>	South Los Angeles
<b>Multiple Approval:</b>	General Plan Amendment, Zone Change and Site Plan Review	<b>Specific Plan:</b>	South Los Angeles Alcohol Sales
		<b>Certified NC:</b>	Empowerment Congress Southeast Area
		<b>GPLU:</b>	Community Commercial and Medium Residential
		<b>Zones:</b>	[Q]C2-1, P-1, [Q]R4-1
		<b>Applicant:</b>	Eli Sasson - Vermont Entertainment Village, LLC
		<b>Representative:</b>	Milan Garrison - Maxsum Development, LLC

**PROJECT LOCATION:** 8400-8534 South Vermont Avenue, 942-950 West 84th Street, 927-943 West 85th Street, 947-957 West Manchester Avenue

**PROPOSED PROJECT:** The construction, use and maintenance of a proposed two to three-story, approximately 127,000 square-foot commercial shopping and entertainment center to include a central courtyard with public open space and a performance stage, and a five-story parking structure (including two subterranean levels) with ground-level retail space, providing a total of 335 vehicular parking spaces and access driveways from 84th and 85th Streets.

**REQUESTED ACTIONS:**

1. Pursuant to Los Angeles Municipal Code Section 11.5.6-B, a **General Plan Amendment** to the South Los Angeles Community Plan from Medium Residential to Community Commercial land use on Lot 77, Sunny Side Park Tract (927 West 85th Street).
2. Pursuant to Los Angeles Municipal Code Section 12.32-F, a **Zone Change** from P-1 and [Q]R4-1 to [Q]C2-1 on Lots 37 and 77-80, Sunny Side Park Tract (942 West 84th Street and 927-943 West 85th Street) to permit the construction, use and maintenance of a five-story, 301-space parking structure with ground-level retail space and access driveways.
3. Pursuant to Municipal Code Section 16.05-E, **Site Plan Review** over the entire site for a project creating more than 50,000 square feet of non-residential floor area.

- 4. Pursuant to Section 21082.1(c) of the Public Resources Codes (California Environmental Quality Act), Find that the previously adopted **Environmental Impact Report (SCH No. 2007111051)**, certified on March 3, 2008 and the Addendum, as the project's environmental clearance is adequate environmental clearance and complies with the California Environmental Quality Act.

**RECOMMENDED ACTIONS:**

- 1. **Adopt the Addendum to the certified Environmental Impact Report (SCH No. 2007111051) and Adopt the Mitigation Monitoring Program and required Findings**, and find this action is adequate environmental clearance for the subject requests;
- 2. **Approve and Recommend** that the City Council **Adopt a General Plan Amendment** to the South Los Angeles Community Plan from Medium Residential to Community Commercial for Lot 77, Sunny Side Park Tract (927 West 85th Street).subject property;
- 3. **Approve and Recommend** that the City Council **Approve a Zone Change** from P-1 and [Q]R4-1 to [Q]C2-1 on Lots 37 and 77-80, Sunny Side Park Tract (942 West 84th Street and 927-943 West 85th Street), with the attached conditions of approval;
- 4. **Approve a Site Plan Review** for a 127,000 square-foot commercial shopping and entertainment center with the attached conditions of approval;
- 5. **Adopt** the attached Findings;
- 6. **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring; and
- 7. **Advise** the Applicant that pursuant to the State Fish and Game Code Section 711.4, a Fish and Game and/or Certificate of Game Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notices and Determination (NOD) filing.

MICHAEL LOGRANDE  
Director of Planning

 *for D.S.*

\_\_\_\_\_  
Daniel Scott, Principal City Planner



\_\_\_\_\_  
Jae H. Kim, Senior City Planner



\_\_\_\_\_  
Jordann Turner, Hearing Officer (213-978-1365)

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

and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

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## PROJECT ANALYSIS

### Project Summary

The applicant is proposing the construction of a new two to three-story 127,000 square-foot commercial shopping and entertainment center on Vermont Avenue between 84<sup>th</sup> Street and Manchester Avenue in the South Los Angeles community. The development will include a central courtyard with public open space, a performance stage, 335 vehicular parking spaces, a five-story parking structure (including two subterranean levels) with ground-level retail space. Primary vehicular access to the site will be from 84<sup>th</sup> Street, while secondary access points are provided from 85<sup>th</sup> Street and Manchester Avenue.

The project site includes two full blocks on the east side of Vermont Avenue between 84<sup>th</sup> Street and Manchester Avenue, one additional lot to the east fronting 84<sup>th</sup> Street and four additional lots to the east fronting 85<sup>th</sup> Street, and is approximately 230,000 square feet in area and is currently zoned [Q]C2-1, P-1 and [Q]R4-1. The project site and encompasses portions of Vermont Avenue and local alleys that have been vacated. Proposed uses within the center would include retail, restaurants and a supermarket. The requested entitlements include a General Plan Amendment to re-designate the land use for one lot fronting on 85<sup>th</sup> Street from Medium Residential to Community Commercial, a Zone Change for certain one parcel fronting on 84<sup>th</sup> Street from P-1 to [Q]C2-1 and four parcels on 85<sup>th</sup> Street from P-1 and [Q]R4-1 to [Q]C2-1 and Site Plan Review over the entire site for a project creating more than 50,000 square feet of non-residential floor area.

### Background

The project site is a 5.3 gross acre site and currently is developed with two commercial/retail buildings, vacant parcels, four surface parking lots and remnant basement from a previous built commercial building. The subject site was environmentally cleared by the former Community Redevelopment Agency for the development of a 102,000 square foot commercial center in 2008 but that project was never further pursued.

The new project includes the development of approximately 127,000 square feet of commercial space within six buildings oriented around an interior courtyard. The buildings will include retail spaces along Vermont Avenue and Manchester Avenue as well as the central courtyard. Building "A", located at the corner of Vermont Avenue and 84<sup>th</sup> Street would reach up to 50 feet in height (inclusive of the dome), while the remaining buildings (buildings "B"- "G") would range from 32 feet to 48 feet in height including decorative architectural features. Building "H" houses the ground floor supermarket and parking structure for the complex. The development also features a glass atop Building "A" that would reach approximately 70 feet in height. Twin gateway towers are proposed to flank the developments primary pedestrian entrance along Vermont Avenue. As proposed, the towers would be approximately 73 feet in height. A performance stage for special events will be provided as a part of the central courtyard. Approximately 37,000 square feet of landscaped area would be provided throughout the project site.

Vehicular access to the project site would be provided via access points on 84<sup>th</sup> Street, 85<sup>th</sup> Street, and Manchester Avenue. Primary vehicular access to the project site and parking structure would be from 84<sup>th</sup> Street. The parking structure would also be accessible from a driveway on 85<sup>th</sup> Street. Vehicular parking will be provided within a 301 space parking structure located on the eastern most portion of the project site. The parking structure would include two subterranean levels, four enclosed levels, and one rooftop level, and contain 350 parking spaces. Additionally approximately 34 street level parking spaces would be provided.

Bicycle parking is provided throughout the project site. The development proposes 80 short term bicycle parking spaces and 90 long-term bicycle parking spaces.

Pedestrian access to the project is provided from Vermont Avenue, 84<sup>th</sup> Street, 85<sup>th</sup> Street, and Manchester Avenue. The project proposes an approximate 22-foot pedestrian sidewalk along Vermont Avenue and a 15-foot sidewalk along Manchester Avenue. Various walkways and pedestrian paths will traverse the project site connecting the site to surrounding streets.

### **General Plan**

The subject property is within the South Los Angeles Community Plan. The vast majority of the site is designated for Community Commercial land use with corresponding zones of CR, C2, C4, RAS3 and RAS4. The subject site is zoned [Q]C2-1 and P-1 with the exception of the parcel on the north side of 85th Street which is designated as Medium Residential and has a corresponding zone of R3. As previously stated, the applicant is requesting a General Plan Amendment to change the land use designation of the one lot on 85th Street to Community Commercial land use designation to match the rest of the site along with a Zone Change from P-1 and [Q]R4-1 to enact a uniform [Q]C2-1 Zone over the entire site.

The proposed General Plan Amendment from Medium Density Residential to Community Commercial creates a consistency with the adjacent commercial zoning. The adjacent commercial properties have a land use designation of Community Commercial. The corresponding C2 Zone permitted by the Community Commercial land use designation would allow commercial uses that are necessary for the integrated project. The land use designation of the subject property as Community Commercial with a zone change will conform to the emerging zoning pattern.

### **Specific Plans and Overlay Districts**

The subject property is located within the following specific plans and other specially designated areas:

#### *South Los Angeles Alcohol Sales Specific Plan (Ordinance No. 171,681):*

The Specific Plan does not affect the subject project because the project does not propose the sale of alcoholic beverages. However, any future retail use that may locate within the project's ground floor retail space(s) will be subject to the provisions of the Specific Plan if it seeks to sell any alcoholic beverages for off-site consumption.

#### *General Plan Amendment for Standalone Fast Food Establishments within the Southeast Los Angeles Planning Area (Community Plan Footnote No. 15, Z.I. 2412):*

The footnote does not affect the subject project because the project does not propose any new standalone fast food establishment(s). In addition, any future new fast-food establishment that may seek to locate within the project will also be exempt from the requirements, because they do not apply to new fast-food establishments that will be integrated into a mixed-use building, commercial center, or other joint tenant building with a minimum floor area ratio of 1:1.

### **Vermont / Manchester Redevelopment Project:**

The proposed project is subject to the provisions of the Redevelopment Plan and will require clearance for compliance from the successor agency to the Community Redevelopment Agency (CRA) or its successor agencies prior to the issuance of building permits. The project is

generally consistent with the intent and provisions of the Plan in that it is comprised of uses that are permitted in the area (subject to adoption of the requested General Plan Amendment),

### ***Los Angeles State Enterprise Zone:***

The subject property is located within the Los Angeles State Enterprise Zone, administered by the Economic Development and Workforce Department, which provides parking and economic incentives to qualifying businesses. The project proposes approximately 127,000 square feet of commercial development. Per L.A.M.C. Section 12.21A4(x)(3), the project would be required to provide one (1) parking space per 500 square feet of commercial development. This equates to 254 parking spaces. The applicant is proposing 335 vehicular parking spaces.

### ***South Los Angeles Community Plan Update***

The Department of City Planning is currently in the process of updating the South Los Angeles Community Plan. In December 2012, the Department released the Preliminary Draft of the South LA Community Plan Policy Document for public review; and in September 2013, the draft South LA CPIO (Community Plan Implementation Overlay). The subject site is located within the draft CPIO area that is designated as a Mixed-Use Corridor. The Mixed-Use Corridors promote increased residential capacity near major transit intersections. Additionally incentives are given to mixed-use developments that provide mixed income developments which encourage vibrant pedestrian-oriented environments. Although the proposed project does not include a residential component, the project does provide a vibrant pedestrian environment along Vermont Avenue and Manchester Avenue via the use of ground floor commercial uses along both avenues.

### ***Street/Alley Vacation (VAC-E1401197 and CF 13-0571)***

On April 23, 2014, the City Council approved various street and alley vacations bordering the project site. Specifically, the Council approved the following: vacation of a 30.5 foot wide and a 25.5-foot wide portion of the easterly side of Vermont Avenue between 84<sup>th</sup> Street and Manchester Avenue; vacation of 85<sup>th</sup> Street between Vermont Avenue and the alley easterly of Vermont Avenue; vacation of the alley easterly of Vermont Avenue between 84<sup>th</sup> Street and 85<sup>th</sup> Street; and the vacation of the alley southerly of 84<sup>th</sup> Street from the alley easterly of Vermont Avenue to approximately 33 feet easterly thereof. The areas that have been vacated are a part of the subject site and are mainly used for site access.

