

**PLANNING DEPARTMENT TRANSMITTAL
TO THE CITY CLERK'S OFFICE**

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
CASE: CPC-2016-3808-VZC-CDO-DD-SPR	ENV-2016-3809-EIR SCH 2017011062	14 – HUIZAR
PROJECT ADDRESS:		
213 South Spring Street, 200-210 South Broadway, and 232-238 West 2nd Street		
APPLICANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
CARL CADE, CA-LATS SOUTH, LLC 2049 East Century Park Suite 2600 Los Angeles, CA 90067 <input type="checkbox"/> New/Changed	(424) 278-6469	ccade@tribunemedia.com
APPLICANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
Winston Stromberg, Latham & Watkins, LLP 355 South Grand Avenue Los Angeles, CA 90071	(213) 891-8983	winston.stromberg@lw.com
APPELLANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A	N/A	N/A
APPELLANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A	N/A	N/A
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
KATHLEEN KING	(213) 847-3624	kathleen.king@lacity.org
ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION		
VZC (Vesting Zone Change)		

FINAL ENTITLEMENTS NOT ADVANCING:

CDO (Design Overlay Plan Approval); DD (Director's Decision); SPR (Site Plan Review)

ITEMS APPEALED:

N/A

ATTACHMENTS:**REVISED:****ENVIRONMENTAL CLEARANCE:****REVISED:**

- Letter of Determination
- Findings of Fact
- Staff Recommendation Report
- Conditions of Approval
- Ordinance
- Zone Change Map
- GPA Resolution
- Land Use Map
- Exhibit A - Site Plan
- Mailing List
- Land Use
- Other

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- Categorical Exemption
- Negative Declaration
- Mitigated Negative Declaration
- Environmental Impact Report
- Mitigation Monitoring Program
- Other

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NOTES / INSTRUCTION(S):Environmental Impact Report can be found here: https://planning.lacity.org/eir/222West_2nd/DEIR/index.html**FISCAL IMPACT STATEMENT:**

- Yes No

*If determination states administrative costs are recovered through fees, indicate "Yes".

PLANNING COMMISSION:

- City Planning Commission (CPC)
- Cultural Heritage Commission (CHC)
- Central Area Planning Commission
- East LA Area Planning Commission
- Harbor Area Planning Commission
- North Valley Area Planning Commission
- South LA Area Planning Commission
- South Valley Area Planning Commission
- West LA Area Planning Commission

PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
February 13, 2020	8 - 0
LAST DAY TO APPEAL:	APPEALED:
April 29, 2020	N/A
TRANSMITTED BY:	TRANSMITTAL DATE:
Cecilia Lamas Commission Executive Assistant	May 5, 2020



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: APR 09 2020

Case No. **CPC-2016-3808-VZC-CDO-DD-SPR**
CEQA: ENV-2016-3809-EIR; SCH No. 2017011062
Plan Area: Central City

Council District: 14 – Huizar

Project Site: 213 South Spring Street; 200 – 210 South Broadway;
232 – 238 West 2nd Street

Applicant: Carl Cade, CA-LATS South, LLC
Representative: Winston Stromberg, Latham & Watkins, LLP

At its meeting of **February 13, 2020**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

Redevelopment of a surface parking lot with a new mixed-use building above the Metro Regional Connector Historic Broadway Rail Station. The Project will contain up to 680 residential units, of which up to 45 units will be set aside for Workforce Housing units, and 10,000 square feet of ground floor commercial uses. In total, including the 9,810 square foot Metro portal and plaza, the Project will contain up to 707,036 square feet of floor area on an 118,051 net square foot (2.71-acre) lot, for an FAR of 6:1. The proposed uses will be located within a 56-story building and will measure 570 feet at the highest roofline and 608 feet at the top of the highest parapet.

1. **Found**, based on the independent judgement of the decision-maker, after consideration of the whole of the administrative record, the Project was assessed in the 222 W. 2nd Street Project EIR No. ENV-2016-3809-EIR (SCH No. 2017011062), previously certified on December 5, 2019, which includes the Draft EIR dated March 19, 2019, the Final EIR dated October 23, 2019, the Erratum dated November 15, 2019, and the Addendum dated December 13, 2019; and pursuant to CEQA Guidelines Sections 15162 and 15164, no subsequent EIR, negative declaration, or addendum is required for approval of the Project;
2. **Approved and Recommended** that the City Council **adopt**, pursuant to Sections 12.32 F and Q of the Los Angeles Municipal Code (LAMC), a Vesting Zone Change to remove Broadway Community Design Overlay (CDO) Q Condition No. 7, which requires a 30 percent minimum and permits a 40 percent maximum lot coverage for any portions of a building over 150 feet in height;
3. **Approved**, pursuant to LAMC Section 13.08, a Design Overlay Plan Approval for a project located in the Broadway CDO;
4. **Approved**, pursuant to LAMC Section 12.21 G.3, a Director's Decision to permit less than one on-site tree per four residential dwelling units, or 85 trees in lieu of the otherwise required 170 trees;
5. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review for a project that results in an increase of 680 residential dwelling units;
6. **Adopted** the attached Modified Conditions of Approval; and
7. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Perlman
 Second: Ambroz
 Ayes: Khorsand, Leung, Mack, Millman, Mitchell, Padilla-Campos
 Absent: Choe

Vote: 8 – 0



Cecilia Lamas, Commission Executive Assistant
 Los Angeles City Planning Commission

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

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

FINAL APPEAL DATE: APR 29 2020

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

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

Attachments: Zone Change Ordinance, Maps, Modified Conditions of Approval, Findings, Interim Appeal Procedure

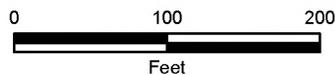
c: Luci Ibarra, Principal City Planner
 Milena Zasadzien, Senior City Planner
 Kathleen King, City Planner

ORDINANCE NO. _____

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

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

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

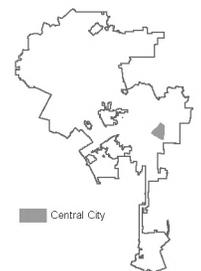


CPC-2016-3808-VZC-CDO-DD-SPR

AAI Cf

030520

City of Los Angeles



(Q) QUALIFIED CONDITIONS

(As modified by the City Planning Commission on February 13, 2020)

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

1. **Use.** The use and area regulations of the development shall be developed for uses as permitted in the C2 Zone, as defined in LAMC Section 12.14, as well as the Broadway CDO, as defined in LAMC Section 13.08, except as modified by the conditions herein or subsequent action.

Broadway CDO

Uses

2. The following uses are prohibited:

Auto-related and other vehicular uses, excluding parking,
Adult entertainment uses, as defined and regulated by Los Angeles Municipal Code Section 12.70,
Hostess Dance Halls,
Tattoo Parlors,
Pawnshops,
Recycling centers,
Storage uses (except for minor accessory storage uses),
Medical Marijuana Dispensaries and Rehabilitation Facilities,
Penny Arcades (including video or amusement arcades), and
Equipment Repair shops.
3. The following uses shall be prohibited on the ground floor up to a depth of 25 feet from the streetwall:

Residential uses, except for residential lobbies,
Jewelry manufacturing,
Parking,
All office uses, including all medical uses, and
Institutional uses, such as educational and philanthropic institutions, except for libraries, museums and other arts-related uses.
4. Ground floor commercial uses shall be built to the property line or prevailing setback, whichever applies.
5. Surface parking lots as a main use are prohibited.

Building Form and Massing

6. With the exception of additions to the rear of the building, any alterations or additions to existing buildings shall be built to the property line or maintain the prevailing setback, where a prevailing setback is different from the property line. Storefronts and building entryways may be recessed as long as the main structural elements (structural bays) are built to the

property line or prevailing setback, as applicable. In no event shall the setback exceed two feet.

7. All new buildings shall be built to any property line abutting Broadway and any perpendicular street. The following shall also apply:
 - a. The minimum streetwall (building wall along the sidewalk) shall be 100 feet in height and, south of 4th Street, the maximum shall be 150 feet in height. Heights below 100 feet may be permitted by an action of the Zoning Administrator, in accordance with LAMC Section 12.24X.
 - b. Not less than 95% of the streetwall shall be built to the property line or prevailing setback.
 - c. For new buildings or additions south of Fourth Street, portions of buildings above 150 feet shall be stepped back from the front and side property lines a minimum of 30 feet.
 - d. A break in the streetwall (building wall along the sidewalk) may be permitted for a distance not to exceed the linear feet required for pedestrian and vehicular access, when vehicular access cannot be obtained from a side street or an alley as determined by the Director of Planning, in consultation with the Department of Transportation (DOT).