### ***Surrounding Area***

The subject site is located along the eastern side of Vermont Avenue between 84<sup>th</sup> Street and Manchester Avenue within the South Los Angeles community. The surrounding area is developed with commercial, institutional, and residential developments. Land uses to the west include the Mark Ridley-Thomas Constituent Service Center and to the south of the project site are commercial uses which are all [Q]C2-1. Low-rise multi-family residences and the Youth Opportunities Unlimited (YOU) Alternative High School (HS) are located to the east of the subject. The multi-family residences are zoned [Q]R4-1. The four-story County of Los Angeles Administration Building and associated five-story parking structure are located to the north of the subject site across 84<sup>th</sup> Street.

### ***Related Cases***

ORD-173792-SA3900 – As part of the former South Central Los Angeles Community Plan revision, the City Council on February 14, 2001 passed Ordinance 173792 changing the zoning on the Vermont Avenue parcels from R3-1 to [Q]C2-1. The “Q” conditions requirement multi-family developments to comply with multi-family design guidelines, limits mixed-used

developments to an FAR of 2:1, limits commercial developments to an FAR of 1.5:1, and limits residential developments to the R3 density.

ORD-167093-SA5430 – As part of the former South Central Los Angeles Community Plan revision, the City Council on July 2, 1991 passed Ordinance 167093, changing the zoning on the eastern portions of the subject site from R4-1 and R4P-1 to [Q]R4-1. The “Q” conditions established further regulations for churches and accessory uses and restricted uses to the R3-1 Zone.

CPC-1986-790-GPC – As part of the General Plan Consistency program, on March 31, 1992, Ordinance 167,597 became effective rezoning the southern portion of the site to [T][Q]CM-2, with permanent Q-conditions, and most notably restricting the maximum floor area ratio to 3:1, the maximum height to 45-feet, and a maximum of one dwelling unit per 1,000 square feet of lot area.

### ***City Agency Reports Received***

Prior to the completion of the Hearing Officer’s report, letters were received from the Department of Transportation and the Fire Department. Their requirements are incorporated into the [T] Conditions.

### ***Streets and Circulation:***

Vermont Avenue, adjoining the subject property to the west, is a Major Highway - Class II dedicated to a 100-foot width at the project’s street frontage and improved with curb, gutter and sidewalk.

Manchester Avenue, adjoining the subject property to the south, is a Major Highway - Class II dedicated to a 100-foot width at the project’s street frontage and improved with curb, gutter and sidewalk.

84th Street, adjoining the subject property to the north, is a Local Street dedicated to a 100-foot width at the project’s street frontage and improved with curb, gutter and sidewalk.

85th Street, adjoining part of the subject property to the south, is a Local Street dedicated to a 100-foot width at the project’s street frontage and improved with curb, gutter and sidewalk.

The rear alley, adjoining the subject property to the east, is a through alley that is improved with asphalt pavement and concrete gutter within a 15-foot dedication.

The alley running east and west between 84th and 85th Streets is a through alley that is improved with asphalt pavement and concrete gutter within a 15-foot dedication.

### **Staff Analysis**

#### *Project Detail*

The applicant proposes a multi-tenant commercial retail shopping and entertainment center with approximately 127,000 square feet of building area along the east side of South Vermont Avenue between 84th Street and West Manchester Avenue and has an Floor Area Ratio (FAR) of .552:1. The 127,000 square feet of commercial building area includes approximately 98,410 square feet of retail, 15,071 square feet of supermarket, and 12,360 square feet of restaurant uses. The shopping center would contain approximately 99,707 square feet of floor on the ground level, 16,279 square feet of building area on the second floor and 11,014 square feet of

area on the third level. Building square footage would be distributed across six buildings primarily oriented around an interior courtyard. Building "A" is a three-story stand along building located at the corner of Vermont Avenue and 84th Street, and would reach up to 50 feet in height. The remaining buildings ("B"- "G") are oriented around the central courtyard and would range from 32 to 48 feet in height, including decorative architectural features. Building "H" houses the ground floor supermarket and parking structure for the complex. The table below illustrates the square footage breakdown for each building block.

<b>Building</b>	<b>Size</b>
Building A	25,099 square feet
Building B	8,000 square feet
Building C	5,463 square feet
Building D	25,924 square feet
Building E	16,848 square feet
Building G	30,595 square feet
Building H	15,071 square feet
<b>Total</b>	<b>127,000 square feet</b>

Gateway twin towers would flank the shopping center's main entrance on Vermont Avenue. These towers would be approximately 73 feet in height. An expansive public open space featuring a performance stage for special events would be provided in the form of a central courtyard within the shopping center. Approximately 37,000 square feet of landscaped area would be provided on the project site.

The project will focus on bringing in quality tenants that do not currently serve the surrounding area, including a grocery store, pharmacy, sit-down restaurants, and will feature a banquet hall. Additionally, the applicant's state they will focus on attracting local merchants (mom and pop operations) to the development and the project is intended to attract users who otherwise have to travel out of the local community and many times to other jurisdictions to avail themselves of quality shops and services.

#### Access

Pedestrian access to the project is provided from Vermont Avenue, 84th Street, 85th Street, and Manchester Avenue. The project proposes an approximate 22-foot pedestrian sidewalk along Vermont Avenue and a 15-foot sidewalk along Manchester Avenue. Various walkways and pedestrian plazas connect 84<sup>th</sup> Street, 85<sup>th</sup> Street and Vermont Avenue through the project site.

Vehicular access to the project site is provided via driveways from 84th Street, 85th Street, and Manchester Avenue. Access from 84<sup>th</sup> Street is provided via a two lane two-way driveway that leads from 84<sup>th</sup> street to the parking structure. On-site ground level parking is also located along that same driveway to provide easier access to the retail establishments. Access to the parking structure will also be provided from Manchester Avenue via a new driveway way (provided over an existing alley way). The Manchester Avenue driveway is proposed to right-turn in, right-turn out to avoid traffic along Manchester Avenue. A drop-off zone would be provided on Vermont Avenue at the front of the project site.

Vehicular parking will be provided within a 301-space parking structure located on the eastern most portion of the project site along the north side of 85<sup>th</sup> Street. The parking structure consists of two subterranean levels, four enclosed levels, and one rooftop level. Additionally approximately 34 ground level parking spaces would be provided.

Bicycle parking is provided throughout the project site. The development proposes 80 short term bicycle parking spaces and 90 long-term bicycle parking spaces.

### *Design Review*

Department of City Planning staff was impressed with the initial design features of the project. The project included and continues to include a bold vibrant design, use of a wide pallet of colors and materials, and a gateway element to frame the project and serve as the anchor for the project and community at large.

During the course of the process, staff and the applicant have worked through design concerns to enhance the project even further. The area between the supermarket and 85<sup>th</sup> street was not designed to be inviting to those accessing the site from the parking structure or from east of the project site. Landscaped buffers bordering the street and the parking structure were added as well as wider sidewalk to create a visual connection between the project and the residents east of the site.

Additionally, a drive-thru component to serve a proposed pharmacy was originally included at the intersection of Manchester Avenue and the access way leading to 85<sup>th</sup> Street. Department staff noted the access and turning concerns that were created. The drive-thru component was eliminated in the final design.

## **GENERAL PLAN AMENDMENT (GPA)**

### *Framework Element*

The General Plan Framework identifies the general Vermont Avenue/Manchester Avenue area as a "Community Center", where intensification or growth can be targeted, and as a focal point for surrounding residential neighborhoods. "Community Centers" generally contain a variety of community-serving uses, and the Framework endorses an integration and mix of uses in community centers to increase opportunities for employees to live near jobs and for residents to live near shopping and service areas. Community Centers are usually developed with floor area ratios (F.A.R.) ranging around 1.5:1 to 3.0:1, are characterized by 2- to 6-story buildings, and are generally served by small shuttles, local buses and may be located in proximity to rail transit stops.

In line with the standard characteristics of a Community Center, the existing area is characterized with commercial and institutional uses along Vermont and Manchester Avenues with residential neighborhoods to the rear of the commercial properties. The proposed development of the site would introduce a greater variety of commercial uses and activities for the area with an F.A.R. of less than .6:1. The subject site is served by multiple rapid and local bus routes. Metro Rapid Bus 754 and Metro Local Bus 204 travel north/south along Vermont Avenue connecting the project site to the Vermont/Athens Metro Green Line station (approximately 1 ½ miles south) and the Vermont/Sunset Metro Red Line station in East Hollywood. Metro Bus 115 travels along Manchester Avenue connecting the site to community of Westchester on the west and the city of Downey to the east.

## **COMMUNITY PLAN**

The South Los Angeles Community Plan designates the majority of the project site for Community Commercial uses with corresponding zones of CR, C2, C4, RAS3, and RAS4. The eastern parcel of the site (along 85<sup>th</sup> Street) is vacant and designated as Medium Residential with a corresponding zone of R3 and is zoned [Q]R4-1. The applicant requests a change in land

use designation to Community Commercial, similar to the land use designations within the rest of the project site to allow for the zone change from [Q]R4-1 to [Q]C2-1.

The adopted South Los Angeles Community Plan is intended to promote an arrangement of land uses, streets, and services which will encourage and contribute to the economic, social and physical health, safety, welfare and convenience of the people who live and work in the community. With the approval of the recommended General Plan Amendment for the single lot and Zone Change for the additional lots, the adjoining eastern parcels of the proposed development will be designated for Community Commercial land use and zoned [Q]C2-1 similar to the rest of the project site and will facilitate the construction of the proposed project.

### **ZONE CHANGE**

The Zone Change request from P-1 and [Q]R4-1 to the C2-1 zone would be consistent with the existing general plan designation (Community Commercial) for the P-1 zoned site and the requested General Plan Amendment for the [Q]R4-1 zone site. Currently, the eastern portions of the subject site are restricted to vehicular parking and residential developments. The change to the [Q]C2-1 zone would facilitate the development of the entire project site.

### **SITE PLAN REVIEW**

The intent of Site Plan Review is to ensure orderly development, neighborhood compatibility, and adequate environmental mitigation for large-scale projects, generally over 50,000 square-feet of floor area. The location and layout of the proposed commercial development would provide a prominent and pedestrian-friendly entrance area along Vermont Avenue, Manchester Avenue, 84<sup>th</sup> Street and 85<sup>th</sup> Street with additional commercial and retail uses facing an interior courtyard. Adequate pedestrian and bike access would be available throughout the site and will connect to the parking structure located to the rear of the development. Architectural plans for the building exhibit a high-level of articulation and a clear modern design that will introduce a new design standard to the area. The development's overall height ranges from 32-48 feet with a height of 51 feet for the parking structure. Additionally, the project includes a central courtyard that will be programmed with community and entertainment events.

### **ISSUES**

A hearing on this matter with the Hearing Officer was held at City Hall on August 27, 2014, (see Public Hearing and Communications, Page P-1). The following issues were raised at the hearing.

#### ***Interface with neighboring residential properties***

The project site is bordered to the east by multi-family residential developments in the [Q]R4-1 Zone for properties between 84<sup>th</sup> Street and 85<sup>th</sup> Street and residential properties in the R3-1 Zone along 85<sup>th</sup> Street. The R3-1 and [Q]R4-1 Zones permit residential developments up to 45 feet, but the area is developed with one to two stories residential structures. The residential area will be most impacted by the parking structure proposed for the development. The proposed five-level, above-ground parking structure would contrast in terms of building height and massing with the existing adjacent two-story residential structures to the east of the Project site.

The height of the proposed parking structure would be consistent with the County of Los Angeles Administration Building's five-story parking structure located to north of the project site, across 84th Street. The county parking structure is approximately 35 feet from the closest residential structure, while the parking structure for the proposed project will be approximately 60 feet from the nearest residential building. Additionally, in order to provide visual interest and

reduce contrast, the parking structure would include a supermarket on the ground floor that is accessible for pedestrians along 85<sup>th</sup> Street and would incorporate architectural treatments, building materials, climbing vines, or a green wall. Furthermore, the Certified EIR and Addendum require that the parking stalls and driveways of the parking structure that are exposed to the sky shall be finished with either a light-colored surface material; and/or a minimum of 80 percent of the total area of the stalls shall be shaded by vine-covered pergola, canopy, or trellis; require all lighting fixtures shall be directed towards the ground or otherwise away from the line of-sight of adjacent roadways and residences and equipped with shield hoods; bollard lighting on the roof deck of the proposed parking structure and parapet and window openings shall be of sufficient height to block car headlights and include a provision for the parking structure that would provide for solid walls without openings on the north and east sides (residential) of the parking structure. Also, a 6-foot-high solid decorative masonry wall will be required to be constructed next to any residential uses or zones.

### ***Circulation/Traffic***

The Department of City Planning expressed various concerns over the proposed circulation relating to the project site and their related improvements and traffic generated by the project.

#### *Circulation and Improvements*

As part of the project, the applicants are proposing new access points (via a new replacement public alley from 84<sup>th</sup> Street) as required by the Bureau of Engineering, and improvements to an existing street (85<sup>th</sup> Street) and the widening of the existing alleyway (from 15 feet to 24 feet) to Manchester Avenue for the ground level parking, loading areas and the parking structure. The new driveways, the replacement alley and widened alleyways will be paved with colored concrete and landscaped. The driveways traverse existing private property, existing public right-of-way and vacated alleys and streets. The new access points are necessary to provide circulation to the development. Site access and circulation would be further refined during the Building Permit Plan Review process. The applicant will coordinate all required improvements with the Department of Transportation and Bureau of Engineering.

#### *Traffic*

The Certified EIR approved by the Community Redevelopment Agency (CRA/LA) in 2008 analyzed two commercial development alternatives: a 72,000 square-foot development (Alternative 1) and a 104,000-square-foot development (Alternative 2). Subsequently, Crain and Associates prepared a draft traffic study in January 2014 that contemplated two additional development scenarios: an approximately 129,000-square-foot identified as the "Moderate Commercial Alternative" and a 191,000-square-foot identified as the "Maximum Commercial Alternative" on the project site. The Department of Transportation approved the previous traffic study included in the 2008 Certified EIR. In a letter dated February 10, 2014, the Department of Transportation concluded that the Moderate Commercial proposal would significantly impact one of the sixteen intersections selected and the Maximum Commercial proposal would significantly impact two of the study intersections. The Revised Project (127,000 square-feet), is most similar in square footage to the Moderate Commercial Alternative and most similar in project site access to the Maximum Commercial Alternative.

The main vehicular driveway is located off of 84<sup>th</sup> Street at the project's northern frontage. The two-way driveway is shown to provide a minimum of one lane per direction and leads to the parking structure. Access to the parking structure is also provided from 85<sup>th</sup> Street and an improved public alleyway from Manchester Avenue. The driveway from Manchester Avenue is restricted to right-turn in and right-turn out movements. Access from southbound Vermont Avenue to 84<sup>th</sup> Street is current restricted due to an existing raised medium. Vehicular traffic

traveling south along Vermont Avenue will have to make a “u-turn” at Manchester Avenue to access the site from 84<sup>th</sup> Street.

As part of their approval, the Department of Transportation is requiring various improvements including the dedication of land along Vermont Avenue and Manchester Avenue to complete street designations. Additionally, DOT recommends that the applicant implement traffic signal enhancements and install a closed-circuit television (CCTV) camera and any necessary interconnect at the intersection of Figueroa and Manchester Avenue, and at the intersection of Broadway and Manchester Avenue.

Furthermore, the developer is required to dedicate a) sufficient area as public street at the new terminus of 85th Street to provide for a standard cul-de-sac; b) Dedicate 2 feet as public street along the northerly side of Manchester Avenue to complete a standard 52-foot wide half right-of-way as designated for a Major Highway Class II. If dual left-turn lanes are required by the Los Angeles Department of Transportation (LADOT), dedicate 7 feet as public street along Manchester Avenue from Vermont Avenue to 150 feet easterly and a Standard Flare Section from that point easterly as applicable. c) dedicate 20 feet as a public alley to provide for a replacement alley between 84th Street and the alley southerly of 84th Street; d) dedicate 3 feet as public alley along the westerly side of the alley easterly of Vermont Avenue between 85th Street and Manchester Avenue to complete a standard 15-foot wide half alley right-of-way.

### **Parking Location**

According to the applicant, placing the parking structure under the development, in lieu of an above ground parking structure was considered. However, because of cost considerations due to the replacement of existing infrastructure and construction cost, the applicant decided to place parking in an above-grade structure to the rear of the project site.

### **CONCLUSION**

The South Los Angeles community has a mix of neighborhood commercial uses that front along Vermont Avenue and Manchester Avenue. The subject site is primarily vacant and underutilized. As previously discussed, the proposed project is the latest iteration of a development that was environmentally approved in 2008, but was never pursued. The proposed 127,000 square-foot commercial development will bring a substantial economic project to an area of the City that has seen minimal investments in the past. The development will bring a vibrant development that is designed for and will be marketed towards neighborhood and community commercial uses. Furthermore, the Project will also provide a shopping and gather place for local residents and surrounding institutions.

The Project will also bring a new design standard to the area and enhance the pedestrian environment. The design and siting of the project focuses commercial uses along Vermont Avenue and Manchester Avenue in addition to providing commercial uses situated around a central courtyard. The project provides architectural features including gateway towers (with spires) that compliment the intent of the project as a gateway to and anchor development for the local community.

Based on the information submitted, the surrounding uses, input from the public hearing, and the proposed project's compliance with the South Los Angeles Community Plan and the Municipal Code, the Department of City Planning recommends that the City Planning Commission approve the requested General Plan Amendment, Zone Change and Site Plan Review. The proposed project would replace an underdeveloped and largely vacant area near the intersection of two major boulevards in the City with a new substantial development that will serve and be accessible from the local neighborhoods and the community at large.

### [Q] QUALIFIED CONDITIONS OF APPROVAL

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

1. **Use.** The use of the subject property shall be limited to the uses as permitted in the C2-1 Zone as defined in LAMC Section 12.14, except as modified by the conditions herein or subsequent action.
2. **Floor Area.** The total Floor Area Ratio (F.A.R) of the development shall not exceed 2:1 for commercial/residential mixed-use developments and 1.5:1 for commercial developments.
3. **Design.** Commercial developments and commercial/residential mixed use developments conform to the Vermont/Manchester Redevelopment design guidelines and the South Los Angeles Community Plan design guidelines.
4. **Height.** The height buildings shall comply with the C2-1 Zone.
5. **Parking.** The project shall provide parking in compliance with the L.A.M.C. Section 12.21-A 4.
6. **Bicycle Parking.** On-site bicycle parking shall be provided in compliance with LAMC Section 12.21-A,16.

### Administrative Conditions

7. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc, as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
8. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.
9. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
10. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
11. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the

agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.

12. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
13. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
14. **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 relating to or 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.
15. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

## **CONDITIONS FOR EFFECTUATING [T] TENTATIVE CLASSIFICATION REMOVAL**

Pursuant to Section 12.32-G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the permanent "T" Tentative Classification, and shall be cleared prior to the issuance of building permits by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

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

### Responsibilities/Guarantees.

1. Bureau of Engineering. Prior to the issuance of sign-offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to the project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.
  - a. **Street Dedication.**
    - (1) Dedicate sufficient area as public street at the new terminus of 85<sup>th</sup> Street to provide for a standard cul-de-sac.
    - (2) Dedicate two (2) feet as public street along the northerly side of Manchester Avenue to complete a standard 52-foot wide half right-of-way as designated for a Major Highway Class II. If dual left-turn lanes are required by the Los Angeles Department of Transportation (LADOT), dedicate 7 feet as public street along Manchester Avenue from Vermont Avenue to 150 feet easterly and a Standard Flare Section from that point easterly as applicable.
    - (3) Dedicate 20 feet as a public alley to provide for a replacement alley between 84th Street and the alley southerly of 84th Street.
    - (4) Dedicate three (3) feet as public alley along the westerly side of the alley easterly of Vermont Avenue between 85th Street and Manchester Avenue to complete a standard 10-foot wide half alley right-of-way.
  - b. **Street Improvement.**
    - (1) Construct a standard cul-de-sac at the new terminus of 85th Street with handicap access ramps.
    - (2) Construct a new 20-foot wide replacement alley with 2-foot wide longitudinal concrete gutter along the center, between 84th Street and the alley southerly of 84th Street.

- (3) Fill in the dedicated area with asphalt concrete pavement along the alley easterly of Vermont Avenue between 85th Street and Manchester Avenue.
- (4) If LADOT requires dual left-turn lanes at the intersection of Manchester Avenue with Vermont Avenue, construct a 45-foot wide half roadway, integral curb and gutter, and 12-foot wide sidewalk along Manchester Avenue from Vermont Avenue to 150 feet easterly thereof, and then a Standard Flare Section from that point easterly, with proper transition to the existing improvements adjoining to the east. If no dual left-turn lanes are required at the intersection, construct a 40-foot wide half roadway, integral curb and gutter, and a 12-foot wide sidewalk.
- (5) Construct a 45-foot wide half roadway, integral curb and gutter, and a 12-foot wide sidewalk along Vermont Avenue from Manchester Avenue to 150 feet northerly thereof, and a Standard Flare Section from that point to 300 feet north of Manchester Avenue. From 300 feet north of Manchester Avenue to 84th Street, construct a 40-foot wide half roadway, integral curb and gutter and 12-foot wide sidewalk.

c. Additional Information

- (1) That any fee deficit under Work Order E 140 1197 be paid.
- (2) That a suitable map, approved by the Central District Engineering office, delineating the limits, including bearings and distances, of the areas to be vacated be submitted to the Land Development Group prior to the preparation of the Resolution to Vacate.
- (3) That a suitable legal description describing the areas being vacated and all easements to be reserved, including copies of all necessary supporting documentation, be submitted to the Land Development Group of the Bureau of Engineering prior to preparation of the Resolution to Vacate.
- (4) That a title report indicating the vestee of the underlying fee title interest in the areas to be vacated be submitted to the City Engineer
- (5) That the petitioner comply with the project conditions of the Los Angeles Department of Transportation letter dated April 24, 2008, DOT Case No. CEN 06-3197 to the satisfaction of the Department of Transportation and the Bureau of Engineering.
- (6) That arrangements be made with all utilities agencies maintaining facilities in the area including but not limited to the Department of Water and Power, AT & T, Southern California Gas Company and Time Warner Cable for the removal of affected facilities or the providing of easements or rights for the protection of affected facilities to remain in place.
- (7) That satisfactory arrangements be made with the City Engineer for the relocation or abandonment of the existing sewer located within the areas to be vacated, unless easements are reserved from the vacation for its protection.