Parking

8. No parking shall be permitted between the building and any abutting street.
9. Parking shall be located to the rear of the building, underground or enclosed within a structure.
10. Ground floor commercial uses at a minimum depth of 25 feet shall be provided in any parking structure fronting Broadway or any perpendicular street.

Ground Floor Treatment

11. The minimum floor-to-ceiling height of the ground floor of any new building shall be 15 feet.
12. All new construction or the addition of floor area to an existing building or structure fronting substantially or in part on a public street shall provide at least one ground floor pedestrian entrance to each premise or storefront from a public street or pedestrian walkway. Entrances to residential lobbies or primary building lobbies shall be more prominent than other entrances along the public street.
13. A minimum of 70 percent of the building facade at the ground level abutting Broadway shall consist of doors and transparent windows.

Urban Design

14. Corporate establishments and formula or retail businesses shall be designed to comply fully with the Broadway Design Guidelines.

Mechanical Equipment

15. All structures on the roof, including air conditioning units, mechanical equipment, vents, skylights, solar panels, parapets etc., shall not be visible from the street at ground level.

Any roof projections shall be located a minimum of 5 linear feet from the roof edge. Any roof projections within 10 linear feet from the roof edge shall be limited to a height of 5 feet. Roof projections located greater than 10 linear feet from the roof shall be permitted per LAMC.

16. Required restaurant venting shall be installed on a secondary facade and Integrated with the design of the building whenever feasible.

Signage

17. The following signs are prohibited:
 - a. billboards;
 - b. supergraphic signs;
 - c. canister (cabinet) signs;
 - d. pole signs;
 - e. monument signs;
 - f. temporary signs;
 - g. inflatable signs; and
 - h. animated signs.
 - i. digital signs

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

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

Dedications/Improvements and Responsibilities/Guarantees.

Dedications and Improvements herein contained in these conditions which are in excess of street improvements contained in either the Mobility Element 2035 or any future Community Plan amendment or revision may be reduced to meet those plans with the concurrence of the Department of Transportation and the Bureau of Engineering:

1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
2. **Bureau of Engineering.** Street Dedications and Improvements shall be provided to the satisfaction of the City Engineer.
3. **Sewer.** Construction of necessary sewer facilities, or payment of sewer fees, shall be to the satisfaction of the City Engineer.
4. **Drainage.** Construction of necessary drainage and storm water runoff drainage facilities to the satisfaction of the City Engineer.
5. **Driveway/Parkway Area Plan.** Preparation of a parking plan and driveway plan to the satisfaction of the appropriate District Offices of the Bureau of Engineering and the Department of Transportation.
6. **Fire.** Incorporate into the building plans the recommendations of the Fire Department relative to fire safety, 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.
7. **Cable.** Make any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights-of-way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05.N to the satisfaction of the Department of Telecommunications.
8. **Recreation and Park Fees.** Payment of the Quimby fee shall be based on the C2 Zone and be paid prior to the recordation of Final Tract map. The application for Vesting Tentative Tract Map No. 74320 was deemed complete on October 20, 2016.
9. **Lighting.** Street lighting facilities shall be provided to the satisfaction of the Bureau of Street Lighting.
10. **Street Trees.** All trees in the public right-of-way shall be provided per the current Urban Forestry Division Standards.

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.

CONDITIONS OF APPROVAL

(As modified by the City Planning Commission on February 13, 2020)

Pursuant to LAMC Sections 13.08, 12.21 G and 16.05, the following conditions are hereby imposed upon the use of the subject property.

Development Conditions

1. **Site Development.** The use and development of the property shall be in substantial conformance with the plans submitted with the application and marked Exhibit A, dated January 24, 2020. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the project conditions.
2. **Condition Clearance.** Prior to sign-off on building permits by the Department of City Planning for the project, the Department of City Planning's Major Projects Section shall confirm, via signature, that the project's building plans substantially conform to the conceptual plans stamped as Exhibit "A", as approved by the City Planning Commission (CPC). Specifically, the distinct architectural features of the building design shall be consistent with the renderings presented to the City Planning Commission on February 13, 2020, and include but not be limited to the following:
 - a. Projecting Facades;
 - b. Off-set recesses and window features; and
 - c. Building materials as shown on the elevations.

Any substantial deviations from the conceptual plans stamped as Exhibit A would require review by the CPC.

Note: The plans presented to, and approved by, the CPC included specific architectural details that were incorporated in the approval of the project. Plans submitted during Plan Check for conditions clearance shall include a signature and stamped date from Major Projects planning staff to ensure that plans are consistent with those presented at CPC.

3. **Residential Density.** The project shall be limited to a maximum density of 680 residential units of which 6.6 percent shall be set-aside/restricted for Workforce Housing units.
 - a. Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make 45 dwelling units, or 6.6 percent of the total residential units, if less than 680 residential units are constructed on the Site, available to Workforce Households, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The Applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file.
4. **Broadway Streetscape.** The Applicant shall provide infrastructure, landscaping, and lighting along the Broadway frontage of the Project consistent with the Broadway Streetscape Plan.

5. **Broadway Community Design Overlay.** Plans shall reflect that the Project is consistent with the following:
- a. **Tower.** Any portion of the Project's tower element that exceeds 150 feet in height, shall front the eastern portion of the site along Spring Street and shall not front the Broadway site property line. The tower element that exceeds 150 feet in height shall be in substantial conformance with Exhibit A, dated January 24, 2020.
 - b. **Ground Floor Windows.** Ground floor windows and exterior doors shall use clear, non-reflective glass. Ground floor glass and materials shall, to the greatest extent practicable, be graffiti-resistant.
 - c. **Signage.** The building shall not be modified to accommodate corporate architectural identity. All signage would be required to comply with the Historic Broadway Sign Supplemental Use District.
 - i. This CDO Plan Approval does not include approval of any signage. Any applications for signage shall be submitted to the Department of City Planning, Central Project Planning Division for approval pursuant to Section 7 of the Historic Broadway Sign Supplemental Use District.
 - ii. No signs, including but not limited to, temporary sign banners (including leasing signs), feather/sail signs, window signs or exterior merchandise display signs shall be permitted on the street facing facades of the subject property without subsequent approval.
 - d. **Security Grilles.** If included, all security grilles shall be transparent. The mechanical housing of exterior security grilles shall be appropriately screened. Final plans shall include details of security grilles, if proposed, and sections showing location and screening of mechanical housing.
 - e. **Lighting.** The ground floor and other exterior lighting shall be detailed in the final plans. The entryways shall be illuminated to distinguish the entrance, accent it and enhance pedestrian safety. The Applicant shall illuminate the ground floor commercial space from within, both during and after business hours, to the greatest extent possible. The storefront and sidewalk shall provide down-cast or other lighting to illuminate both features to the greatest extent possible. The building's architectural features shall be illuminated to the greatest extent possible, by accent up-lights directed on ledges, lights on entry arches, or other highlighting illumination for architectural details. Exterior lighting shall be low-voltage and shielded to prevent glare to adjacent properties, and shall not direct light off-site. Intense lighting that is used solely for advertising purposes or lighting that uses flashing, strobe, motion, or multi-color elements shall not be used.
 - f. **Mechanical Equipment.** No mechanical equipment, such as air conditioner units, window vents, fans, etc., shall project beyond any window facing Broadway. Any rooftop or other mechanical equipment such as HVAC, satellite dishes, exhaust fans, solar panels, etc., shall be screened from the view to the greatest extent possible. All screening, excluding the parapet "crown" surrounding the roof of the building, shall be setback at least five feet from the edge of the building. Any other equipment,

such as rain gutters, spouts, electrical conduits, etc., shall also be screened to the greatest extent practicable, painted to match building colors if necessary.

- g. **Telecommunications.** No new wireless telecommunications facilities are permitted without additional approval.
- h. **Outdoor Dining.** If included, all new outdoor dining enclosure shall be designed to be compatible with the applicable Broadway Design Guidelines and Standards.
- i. **Paseo.** The public paseo shall be developed in substantial conformance with Sheet L1.09 as shown on Exhibit A, dated January 24, 2020, and shall:
 - i. Remain be open and accessible to the public from sunrise to sunset, seven (7) days a week. No motorized vehicles shall be permitted, except for emergency vehicles used during an emergency; and
 - ii. Be at least 50 percent open to the sky or covered with a transparent material; and
 - iii. Include at least one gathering space with a focal element; and
 - iv. Be maintained in good condition for the life of the Project.
 - v. Any special events within the paseo shall obtain a Temporary Special Event (TSE) Permit from the Los Angeles Department of Building and Safety (LADBS).