- (8) That all drainage matters be addressed to the satisfaction of the City Engineer.
- (9) That consent to the vacation be secured from the owners of Lot 37, Lot 80 and Lot 81 Arb 1 of Sunny Side Park.
- (10) That upon the reviews of the title report identifying the underlying fee title interest of the vacation areas, agreements be recorded satisfactory to the Bureau of Engineering to hold each parcel of land under one ownership and its adjoining portion of the area to be vacated, as one parcel to preclude the creation of landlocked parcels. This is to remain effective until such time as a new subdivision map is recorded over said areas, a parcel map exemption is permitted or until released by the authority of the City of Los Angeles.
- (11) That plot plans be submitted to the Fire Department for their review and approval. Additional conditions may be imposed with plot plan review.
- (12) That street lighting facilities be installed as required by the Bureau of Street Lighting.
- (13) That street trees be planted and tree wells to be installed as may be required by the Urban Forestry Division of the Bureau of Street Services.

Notice: Prior to issuance of a clearance letter by the Bureau of Engineering, all engineering fees pertaining to Ordinance No. 176,077 adopted by the City Council, must be paid in full at the Development Services Division office.

Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.

2. Department of Water and Power. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP'S Water System Rules. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering.
3. Department of Building and Safety, Grading Division. Suitable arrangements shall be made to assure compliance, satisfactory to the Department of Building and Safety, Grading Division.
4. Department of Transportation.
  - a. Intersection Improvements
    - (1) To mitigate the impact at Figueroa Street and Manchester Avenue, DOT recommends that the applicant implement traffic signal enhancements. To afford DOT with the ability to monitor the ability to monitor vehicles and buses, and to respond instantly through signal timing changes to incidents that cause excessive delays, the applicant should install a closed-circuit television (CCTV) camera and any necessary interconnected at the intersection of Figueroa and Manchester Avenue, and at the intersection of

Broadway and Manchester Avenue. The CCTV camera should be designed and installed through the B-permit process of the Bureau of Engineering.

b Construction:

- (1) DOT recommends that a construction work site traffic control plan be submitted to DOT for review and approval prior to the start of any construction work. The plan should show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. DOT also recommends that all construction related traffic be restricted to off-peak hours.

c. Highway Dedication and Street Widening Requirements

- (1) As part of the South Los Angeles Community Plan update process, the Department of City Planning and DOT evaluated the current street designations within the community plan area to development revised street standards that provide an enhanced balance between traffic flow and other important street functions including transit routes and stops, pedestrian environments, bicycle routes, building design and site access, etc. Although the South Los Angeles Community Plan Update has not yet been adopted, DOT recommends that the proposals in the plan be included in the highway dedication and widening requirements for the project.
- (2) The updated community plan recommends that Manchester Avenue be reclassified as a Modified Major Highway Class II which requires a 35-foot half-width roadway within a 50-foot right-of-way. The plan does not recommend re-designations for the other roadways along the project's frontage. Vermont Avenue is classified as a Scenic Major Highway Class II, 8<sup>th</sup> Street and 85<sup>th</sup> Street are classified as Local Streets. The applicant should check with BOE's Land Development Group to determine if there are any highway dedication, street widening and/or sidewalk requirements for this project.

d Driveway Access

- (1) The conceptual plans are acceptable to DOT; however, the review of this study does not constitute approval for the driveway dimensions and internal circulation scheme. Those require separate approval and should be coordinated with DOT's Citywide Planning Coordination Section. Prior to the commencement of building or parking layout design efforts, the applicant should contact DOT for driveway width and internal circulation requirements to that such traffic floor considerations are designed and incorporated early into the building and parking layout plans. Curb cuts should be Case driveways and 30 feet and 16 feet wide for two-way and one-way operations, respectively. All delivery truck loading and unloading will take place on site with no vehicles having to back inot the project via any of the project driveways.

e Development Review Fees

- (1) An ordinance adding Section 19.15 to the Los Angeles Municipal Code relatively to applications fees paid to the DOT for permit issuance activities

was adopted by the City Council in 2009. This ordinance identifies specific fees for traffic study review, condition clearance, and permit issuance. The applicant shall comply with any applicable fees per this ordinance.

5. Fire Department.
  - a. During demolition, the Fire Department access will remain clear and unobstructed.
  - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
  - c. 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.
  - d. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
  - e. Site plans shall include all overhead utility lines adjacent to the site.
  - f. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
6. Bureau of Street Lighting. If new street light(s) are required, then prior to the 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.
7. Bureau of Sanitation. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering.
8. Information Technology Agency. That 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, 12<sup>th</sup> Floor, Los Angeles, CA 90012, (213) 978-0856.
9. Bureau of Street Services, Urban Forestry Division. Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by Urban Forestry Division of the Bureau of Street Services. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree

planting, the applicant or contractor shall notify the Urban Forestry Division (213) 847-3077 upon completion of construction to expedite tree planting.

10. Covenant. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs, or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.

## CONDITIONS OF APPROVAL

### A. Entitlement Conditions

1. **Site Plan.** The use and development of the property shall be in substantial conformance with the Site Plans, Floor Plans, and Building Elevations dated November 20, 2014 attached to the case file and labeled Exhibit A. Deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
2. **Floor Area.** The total floor area of the development shall be limited to no more than 127,000 square feet.
3. **Access.** All vehicular access to the site shall be taken off of Manchester Avenue, 84<sup>th</sup> Street or 85<sup>th</sup> Street. No vehicular access shall be permitted from Vermont Avenue.
4. **Noise Impacts.** As required by the L.A.M.C. appropriate noise insulation in the design of the residential and childcare facility building shall be required to reduce the exterior noise level to 45 dBA CNEL within the interior of the buildings, to minimize noise impacts from the adjacent railway.
5. **Height.**
  - a. The height of the proposed development shall not exceed the C2-1 Zone.
  - b. Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting properties.
6. **Solid Waste.** The developer shall institute a recycling program to the satisfaction of the Planning Department to reduce the volume of solid waste going to landfills. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be picked up no less than once a week as a part of the project's regular trash pick-up program.
7. **Posting of Construction Activities.** The adjacent residents shall be given regular notification of major construction activities and their duration. A visible and readable sign (at a distance of 50 feet) shall be posted on the construction site identifying a telephone number for inquiring about the construction process and to register complaints.
8. **Construction-related Parking.** Off-street parking shall be provided for all construction-related parking generated by employees of the proposed project. No employees or subcontractor shall be allowed to park on the surrounding residential streets for the duration of all construction activities. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any residential street in the immediate area. All construction vehicles shall be stored on site unless returned to their owner's base of operations.
9. **Truck Traffic Restricted Hours.** Truck traffic directed to the project site for the purpose of delivering construction materials or construction-machinery shall be limited to the hours beginning at 7:00AM and ending at 3:00PM, Monday through Friday. No truck deliveries for construction shall occur outside of that time period. No construction truck

staging related to such deliveries to the project site shall occur off site or onto local residential streets.

- 10. Maintenance.** The subject property (including any trash storage areas, associated parking facilities, sidewalks, driveways, yard areas, parkways, and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.
- 11. Dust Walls.** Temporary dust walls (e.g., Visqueen plastic screening or other suitable product) not less than 8 feet in height shall be installed and maintained along the property line as necessary to preclude dust dispersion from the project site to adjacent properties. The walls shall be in place during any time period when grading is being conducted within 100 feet of any occupied residence or the school on said adjoining lots.
- 12. Public Easement.** Encroachments into the public easement shall be to the satisfaction of Department Bureau of Engineering.
- 13. Bureau of Engineering.** Prior to the issuance of building permit, the applicant shall pay a fee in accordance to Ordinance No. 182,237, adopted by the City Council requiring the City Engineer to collect a fee for the investigation of highway dedication and improvements requirements, as well as for the processing of a report to the City Planning Department. The total amount owed for this application (including a 2% and 7% surcharge) is \$7,630.00 payable to the City of Los Angeles. Further processing of this case will continue upon receipt of payment and failure to pay may delay clearance of engineering conditions required for this project. The fee may be paid in person or by mail at: Land Development Group, Attn: Public Counter, 201 N. Figueroa Street, Suite 200, Los Angeles, CA 90012. Prior to the issuance of a building permit, all other improvements and/or dedication(s) shall be guaranteed.
- 14. Department of Transportation.** The project shall comply with the project requirements as detailed in the Department of Transportation letter to the Planning Department dated February 10, 2014. (DOT Case No. CEN 13-41029).
- 15. Standard Urban Stormwater Mitigation Plan.** Prescriptive Methods detailing BMPs specific to this project category are available. Applicants shall comply with the City's Low Impact Development Ordinance or with Best Management Practices of the City's Standard Urban Stormwater Mitigation Plan to the approval of the Department of Public Works. Applicants are encouraged to incorporate the prescriptive methods into the design plans. These Prescriptive Methods can be obtained at the Public Counter or downloaded from the City's website at: [www.lastormwater.org](http://www.lastormwater.org).

## B. Environmental Conditions

### **AESTHETICS**

1. A landscape plan shall be prepared. The landscape plan shall include vertical landscaping (trees and vines) that are able to mature to a height of 45 feet or are currently 45 feet in height within the approximately 15-foot eastern and southern setback areas bordering the proposed parking structure to ensure that adjacent single- and multi-family residences are not affected by the potential perceived visual intrusion of the parking structure into the residential area.

2. All lighting fixtures shall be directed towards the ground or otherwise away from the line-of-sight of adjacent roadways and residences and equipped with shield hoods to reduce potential spillover lighting impacts onto adjacent residences to the north and east. Bollard lighting on the roof deck of the proposed parking structure and parapet and window openings shall be of sufficient height to block car headlights.
3. Overnight on-site exterior lighting shall be minimized to a level that is necessary for effective security. Lighting shall comply with all applicable City of Los Angeles Municipal Code lighting regulations, including, but not limited to: Lights used to illuminate a parking area shall be designed, located, and arranged so as to reflect the light away from streets and adjacent uses; and no exterior light source may direct more than two foot candles of lighting intensity or generate direct glare into exterior glazed windows or glass doors, elevated habitable porch, deck, or balcony, or any other surface intended for uses such as recreation, barbecue, or lawn area or any other property containing a residential unit.
4. Non-reflective windows and exterior wall materials shall be used on all new commercial and parking structure to eliminate any potential light and glare impacts. The determination of exterior building materials to be installed shall be coordinated with the City of Los Angeles to ensure that glare impacts would not occur.
5. To minimize spillover lighting impacts on adjacent residences, the design shall include a provision for the parking structure that would provide for solid walls without openings on the north and east sides of the parking structure. The western and southern side of the parking structure shall have openings for ventilation.
6. A minimum five-foot wide landscape buffer shall be planted adjacent to the residential use.
7. The parking stalls and driveways of the parking structure that are exposed to the sky shall be finished with either a light-colored surface material such as concrete, and/or a minimum of 80 percent of the total area of the stalls shall be shaded by vine-covered pergola, canopy, or trellis. Solar panels and their related support structures may be utilized to provide required shading.
8. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley, pursuant to Municipal Code Section 91.8104.15.
9. On-site signs shall be limited to the maximum allowable under the Municipal Code. Multiple temporary signs in store windows and along building walls are not permitted.
10. The applicant shall affix or paint a plainly visible sign, on publically accessible portions of the construction barriers, with the following language: "POST NO BILLS". Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier. The applicant shall be

responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.

#### **AIR QUALITY**

1. Water shall be applied to exposed surfaces by the contractor at least three times daily to prevent generation of dust plumes.
2. Track-out shall not extend 25 feet or more from the Project site, and the contractor shall be responsible for removing track-out at the conclusion of each workday.
3. A wheel washing system shall be installed by the contractor prior to the demolition phase and used to remove bulk material from tires and vehicle undercarriages before vehicles exit the Project site.
4. All haul trucks hauling soil, sand, and other loose materials to and from the Project site shall maintain at least six inches of freeboard in accordance with California Vehicle Code Section 23114.
5. All haul trucks hauling soil, sand, and other loose materials to and from the Project site shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).
6. Traffic speeds on unpaved roads on the Project site shall be limited to 15 miles per hour.
7. Operations on unpaved surfaces on the Project site shall be suspended when winds exceed 25 miles per hour.
8. Heavy-equipment operations on the Project site shall be suspended during first and second stage smog alerts.
9. The contractor shall ensure that on-site stock piles of debris, dirt, or rusty materials are covered or watered at least twice per hour.
10. The construction contractor shall utilize super-compliant architectural coatings as defined by the SCAQMD (VOC standard of less than ten grams per liter). While mitigation is not required to reduce impacts related to TAC emissions to a less-than-significant level, implementation of Mitigation Measures AQ12 and AQ13 would reduce TAC emissions to the greatest extent feasible at sensitive land uses during construction.
11. The Project Applicant shall require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export). If 2010 model year or newer diesel trucks cannot be obtained, the construction contractor shall use trucks that meet United States Environmental Protection Agency 2007 model year nitrogen oxide emissions requirements.
12. The Project Applicant shall require all on-site construction equipment to meet United States Environmental Protection Agency Tier 3 or higher emissions standards according to the following:

Project start to December 31, 2014: All offroad diesel-powered construction equipment greater than 50 horsepower shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with Best Available Control Technology devices Certified by the California Air Resources Board. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by California Air Resources Board regulations.

Post-January 1, 2015: All offroad diesel-powered construction equipment greater than 50 horsepower shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with Best Available Control Technology devices Certified by California Air Resources Board. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 4 diesel emissions control strategy for a similarly sized engine as defined by California Air Resources Board regulations.

13. A sign shall be posted at truck loading areas prohibiting truck idling for more than five minutes. The site manager shall be responsible for enforcing this restriction.
14. Loading docks shall be equipped with electrical outlets capable of hosting refrigerated trucks.
15. Air Pollution, Stationary. An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 11, to the satisfaction of the Department of Building and Safety.
16. Objectionable Odors, Commercial Trash Receptacles. Open trash receptacles shall be located a minimum of 50 feet from the property line of any residential zone or use. Trash receptacles located within an enclosed building or structure shall not be required to observe this minimum buffer.
17. Green House Gas Emissions. Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.

## **CULTURAL RESOURCES**

1. A qualified archaeologist shall be retained to monitor the rough grading and foundation excavation of the Project site. In the event that archaeological resources and/or human remains are encountered, all earth-moving activities shall cease until the archeological resources are properly assessed and an appropriate treatment plan is determined by a qualified archaeologist. If human remains are discovered, no disposition of such human remains shall occur other than in accordance with the procedures and requirements set forth in California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98. The County Coroner and the Native American Heritage Commission shall be notified, who in turn must notify those persons believed to be the most likely descended from the deceased Native American for appropriate disposition of the remains. Earth-moving activities may continue in other areas of the Project site that are not reasonably suspected to contain other remains or archaeological resources. Should archaeological or human remains be

discovered, the disposition of those remains shall be documented in an archaeological survey, study, or report to be submitted to the South Central Coastal Information Center at California State University, Fullerton.

2. A qualified paleontologist shall be retained to monitor the rough grading and foundation excavation of the Project site. In the event that paleontological resources are encountered during grading or excavation, all earth-moving activities shall cease until the paleontological resources are properly assessed and an appropriate treatment plan is determined by a qualified paleontologist.

## **GEOLOGY AND SOILS**

1. A site-specific geotechnical report shall be prepared and all recommendations that are provided in the geotechnical report shall be applied to the Project site.
2. Best Management Practices (BMPs) shall be implemented for the proposed Project alternatives to help reduce soil erosion due to grading and excavation activities. BMPs include, but are not limited to, scheduling excavation and grading activities during dry weather and covering stockpiles of excavated soils with tarps or plastic sheeting, and debris traps on drains.
3. Seismic. The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
4. Grading (20,000 Cubic Yards, or 60,000 Square Feet of Surface Area or Greater). The following Best Management Practices shall be applied during grading activities associated with the project:

A deputy grading inspector shall be on-site during grading operations, at the owner's expense, to verify compliance with these conditions. The deputy inspector shall report weekly to the Department of Building and Safety (LADBS); however, they shall immediately notify LADBS if any conditions are violated.

"Silt fencing" supported by hay bales and/or sand bags shall be installed based upon the final evaluation and approval of the deputy inspector to minimize water and/or soil from going through the chain link fencing potentially resulting in silt washing off-site and creating mud accumulation impacts.

"Orange fencing" shall not be permitted as a protective barrier from the secondary impacts normally associated with grading activities.

Movement and removal of approved fencing shall not occur without prior approval by LADBS.

## **HAZARDS AND HAZARDOUS MATERIALS**

1. Prior to issuance of demolition permits, an asbestos survey shall be conducted on the basement of the Project site. If ACMs are detected, these materials shall be removed in accordance with all applicable federal, State, and local regulations, including SCAQMD Rule 1403.
2. ACMs shall be removed by a licensed abatement contractor in accordance with all federal, State, and local regulations prior to demolition.

**3. Explosion/Release (Existing Toxic/Hazardous Construction Materials).**

(Asbestos) Prior to the issuance of any permit for the demolition or alteration of the existing structure(s), the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations.

(Lead Paint) Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.

(Polychlorinated Biphenyl – Commercial and Industrial Buildings) Prior to issuance of a demolition permit, a polychlorinated biphenyl (PCB) abatement contractor shall conduct a survey of the project site to identify and assist with compliance with applicable state and federal rules and regulation governing PCB removal and disposal.

**4. Human Health Hazard (Vector Control).**

The property shall be maintained in a neat, attractive, and safe condition at all times.

On-site activities shall be conducted so as not to create noise, dust, odor, or other nuisances to surrounding properties. Garbage bins shall be maintained with a lid in working condition; such lid shall be kept closed at all times.

Trash and garbage collection bins shall be maintained in good condition and repair such that there are no holes or points of entry through which a rodent could enter.

Trash and garbage collection containers shall be emptied a minimum of once per week.

Trash and garbage bin collection areas shall be maintained free from trash, litter, garbage, and debris.

- 5. Emergency Evacuation Plan.** Prior to the issuance of a building permit, the applicant shall develop an emergency response plan in consultation with the Fire Department. The emergency response plan shall include but not be limited to the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments.

## **HYDROLOGY AND WATER QUALITY**

- 1.** Construction and operations of the proposed Project would be required to comply with applicable federal, State, and local regulations, as well as code requirements and permit provisions to prevent violation of water quality standards or waste discharge requirements. Such regulations include the City of Los Angeles Municipal Code (Chapter IX, Division 70), the City of Los Angeles Low Impact Development Ordinance, the National Pollutant Discharge Elimination

System (NPDES) stormwater regulations, implementation of the Stormwater Pollution Prevention Plan (SWPPP), and implementation of the Standard Urban Stormwater Mitigation Plan (SUSMP). Additionally, best management practices (BMPs), consistent with the City of Los Angeles Development Best Management Practices Handbook, shall be developed prior to construction activities and shall be implemented during construction activities to prevent the discharge of pollutants from construction sites to receiving bodies of water

**2. Stormwater Pollution (Demolition, Grading, and Construction Activities).**

Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.

Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.

All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.

Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.

Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.

## **LAND USE AND PLANNING**

1. The existing commercial uses on the Project site shall be provided the opportunity to relocate their businesses in the new proposed commercial development on the Project site.

## **NOISE AND VIBRATION**

1. All construction equipment shall be equipped with mufflers and other suitable noise attenuation devices.
2. Acoustical noise barriers (e.g., acoustical blankets), shall be erected along the eastern boundary of the project site. The barrier shall be at least 15 feet high to block the line-of-site between the Youth Opportunities Unlimited (YOU) Alternative High School (HS) and equipment engines. The acoustic material shall be capable of reducing noise levels by at least 23 dBA.
3. Construction activities whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck and equipment staging) shall be conducted along the western portion of the Project site.
4. A "noise disturbance coordinator" shall be established. The disturbance coordinator shall be responsible for responding to local complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall be required to implement reasonable measures such that the complaint is resolved. All notices

that are sent to residential units within 500 feet of the construction site and all signs posted at the construction site shall list the telephone number for the disturbance coordinator.

5. A concrete or masonry wall shall be erected along the eastern portion of the Project site where surface parking or driveway is located within 25 feet of residential land uses or the Youth Opportunities Unlimited (YOU) Alternative High School (HS). The concrete or masonry wall shall be at least ten feet tall and shall break the line-of-sight between adjacent sensitive receptors and vehicles on the Project site.
6. A sign shall be posted at the surface parking areas to prohibit vehicle alarms from activating on the Project site.
7. The proposed five-level parking structure shall be designed such that the northern and eastern walls are solid and without openings.
8. Where loading docks would have a line-of-sight to adjacent sensitive receptors (i.e., the Youth Opportunities Unlimited (YOU) Alternative High School (HS) and Community Development Center and residential uses), the loading docks shall be partially enclosed, be depressed, or have wall along the east side of the loading docks to break the line-of-sight between the loading docks and all sensitive receptors. The distance between the loading docks and trash enclosures to the property line of adjacent sensitive receptors shall be 25 feet or more.
9. A sign shall be posted on the Project site to require that all delivery trucks turn off engines while docked.
10. Grading and construction contractors shall use quieter equipment as opposed to noisier equipment (such as rubber-tired equipment rather than track equipment).
11. Construction equipment shall be electric- and hydraulic-powered rather than diesel and pneumatic-powered, as feasible.
12. Haul routes shall be located on major arterial roads within non-residential areas. If not feasible, haul routes shall be reviewed and approved by LADOT before the haul route can be located on arterial roads in residential areas.
13. The proposed project shall comply with the City of Los Angeles Noise Ordinance such that construction activities shall be performed in accordance with the applicable City noise standards. The construction contract shall specify that noise intensive construction or repair work shall be prohibited between the hours of 9:00 p.m. and 7:00 a.m. the following day. In addition, no construction or repair work can be performed within 500 feet of sensitive land uses before 8:00 a.m. or after 6:00 p.m. on any Sunday or on a federal holiday, or at any time on any Sunday.
14. Prior to initiating construction activity, the construction contractor shall coordinate with the site administrator for the Youth Opportunities Unlimited (YOU) Alternative High School (HS) to discuss construction activities that generate high noise levels. Coordination between the site administrator and the construction contractor shall continue on an as-needed basis throughout the construction phase of the project to mitigate potential disruption of classroom activities.

15. Earth-moving and ground-impacting activities shall not occur simultaneously, as feasible.
16. Drilled piles or a sonic or vibratory pile driver shall be used instead of an impact pile driver, if necessary.
17. Non-impact demolition methods shall be utilized, as feasible.
18. Vibratory rollers and packers shall avoid sensitive land uses, as feasible.
19. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

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.

Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.

The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

20. A 6-foot-high solid decorative masonry wall adjacent to residential use and/or zones shall be constructed if no such wall exists.
21. Concrete, not metal, shall be used for construction of parking ramps. The interior ramps shall be textured to prevent tire squeal at turning areas. Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.
22. **Increased Noise Levels (Retail Markets, Bars, Entertainment etc...)**

No window openings shall be permitted along the residential sides of the building.