Director's Decision Conditions

- 6. **Trees.** The Applicant shall provide a minimum of 85 trees on-site and/or in the parkway, to the satisfaction of Urban Forestry.
- 7. **In-Lieu Fee.** In accordance with Ordinance No. 185,573 an in-lieu fee shall be paid to cover the cost to procure and plant each required tree that cannot be accommodated on-site.

Site Plan Review Conditions

- 8. **Parking.**
 - a. **Vehicle Parking.** The minimum number of residential and commercial automobile parking spaces shall be provided as required by LAMC Section 12.21 A.4(a), (i), and (p). Up to 30 percent of the required automobile parking for commercial uses and 15 percent of the required automobile parking for residential uses may be replaced by bicycle parking at a ratio of one vehicle parking space for every four bicycle parking spaces provided.
 - b. **Unbundled Parking.** Residential parking shall be unbundled from the cost of the units.
 - c. **Electric Vehicle Parking.**

11. **Tree Maintenance.** All newly planted trees must be appropriately sized, staked, and tied; provided with a watering moat; and shall be properly watered and maintained.
 - a. Any trees that are required pursuant to LAMC Section 12.21 G and are planted on any podium or deck shall be planted in a minimum three-foot planter.
 - b. New trees planted within the public right-of-way shall be spaced not more than an average of 30 feet on center, unless otherwise permitted by the Urban Forestry Division, Bureau of Public Works.
12. **Stormwater/Irrigation.** The Project shall implement on-site stormwater infiltration as feasible based on the site soils conditions, the geotechnical recommendations, and the City of Los Angeles Department of Building and Safety Guidelines for Storm Water Infiltration. If on-site infiltration is deemed infeasible, the Project shall analyze the potential for stormwater capture and reuse for irrigation purposes based on the City Low Impact Development (LID) guidelines.
13. **Trash/Storage.**
 - a. All trash collection and storage areas shall be located on-site and not more than incidentally visible from the public right-of-way.
 - b. Trash receptacles shall be stored in a fully enclosed building or structure, constructed with a solid roof, at all times.
 - c. Trash/recycling containers shall be locked when not in use.
14. **Lighting.**
 - a. Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.
 - b. Areas where nighttime uses are located shall be maintained to provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible for the safety of the public and emergency response personnel.
 - c. All pedestrian walkways, storefront entrances, and vehicular access ways shall be illuminated with lighting fixtures.
 - d. Lighting fixtures shall be harmonious with the building design. Wall mounted lighting fixtures to accent and complement architectural details at night shall be installed on the building to provide illumination to pedestrians and motorists.
15. **Glare.** The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or low-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.
16. **Reflectivity.** Glass used in building façades above the ground floor shall be low-reflective or treated with an anti-reflective coating in order to minimize glare from reflected sunlight.

17. **Construction Generators.** The Project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. Where power poles are available, electricity from power poles and/or solar-powered generators rather than temporary diesel or gasoline generators shall be used during construction. In particular, solar-powered generators shall be used for the construction trailer(s) on-site and be located as far away from sensitive uses as feasible.
18. **Sustainability.** The Project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.
19. **Utilities.** All utilities shall be fully screened from view of any abutting properties and the public right-of-way.
20. **Signage.**
 - i. Signage shall comply with LAMC Sections 12.14.1.2 and Article 4.4 Section 14.4.
 - ii. There shall be no off-site commercial signage on construction fencing during construction.
21. Prior to the issuance of the building permit, a copy of the letter of decision for Case No.VTT-74320 shall be submitted to the satisfaction of the Development Services Center.

Environmental Conditions

22. **Mitigation Monitoring Program.** The project shall be in substantial conformance with the mitigation measures in the attached MMP and stamped Exhibit C and attached to the subject case file. The implementing and enforcing agencies may determine substantial conformance with mitigation measures in the MMP. If substantial conformance results in effectively deleting or modifying the mitigation measure, the Director of Planning shall provide a written justification supported by substantial evidence as to why the mitigation measure, in whole or in part, is no longer needed and its effective deletion or modification will not result in a new significant impact or a more severe impact to a previously identified significant impact.