A 6-foot-high solid decorative masonry wall adjacent to the residential properties shall be constructed, if no such wall currently exists.

The proposed facility shall incorporate noise-attenuating features (physical as well as operational) designed by a licensed acoustical sound engineer to assure that operational sounds shall be inaudible beyond the property line.

23. **Increased Noise Levels (Speaker Boxes/Ordering Systems)**

Noise from the speaker box shall be inaudible beyond the property line.

A bus-stop like shelter shall be constructed along the driveway line, approximately 20-feet in length to act as a barrier to sound from the outside ordering system drifting into the nearby residential areas. The design of the shelter shall be to the satisfaction of the decision maker.

## PUBLIC SERVICES

1. The applicant shall provide proposed Project plans to LAFD personnel for their review to determine if adequate fire protection is provided. Any additional off-site public and on-site private fire hydrants that would be required by LAFD (including the number and location of the fire hydrants), improvements to the water systems and roadways, and distances between buildings and roadways shall be determined by LAFD. Other fire protection features, such as sprinkler systems, shall also be provided. Fire hydrants that would be installed shall be fully operational and shall be approved by LAFD prior to any building construction. Any other fire protection features identified or required by LAFD shall be incorporated into the proposed Project's final design and to the satisfaction of LAFD prior to issuance of a Certificate of Occupancy for the proposed Project.

The Los Angeles Police Department indicated that without mitigation the Original Project could significantly impact police services. However, with implementation of the following mitigation measures, the Certified EIR concluded that impacts would be reduced to a less-than-significant level.

2. The contractor shall install barriers, such as fencing, on the perimeter of the Project site and shall provide security patrol to prevent trespassing and vandalism during construction of the proposed Project.
3. The applicant shall provide proposed Project plans to the LAPD Crime Prevention Unit personnel regarding any additional crime prevention and security features, such as security lighting, that are appropriate for the design of the property of the proposed Project. Any additional design features identified by the LAPD Crime Prevention Unit shall be incorporated into the proposed Project's final design and to the satisfaction of the LAPD, prior to issuance of a Certificate of Occupancy for the proposed Project.
4. Upon completion of the proposed Project, the applicant shall provide the 77<sup>th</sup> Area Commanding Officer with a diagram of each portion of the property including access routes and any additional information that would facilitate police response, as requested by the LAPD.

5. **Street Improvements Not Required By DOT.**

The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.

6. **Construction Damage Bond**

A cash bond or security ("Bond") shall be posted in accordance with terms, specifications, and conditions to the satisfaction of the Bureau of Engineering and shall remain in full force and effect to guarantee that any damage incurred to the roadway adjacent to the property, which may result from any construction activity on the site, is properly repaired by the applicant.

Prior to the issuance of a Certificate of Occupancy, any damage incurred to the roadway adjacent to the property, which may result from any construction activity on the site, shall be properly repaired by the applicant to the satisfaction of the Bureau of Engineering. The applicant is hereby advised to obtain all necessary permits to facilitate this construction/repair.

**TRAFFIC AND TRANSPORTATION**

1. The designated truck routes for the Project site shall be Vermont Avenue and Manchester Avenue during construction. The primary entry point to the Project site shall be off of Vermont Avenue at 85th Street. Construction traffic shall not be permitted on 84th Street or 85th Street east of Vermont Avenue. Flag men shall be provided to control truck access to the Project site to minimize traffic delays and enhance safety.
2. During construction, general Project site access and egress shall be located on Vermont Avenue at 85th Street. No site access or egress points shall be located on Manchester Avenue or 84th Street.
3. The contractor shall install a construction fence around the site perimeter, complying with City requirements, before demolition begins. The contractor shall erect protective sidewalk canopies on Vermont Avenue and Manchester Avenue to enhance pedestrian safety along the construction site. A flag man shall be provided whenever trucks entering or leaving the Project site may impede the flow of pedestrian or automotive traffic.
4. The contractor shall provide construction worker parking either on a designated location on-site or in a nearby off-site lot, from which the construction workers could be shuttled to the Project site. If shuttling is necessary, the shuttle shall drop off the construction workers on the main entry on Vermont Avenue at 85th Street.
5. Prior to construction, the contractor shall coordinate with the Los Angeles Unified School District (LAUSD) Transportation Branch to ensure that construction activities and haul trucks would not interfere with school buses and pedestrians traveling to and from Bakewell Primary Center and Manchester Elementary School. Contractors shall maintain ongoing communications with the site administrators of the proximate schools, providing sufficient notice to forewarn children and parents when existing pedestrian and vehicular route to schools will be impacted.
6. In accordance with the California Vehicle Code, all construction vehicles shall stop when encountering school buses using red flashing lights.
7. The contractor shall maintain ongoing communication with the school administration at Bakewell Primary Center and Manchester Elementary School to ensure that the schools are aware of the types of construction activities that would potentially affect existing pedestrian and vehicle routes to school. The contractor shall coordinate with LAUSD to ensure that construction activities would not endanger passenger safety or delay student drop-off or pickup and to ensure that the LAUSD pedestrian routes are maintained and would be safe for students. If appropriate, the contractor shall provide traffic controls, such as signs and signals, and crossing guards to ensure pedestrian and vehicular safety.
8. The contractor shall coordinate with LAUSD to determine the appropriate time for haul trucks to travel past Bakewell Primary Center and Manchester Elementary School.

9. The contractor shall not stage or park construction-related vehicles, including worker-transport vehicles, adjacent to schools.
10. A closed-circuit television camera and necessary infrastructure shall be installed at the Manchester Avenue and Figueroa Street intersection and the Broadway and Manchester Avenue intersection to allow the Los Angeles Department of Transportation to remotely monitor traffic conditions and respond in real time with signal timing and modifications.
11. Transportation (Haul Route). The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety. If the project involves the import/export of 20,000 cubic yards or more of dirt, the applicant shall obtain haul route approval by the Department of Building and Safety.
12. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety. The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.
13. Inadequate Emergency Access. The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.

## UTILITIES AND SERVICE SYSTEMS

1. The new development shall institute a recycling program to reduce the volume of solid waste going to landfills in compliance with the City's current goal of a 62 percent reduction in the amount of waste going to landfills, with the 2020 goal of a 70 percent reduction of waste going to landfills. Additionally, recycling bins shall be provided at an appropriate location on-site to promote recycling.

### 2. **Local Water Supplies – Landscaping**

The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g, use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).

In addition to the requirements of the Landscape Ordinance, the landscape plan 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 landscape contouring to minimize precipitation runoff;

A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf. and greater.

**3. Local Water Supplies - All New Construction**

If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.

Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.

Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.

A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.

Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)

**4. Local Water Supplies - New Commercial or Industrial.** All restroom faucets shall be of a self-closing design.

**5. Local Water Supplies - Restaurant, Bar, or Nightclub.**

Install/retrofit high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.

Install/retrofit restroom faucets with a maximum flow rate of 1.5 gallons per minute.

Install/retrofit and utilize only restroom faucets of a self-closing design.

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.

Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)

## 6. **Solid Waste Recycling.**

(Operational) Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.

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

(Construction/Demolition) To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.

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

## C. Mitigation Monitoring

Pursuant to California State Public Resources Code Section 21081.6 and the California Environmental Quality Act, the applicant and any future owners, successors, heirs or assigns shall provide the Planning Department with status reports for assessing and ensuring the efficacy of the mitigation measures (environmental conditions) required herein.

- a. Within 30 days of the effective date of this land use entitlement and prior to any Planning Department clearance of the conditions of approval contained herein, the applicant shall file a Mitigation Monitoring and Reporting Program (MMRP) in a manner satisfactory to the Planning Department which defines specific reporting and/or monitoring requirements to be enforced during project implementation. Each environmental condition shall be identified as to the responsible mitigation monitor(s), the applicable enforcement agency, the applicable monitoring agency and applicable phase of project implementation as follows:
- i. Pre-construction (prior to issuance of a building permit);
  - ii. Construction (prior to certificate of occupancy); and
  - iii. Post-construction / maintenance (post-issuance of certificate of occupancy).

In some cases, a specific mitigation measure may require compliance monitoring during more than one phase of project implementation. Such measures shall be noted within the discussion of the specific mitigation measure in the MMRP.

- b. The applicant shall demonstrate compliance with each mitigation measure in a written report submitted to the Planning Department and the applicable enforcement agency prior to issuance of a building permit or certificate of occupancy, and, as applicable, provide periodic status reports to the Planning Department regarding compliance with post-construction / maintenance conditions.
- c. If the environmental conditions include post-construction / maintenance mitigation measures, the applicant and all future owners, successors, heirs or assigns shall be obligated to disclose these ongoing mitigation monitoring requirements to future buyers of the subject property.
- d. The applicant and any future owners, successors, heirs or assigns shall reimburse the Planning Department for its actual costs, reasonably and necessarily incurred, necessary to accomplish the required review of periodic status reports.

## FINDINGS

### A. General Plan/Charter Findings

1. **Framework Element.** The General Plan Framework is a guide for the City to implement growth and development policies by providing a comprehensive, long-range view of the City of Los Angeles as a whole. It allows for amendments to the community plans which further refine land use boundaries and categories to reflect local conditions, parcel characteristics, existing land uses, and public input. The General Plan Framework identifies the general Vermont Avenue/Manchester Avenue area as a "Community Center", where intensification or growth can be targeted, and as a focal point for surrounding residential neighborhoods. "Community Centers" generally contain a variety of community-serving uses, and the Framework endorses an integration and mix of uses in community centers to increase opportunities for employees to live near jobs and for residents to live near shopping and service areas. Community Centers are usually developed with floor area ratios ranging around 1.5:1 to 3.0:1, are characterized by 2- to 6-story buildings, and are generally served by small shuttles, local buses and may be located in proximity to rail transit stops.

In line with the standard characteristics of a Community Center, the existing area is characterized with commercial and institutional uses along Vermont and Manchester Avenues with residential neighborhoods to the rear of the commercial properties. The proposed development of the site would introduce a greater variety of commercial uses and activities for the area with an F.A.R. of less than .6:1.. The subject site is served by multiple rapid and local bus routes. Metro Rapid Bus 754 and Metro Local Bus 204 travel north/south along Vermont Avenue connecting the project site to the Vermont/Athens Metro Green Line station (approximately 1 ½ miles south) and the Vermont/Sunset Metro Red Line station in East Hollywood. Metro Local Bus 115 travels along Manchester Avenue connecting the site to Westchester on the west and the city of Downey to the east.

The attached conditions of the subsequent entitlements will ensure that the proposed General Plan Amendment will assist the City in achieving its goal of creating a more livable city as well as adhering to the development standards of the Framework Plan and the South Los Angeles Community Plans.

2. **General Plan Land Use Designation.** The adopted South Los Angeles Community Plan is intended to promote an arrangement of land uses, streets, and services which will encourage and contribute the economic, social and physical health, safety, welfare and convenience of the people who live and work in the community. With the approval of the recommended General Plan Amendment and Zone Change, the two adjoining eastern parcels of the proposed development will be designated for Community Commercial land use and zoned C2-1. The project site is currently zoned [Q]C2-1. The proposed commercial uses are consistent with the Community Commercial designation and permitted within its underlying zones.

The location of the proposed 127,000 square-foot shopping center project will be in harmony with several relevant provisions, goals, objectives and policies off the South Los Angeles Community Plan including the following:

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

Objective 2-1 - To conserve and strengthen viable commercial development.

Policy 2-1.1 - New commercial uses shall be located in existing, established commercial areas or existing shopping centers

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

Policy 2-1.3 - Commercial areas should be consolidated and deepened to stimulate existing businesses, create opportunities for new development and off-street parking, expand the variety of goods and services, and improve shopping convenience as well as offer local employment.

Policy 2-1.4 -Ensure the viability of existing neighborhood stores (i.e, mom-and pop) which support the needs of local residents and are compatible with the neighborhood.

Policy 2-1.5 - Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.

The development of a 127,000 square-foot commercial development will meet the above objectives and policies by providing new and modern commercial facilities at an appropriate density and location to meet the plan area's needs. The vacant and underutilized commercial properties are located on in the heart of the South Los Angeles community and the proposed development would create a new and vibrant development that will revitalize the site and surrounding area. The new shopping center development will strengthen the existing commercial corridor and economic base, concentrate and reduce trips to other areas for shopping needs. Additionally, the project has been conditioned to dedicate and improve the surrounding public right-of-ways, which will enhance the roadways, sidewalks, and street lighting along the site and provide for better connectivity within the designated pedestrian-oriented district.

The subject property is located within the South Los Angeles Alcohol Sales Specific Plan. However the sale and dispensing of alcohol beverages is not a part of this instant application.

The site is also located within the Vermont/Manchester Redevelopment Project Area and is in general conformance with the Redevelopment Plan and its stated Project Goal of creating "thriving commercial centers that provide access to goods, services, and employment opportunities". Additionally, the proposed development will eliminate a blighting influence to the immediate area, and provide an appropriately scaled development with a myriad of compatible uses that will be beneficial to an under-served neighborhood.

With approval of the recommended General Plan Amendment, Zone Change and Site Plan Review, the proposed project complies with all applicable provisions of the Los Angeles Municipal Code. The subject property will be located within the [Q]C2-1 Zone, which allows the commercial uses by right. Therefore, based on the entitlement findings in this case, the proposed project is consistent with numerous goals, policies and objectives of the Citywide General Plan Framework and the South Los Angeles Community Plan.

3. **The Transportation Element.** The Transportation Element of the General Plan will not be affected by the recommended action herein. Vermont Avenue is designated as a Major Class II Highway. Manchester Avenue is also designated as a Class II Highway. The Department of Transportation and Bureau of Engineering have conditioned the project to provide the appropriate dedications and improvements to promote adequate circulation around the project site.

The Department of Transportation has reviewed the traffic analysis Cain and Associates dated January 2014. In a memo dated February 10, DOT concurs that the project may have significant traffic impacts on one of the sixteen intersections studied, but is requiring various physical and operational improvements.

4. **Charter Findings** – City Charter Sections 556 and 558 (General Plan Amendment). The proposed General Plan Amendment complies with Sections 556 and 558 in that the plan amendment is consistent with numerous goals, policies and objectives of the Citywide General Plan Framework and the South Los Angeles Community Plan to provide adequate commercial development for the community and located those developments near major corridors while protecting existing residential neighborhoods from incompatible land uses.

The General Plan Amendment promotes an intensity and pattern of development that is consistent with the area's General Plan Framework designation and that enhances the neighborhood character; encourages the development of community-serving commercial uses near residential neighborhoods; reduces automobile trips to other areas; improves air quality; and enhances the pedestrian environment. The recommended General Plan Amendment to amend the land use for that portion designated Medium Residential to Community Commercial will further many of the City's land use policies and address the need for commercial development.

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

## **B. Entitlement Findings**

### **1. Zone Change L.A.M.C. Sec. 12.32-F**

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

The subject property is situated on several contiguous parcels within the South Los Angeles Community Plan. The majority of the parcels are zoned [Q]C2-1, however, the last easterly parcel along 84<sup>th</sup> Street and the three conjoined lots along 85<sup>th</sup> Street are currently zoned P-1 with a Community Commercial land use. Another lot also along 85<sup>th</sup> Street is zoned [Q]R4-1 with a Medium Residential land use designation. The

recommended corresponding general plan amendment would designate the site as Community Commercial land use with the corresponding zones of CR, C2, C4, RAS3 and RAS4. The zone change request to [Q]C2-1 Zone would be consistent with the proposed land use designation and is in substantial conformance with the purpose, intent and provisions of the General Plan as reflected in the adopted Community Plan. The existing zoning limits the commercial potential of the surface parking (P-1) or residential development (R4-1) and the requested zone change from from P-1 and [Q]R4-1 to [Q]C2-1 would facilitate the replacement of a marginal developed commercial area with a 127,000 square-foot commercial development.

Properties to the west of the site and under common ownership are currently zoned [Q]C2-1. The project is convenient in location to two major streets (Manchester Avenue and Vermont Avenue) and as an infill project will be have adequate access to existing City services and infrastructure.

Public Necessity. The granting of the proposed Zone Change would be in conformance with public necessity as the project would address the area's economic needs. The Zone Change would facilitate the construction of a 127,000 square-foot commercial development.

Convenience. The Zone Change would permit a 127,000 square-foot commercial development at the intersection of two major boulevards (Vermont Avenue and Manchester Avenue) the South Los Angeles community. The project will provide approximately 426 vehicular parking spaces and over 100 bicycle parking spaces. Additionally, numerous public transit options are available along Vermont Avenue and Manchester Boulevard being at the intersection of two major highways provide. The establishment of a commercial development at the intersection of two major transportation corridors epitomizes the "smart growth" urban planning principles embodied in the City's General Plan Framework as well as regional growth plans, by encouraging and facilitating the use of public transportation.

General Welfare. Granting the requested zone change would promote general welfare by an aesthetically appealing development project that would promote both public transportation and pedestrian activity and provide a new and vibrant commercial development within the South Los Angeles community. The proximity of the development to surrounding residential development and the Crenshaw Christian Center would bring more people onto the streets and provide new commercial opportunities for local businesses. In addition, the project is designed to front along Vermont Avenue and will encourage more pedestrian activity. Additionally, the project has been designed to be accessible to area residents located east of the project site. The project has also been designed for area residents to have access to on-site amenities during regular business hours, resulting in a community gathering place that further enhances pedestrian activity.

Good Zoning Practice. The location of the proposed commercial development at the intersection of Vermont Avenue and Manchester Boulevard supports good zoning principles. The Zone Change will facilitate the development of a highly needed commercial development that is near public transit and will also rezone properties from outdated zoning classifications which do not reflect the intended use of the properties. Furthermore, such zone change will be in good zoning practice by providing a harmonious density and land use activity for the vicinity.

Furthermore, approval of the proposed zone change for the proposed commercial retail development provides a public convenience and contribution to the general welfare of

the South Los Angeles neighborhood by promoting the compatibility of development standards within the Community Commercial designation (as specified in the South Los Angeles Community Plan) while also allowing development that provides a complimentary transition between commercial and residential uses that surround the property.

The action, as recommended, has been made contingent upon compliance with the "(Q)" and "(T)" conditions imposed herein. Such limitations are necessary to protect the best interests of and to assure developments and improvements more compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

**C. Site Plan Review, L.A.M.C. Sec. 16.05:** In order for the site plan review to be granted, all three of the legally mandated findings delineated in Section 16.05-F of the Los Angeles Municipal Code must be made in the affirmative:

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

The adopted South Los Angeles Community Plan is intended to promote an arrangement of land uses, streets, and services which will encourage and contribute the economic, social and physical health, safety, welfare and convenience of the people who live and work in the community. With the approval of the recommended General Plan Amendment and Zone Change, the adjoining eastern parcels of the proposed development will be designated for Community Commercial land use and zoned [Q]C2-1. The project site is currently zoned [Q]R4-1 and P-1 and is proposed to be rezoned [Q]C2-1. The proposed commercial uses are consistent with the Community Commercial designation and permitted within its underlying zones.

The location of the proposed 127,000 square-foot shopping center project will be in harmony with several relevant provisions, goals, objectives and policies of the South Los Angeles Community Plan including the following:

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

Objective 2-1 - To conserve and strengthen viable commercial development.

Policy 2-1.1 - New commercial uses shall be located in existing, established commercial areas or existing shopping centers

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

Policy 2-1.3 - Commercial areas should be consolidated and deepened to stimulate existing businesses, create opportunities for new development and off-street parking, expand the variety of goods and services, and improve shopping convenience as well as offer local employment.

Policy 2-1.4 - Ensure the viability of existing neighborhood stores (i.e. mom-and pop) which support the needs of local residents and are compatible with the neighborhood.

Policy 2-1.5 - Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.

The development of a 127,000 square-foot commercial development will meet the above objectives and policies by providing new and modern commercial facilities at an appropriate density and location to meet the plan area's needs. The vacant and underutilized commercial properties are located on in the heart of the South Los Angeles community and the proposed development would create a new and vibrant development that will revitalize the site and surrounding area. The new shopping center development will strengthen the existing commercial corridor and economic base, and concentrate and reduce trips to other areas for shopping needs. Additionally, the project has been conditioned to dedicate and improve the surrounding public right-of-ways, which will enhance the roadways, sidewalks, and street lighting along the site and provide for better connectivity within the designated pedestrian-oriented district.

The site is also located within the Vermont/Manchester Redevelopment Project Area and is in general conformance with the Redevelopment Plan and its stated Project Goal of creating "thriving commercial centers that provide access to goods, services, and employment opportunities". Additionally, the proposed development will eliminate a blight in the immediate area, and provide an appropriately scaled development with a myriad of compatible uses that will be beneficial to an under-served neighborhood.

With approval of the recommended General Plan Amendment, Zone Change and Site Plan Review, the proposed project complies with all applicable provisions of the Los Angeles Municipal Code. The subject property will be located within the [Q]C2-1 Zone, which allows the commercial uses by right. Therefore, based on the entitlement findings in this case, the proposed project is consistent with numerous goals, policies and objectives of the Citywide General Plan Framework and the South Los Angeles Community Plan.

- b. The project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that is or will be compatible with existing and future development on adjacent properties and neighboring properties.**

The proposed project involves the construction, use and maintenance of a proposed new two-story, approximately 127,000 square-foot retail shopping and entertainment center to include a central courtyard with public open space and a performance stage, and a five-story parking structure with 335 on-site parking spaces (including two subterranean levels) with ground-level retail space and access driveways from 84th and 85th Streets. The project encompasses several street and alley vacations including a 30.5-foot wide section along the east side of Vermont Avenue, and the alleys and a 182-foot long section of 85th Street east of Vermont Avenue. Proposed uses within the center would include retail, restaurants and a supermarket. The project site includes two full blocks on the east side of Vermont Avenue between 84th Street and Manchester Avenue, one additional lot to the east fronting 84th Street and four additional lots to the east fronting 85th Street, and is approximately 5.3 gross acres in area and is currently zoned [Q]C2-1, P-1 and [Q]R4-1.

The project site contains vacant, unpaved and paved land, four surface parking lots, a basement from a previous commercial building, and two one-story commercial/retail buildings. The majority of the project site is vacant.

The proposed building program consists of an array of two-story buildings centered on an expansive public space with structured parking to the rear of the site. The Central Courtyard and exterior spaces offer space for outdoor entertainment, sitting areas, fountains, and kiosks. The placement of the uses have been situated away from the residential properties to the east with a neo-traditional style development and commercial establishments directly fronting along Vermont Avenue and Manchester Avenue to promote an inviting street scene along both streets. The proposed building materials include a variety of textures, colors and patterns that tie back into the architectural form. The proposed project will be developed consistent with the design policies set forth in the South Los Angeles Community Plan, including the following components: (i) articulation of facades to provide variation and visual interest; (ii) use of building materials that accent or complement adjacent and nearby building facades; (iii) screening of mechanical, electrical and rooftop equipment from public view; and (iv) on-site lighting along pedestrian walkways and vehicular access way.