If the project is not in substantial conformance to the adopted mitigation measures or MMP, a modification or deletion shall be treated as a new discretionary action under CEQA Guidelines, Section 15162(c) and will require preparation of an addendum or subsequent CEQA clearance. Under this process, the modification or deletion of a mitigation measure shall not require a Zone Change unless the Director of Planning also finds that the change to the mitigation measures results in a substantial change to the project or the non-environmental conditions of approval.

23. **Mitigation Monitor.** During the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant), approved by the Department of City Planning, who shall be responsible for monitoring implementation of project design features and mitigation measures during construction activities consistent with the monitoring phase and frequency set forth in this MMP.

The Construction Monitor shall also prepare documentation of the Applicant's compliance with the project design features and mitigation measures during construction every 90 days

in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be included as part of the applicant's Compliance Report. The Construction Monitor shall be obligated to immediately report to the Enforcement Agency any non-compliance with the mitigation measures and project design features within two businesses days if the applicant does not correct the non-compliance within a reasonable time of notification to the applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

24. Tribal Cultural Resource Inadvertent Discovery. In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities¹, all such activities shall temporarily cease on the Project Site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

- Upon a discovery of a potential tribal cultural resource, the project Permittee shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning at (213) 473-9723.
- If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Project Permittee and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
- The project Permittee shall implement the tribe's recommendations if a qualified archaeologist, retained by the City and paid for by the project Permittee, reasonably concludes that the tribe's recommendations are reasonable and feasible.
- The project Permittee shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any affected tribes that have been reviewed and determined by the qualified archaeologist to be reasonable and feasible. The project Permittee shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.
- If the project Permittee does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist, the project Permittee may request mediation by a mediator agreed to by the Permittee and the City who has the requisite professional qualifications and experience to mediate such a dispute. The project Permittee shall pay any costs associated with the mediation.
- The project Permittee may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and determined to be reasonable and appropriate.
- Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources

¹ Ground disturbance activities shall include the following: excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, pounding posts, augering, backfilling, blasting, stripping topsoil or a similar activity.

shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.

- Notwithstanding the above, any information determined to be confidential in nature, by the City Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act, California Public Resources Code, and shall comply with the City's AB 52 Confidentiality Protocols.

25. **Los Angeles Public Library.** As required by the City of Los Angeles Public Library (LAPL), the Applicant is required to pay a per capita fee of \$200.00 to LAPL, to be used for staff, books, computers, and other library materials. Fees shall be paid prior to issuance of a building permit.

Administrative Conditions

26. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
27. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
28. **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.
29. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
30. **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.
31. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
32. **Project Plan Modifications.** Any corrections and/or modifications to the project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the

Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision-making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.

33. Indemnification and Reimbursement of Litigation Costs. The Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the Applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the Applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in

whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

“City” shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

“Action” shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

FINDINGS

General Plan/Charters Findings

1. General Plan Land Use Designation.

The Project Site is located within the Central City Community Plan, which was last updated by the City Council on January 8, 2003. The Project Site is comprised of six (6) contiguous lots, totaling approximately 118,051 square feet (2.71-acres) in size. The Community Plan currently designates the Project Site for Regional Center Commercial land uses, corresponding to the C2 Zone. The Site is presently zoned [Q]C2-4D-CDO-SN, consistent with the range of zones under the land use designation.

The recommended Vesting Zone Change would remove Q Condition No. 7 of Ordinance No. 180,871. The Ordinance, which became effective on October 26, 2009, established the Broadway CDO and contains Q Conditions, which provide context-specific regulations pertaining to use and design. Q Condition No. 7 requires that the lot coverage for portions of buildings over 150 feet shall be no less than 30 percent of the lot and no more than 40 percent of the lot. The Applicant is requesting a Vesting Zone Change to deviate from this requirement and provide floorplates ranging from 9,812 square feet (8.31 percent lot coverage) to 12,371 square feet (10.48 percent lot coverage).

With a lot area of 118,051 square feet, if Alternative 4A is required to comply with Q Condition No. 7, demolition of the existing parking structure would be required. The Site is larger than a majority of lots located in the Broadway CDO and complying with the Q Condition would result in floorplates that are much larger than the industry standard for new residential buildings. As proposed, the Alternative 4A tower would be designed with floorplates ranging from 9,812 square feet (8.31 percent lot coverage) to 12,371 square feet (10.48 percent lot coverage). The requested Vesting Zone Change would permit a mixed-use development that includes 680 residential units, of which 45 units (or 6.6 percent of the total units) would be set aside for Workforce Housing units, and 10,000 square feet of ground floor commercial uses, to be constructed above the Metro Regional Connector Historic Broadway Rail Station, on a Site that was formally a surface parking lot.