The height and bulk of the development will be compatible with the surrounding uses along Vermont Avenue. Many commercial buildings along Vermont Avenue are one and two-stories in height and front directly onto Vermont Avenue. The County of Los Angeles administration building, just north of the project site, consists of a four story office structure and five-story parking structure to the rear. The building features ground floor commercial uses along Vermont Avenue.

The proposed project includes approximately 127,000 square feet of commercial development. The development is centered on an interior courtyard, but the project has been design to provide active commercial uses along Vermont Avenue and Manchester Avenue. With the exception of the rear parking structure, the commercial buildings will be two and three-stories in height. The proposed project compliments the existing development pattern and as proposed with street facing commercial space will strengthen the street wall along Vermont Avenue.

The applicant is proposing 335 vehicular parking spaces while 254 parking spaces are required per L.A.M.C. Section 12.21A4(x)(3). The majority of the parking spaces will be located within a five-story above ground parking structure located to the rear of the project site. The remaining vehicular spaces will be comprised of surface parking located along the access points to the project. The Project proposes two loading areas. One loading area will be located adjacent to the proposed supermarket on the ground floor of the parking structure. The second loading area is located along the access road that leads from Manchester Avenue.

The project proposes various lighting sources for both pedestrians and vehicles including streetlights, interior building lighting and exterior security lighting. However, the proposed lighting has been conditioned to be shielded from adjoining residential uses.

The project proposes approximately 37,000 square feet of landscaped area. Landscaping includes a variety of shading evergreen trees, shrubs, flower trees, palm trees, and planters though the development. The landscaping will be concentrated on the central courtyard, and landscaping including trees will be provided between the project site and residential properties.

In keeping with the design guidelines set forth in the Community Plan and current practice, the Project will enclose all trash containers from view.

**c. Any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.**

The proposed project does not include any residential dwelling units.

**D. CEQA Findings**

On April 3, 2008, the City of Los Angeles certified Environmental Impact Report SCH 2007111051 (the "Certified EIR") for the development of the Vermont/Manchester Shopping Center. The Certified EIR analyzed two commercial development alternatives; a 72,000-square-foot (Alternative 1) development and a 104,000-square-foot (Alternative 2) development. Alternative 1 included a series of buildings up to two stories in height and a surface parking lot. Alternative 2 included a series of buildings up to three stories in height and a three-level parking structure. Both alternatives included ground floor retail and above ground floor offices or retail. The EIR concluded that neither of the two alternatives would result in significant and unavoidable impacts; however, the following impacts were determined to be less than significant with implementation of identified mitigation measures:

- Aesthetics (visual character and scale, light and glare)
- Geology and Soils (soil erosion)
- Hazards and Hazardous Materials (hazardous materials [asbestos])
- Noise and Vibration (construction and operational noise)
- Public Services (police protection)
- Traffic and Parking (intersection operations, residential street traffic [Alternative 2 only])

The Revised project is a 127,000 square-foot commercial development and is more similar to Alternative 2 with the significant difference being an increase of 22,000 square feet of commercial building area and the inclusion of a larger parking structure with subterranean levels. No new uses are proposed. The project would continue to consist entirely of commercial development. The number, height and footprint of buildings, as well vehicular access and internal circulation would also vary from Alternative 2. The revised project includes a series of buildings up to two stories in height, a reduction in height, and parking structure up to five stories in height and two subterranean levels, an increase in height, compared to development contemplated under Alternative 2. The parking structure would reach approximately 51 feet in height, and would contain 301 parking stalls and a supermarket on the ground floor. As the revised project continues to be an urban infill development and conditions at the project site and the surrounding area have remained substantially unchanged since the EIR was prepared, the environmental setting and impact analysis included in the EIR would be largely applicable to the revised project.

Although the revised project includes about 22,000 square feet of additional development compared to the original Alternative 2 and a subterranean component, based on demolition, excavation, grading, and construction activities required, the revised project is not anticipated to result in significant and unavoidable construction-related impacts associated with air quality, greenhouse gas (GHG) emissions, or noise with the implementation of mitigation measures identified in the EIR or new mitigation measures, if deemed necessary. Similarly, the revised project is not anticipated to create significant and unavoidable operational impacts associated with these same topics with the implementation of mitigation measures identified in the EIR or new mitigation measures. Accordingly, the revised project would not result in new significant environmental effects or

a substantial increase in the severity of previously identified significant effects with regard to air quality, GHG and noise.

Consistent with CEQA guidelines section 15164(a), an addendum may be prepared to previously certified EIR if some changes or additions are necessary, but none of the conditions described in CEQA Guideline section 15162 have occurred. Consistent with CEQA guidelines 15164(a), none of the conditions described in CEQA Guideline section 15162 requiring preparation of a Subsequent EIR have occurred, and only minor changes or additions to the prior EIR are necessary to properly analyze any potential impacts of the project.

In consideration of the information provided in this section, the Certified EIR's findings would be applicable to the Revised Project, and mitigation measures identified in the Certified EIR and in this document would mitigate the impacts of the Revised Project. Changes to the Original Project described in Section 2.1 Revised Project Description would fulfill none of the conditions outlined in CEQA Guidelines Sections 15162(a). As substantiated above, with implementation of the mitigation measures identified in this Addendum, the Revised Project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

#### Findings

The Lead Agency finds that the Addendum and supporting technical studies (collectively, the "Environmental Documents") were prepared in compliance with CEQA and the CEQA Guidelines. The Lead Agency finds that the Planning Department has independently reviewed, analyzed, and where appropriate modified, the Environmental Documents for the Modified Project and that the Environmental Documents reflect the City's independent judgment.

The Lead Agency finds and determines that the information contained in the Environmental Documents is adequate for matters related to the Revised Project, which is before the Lead Agency, and that the Lead Agency has reviewed and considered the information contained therein pursuant to the State CEQA Guidelines and the City CEQA Guidelines, along with other factors related to this matter.

The Lead Agency finds and determines that, based on the information set forth in the Environmental Documents with respect to the potentially significant impacts analyzed in the Certified EIR, the Modified Project will not create any new or result in any substantial increase in the severity of previously identified potentially significant impacts in any of the analyzed environmental impact categories and that no new mitigation measures are identified in the Environmental Documents that would modify the mitigation measures in the Certified EIR, which are incorporated into the Environmental Documents by reference.

The Lead Agency finds and determines that, pursuant to Section 15162(a)(3) of the State CEQA Guidelines, nothing in the Environmental Documents or with respect to the Modified Project contains or constitutes new information of substantial importance that was not known or could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified as complete.

The Lead Agency finds and determines that no additional environmental impacts other than those identified in the Certified EIR will have a significant effect or result in a substantial or potentially substantial adverse effect on the environment as a result of the Revised Project.

The Lead Agency finds and determines pursuant to CEQA Guidelines Section 15091(a)(1) that changes and alterations have been required by the City and incorporated into the Revised Project which avoid or substantially lessen the significant environmental effects as identified in the Certified EIR and the Environmental Documents.

The Lead Agency finds and declares that substantial evidence for each and every finding made herein is contained in the Certified EIR, Environmental Documents, the administrative record, staff reports, and information provided by the applicant and its representatives, each and all of which are incorporated herein by this reference. Moreover, the Lead Agency finds and declares that where more than one reason exists for any finding, each reason independently supports such finding, and that any reason in support of a given finding individually constitutes a sufficient basis for that finding.

#### MMRP

The Mitigation Monitoring and Reporting Program ("MMRP") includes all of the mitigation measures identified in the Certified EIR and Addendum and has been designed to ensure compliance with such measures during implementation of the Revised 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 Lead Agency hereby adopts the MMRP and finds that the environmental impacts of the Modified Project have been mitigated to the extent feasible by the mitigation measures identified in the MMRP, incorporated by reference and located in the administrative file, and finds that the Revised Project meets the mitigation monitoring program requirements of Section 21081.6 of the Public Resources Code. The MMRP includes an additional air quality mitigation measure that reflects current regulatory requirements and best practices (see Environmental Conditions Section C under Conditions of Approval)

Each of the mitigation measures referenced in the MMRP shall be conditions of the Revised Project approval to be monitored and enforced by the City pursuant to the building permit process and the MMRP.

To the extent feasible, each of the other findings and conditions of approval made by or adopted by the City in connection with the Modified Project are also incorporated herein by this reference.

The custodian of the documents or other material which constitutes the record of proceedings upon which the City's decision is based is the City of Los Angeles, Planning Department, located at 200 North Spring Street, Room 750, Los Angeles, California 90012.

## **PUBLIC HEARING AND COMMUNICATIONS**

### **Public Hearing**

The public hearing was held at Los Angeles City Hall on August 27, 2014. The public hearing was attended by the applicant's representatives, a representative of Council District 8 and approximately fifty (50) community members in support, with seven members speaking in support of the project.

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

At the August 27, 2014 public hearing, the project's representative, Milan Garrison of Maxsum Development, first spoke and presented the project, its history and entitlement requests on behalf of the applicant. The project would be comprised of 127,000 square-feet of commercial development with a building height of 45-feet with architectural projects (the gateway tower) reaching a height of 87 feet. The project would be served by a five-story parking structure to the rear of the project. The project would serve as a local and community gathering place and would present a substantial economic investment in the South Los Angeles area and provide sorely needed new commercial space within a "Grove-like" setting. Mr. Garrison noted that the developer and the community were excited and passionate about the project. He noted that the area is lacking in new commercial opportunities and that the project would fulfill that need. He added that the applicant had conducted meetings with the Crenshaw Christian Center, Council District 8's New Vermont Task Force and the Los Angeles Police Department and presented to nearby Neighborhood Councils (NC), and had gained the support of the designated NC for the area.

Next, several community members spoke in favor of the project. Three of the speakers were from the Crenshaw Christian Center (C.C.C), located less than a mile north of the project site, who stated that the C.C.C has been in the area for over 30 years, spoke to the need for a project of this type, the excitement over elimination of blight on the site, the introduction of a comprehensive commercial complex that would contain restaurant, community retail uses and other commercial establishments that are lacking in the area. The speakers spoke to the fact that they (and their guests that attend conferences at the C.C.C) have to leave the area in order to find decent and first-rate eating establishments.

The next speaker represented St. Michael's Church which is located one block south of the project site. The speaker also expressed hope and excitement for the project and stated the project would create long-needed jobs and opportunities for the local community.

The next speaker represented the Empowerment Congress-Southeast Neighborhood Council and stated her support of the project. She further stated the project site has been long empty, a blight on the community and that the project would bring needed investment and hope to the area.

The next speaker voiced her support for the project and expressed that she was happy with the design of the project and its pedestrian friendliness.

The next speaker was an off duty LAPD sergeant who expressed his support for the project and saw the project as a renaissance for the area and that the project would provide a multitude of economic opportunities for the area.

The last public speaker was a representative from Council District 8 who expressed their full support for the project and that the project has been around for quite some time.

Finally, the applicant's representative (Mr. Garrison) answered questions from the Hearing Officer regarding interaction with the residential community to the east of the project site, design, neighborhood outreach, access, public improvements, and parking. In his concluding testimony, the applicant's representative, reiterated the need for the project and the benefits that the project would provide.

### **Written Communications Received**

One letter has been received from the Los Angeles Unified School District. They expressed concerns over air quality, noise and transportation/traffic issues in regard to their facilities that are in close proximity to the project site. Their concerns have been addressed in the under mitigation measure Traffic and Transportation-1.