2. General Plan Text.

The Los Angeles General Plan sets forth goals, objectives and programs that guide both Citywide and community specific land use policies. The General Plan is comprised of a range of State-mandated elements, including, but not limited to, Land Use, Transportation, Noise, Safety, Housing and Conservation. The City's Land Use Element is divided into 35 community plans that establish parameters for land use decisions within those sub-areas of the City. Alternative 4A is in compliance with the following Elements of the General Plan: Framework Element, including the Commercial Citywide Design Guidelines, Housing Element, Mobility Element and the Land Use Element – Hollywood Community Plan, Health and Wellness Element.

Framework Element

The Framework Element was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. It establishes the City's long-range comprehensive growth strategy and provides guidance on citywide policies, objectives, and goals regarding such

issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. Alternative 4A is consistent with the following goals, objectives and policies of the Framework Element as described below.

Chapter 3: Land Use

The Project would be consistent with the relevant goals, objectives, and policies of the Land Use Chapter of the Framework Element, including the following:

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

Objective 3.1: *Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.*

Objective 3.2: *Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.*

Policy 3.2.3: *Provide for the development of land use patterns that emphasize pedestrian/bicycle access and use in appropriate locations.*

Objective 3.4: *Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.*

Policy 3.4.1: *Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.*

Alternative 4A would redevelop a surface parking lot, currently in use as staging and excavation area for construction of the Metro Regional Connector Historic Broadway Rail Station, with a 56-story, mixed-use, high-rise building that would consist of 680 residential units, of which 45 units (or 6.6 percent of the total units) would be set aside for Workforce Housing units, 10,000 square feet of ground floor commercial uses, and 74,165 square feet of open space. In total, Alternative 4A would contain up to 707,036 square feet of floor area, inclusive of the 9,810 square-foot Metro portal and plaza, for an FAR of 6:1. Parking would be provided within the existing on-site parking structure, which will be retained as part of the

Alternative 4A work scope, includes two subterranean levels and five above-grade parking levels, and is located immediately south of the high-rise building.

As proposed, Alternative 4A includes a mix of uses that would provide housing and employment opportunities immediately above the future Metro Regional Connector Historic Broadway Rail Station which would provide service to major transit stations, including Union Station and 7th/Metro Station, as well as 26 bus lines that provide service to regional centers such as Century City, Santa Monica, Burbank, Long Beach, Montebello, El Monte, Thousand Oaks, Harbor Gateway, Chatsworth, and Hawthorne.

Alternative 4A would support the reduction of vehicle trips, vehicle miles travelled, and air pollution by concentrating opportunities for residents, employees, and visitors to use public transit and to walk to other commercial, entertainment, and financial/office centers near the Project Site in Downtown Los Angeles, a developed urban area with access to transit. Furthermore, Alternative 4A would provide a total of 454 bicycle parking spaces for residents, employees and visitors use. Alternative 4A would also create a pedestrian-friendly environment via a public paseo that would be located between the new mixed-use building and the existing on-site parking structure and would connect Broadway and Spring Street, creating a creative open space for pedestrians. Alternative 4A therefore, would improve access and create a safe and convenient street environment for customers, residents, and employees in the area, while also promoting the use of and access for bicycles.

Goal 3G: *A Downtown Center as the primary economic, governmental, and social focal point of the region with an enhanced residential community.*

Objective 3.11: *Provide for the continuation and expansion of government, business, cultural, entertainment, visitor-serving, housing, industries, transportation, supporting uses, and similar functions at a scale and intensity that distinguishes and uniquely identifies the Downtown Center.*

As previously mentioned, Alternative 4A would redevelop a surface parking lot with a mixed-use, high-rise building with high-density residential and neighborhood-serving commercial uses meant to attract residents, workers, and visitors in an established residential and mixed-use part of Downtown Los Angeles, while being compatible with the existing mixed-use, pedestrian-oriented development along Broadway and acting as a transition to the Civic Center District immediately north of the Site.

Alternative 4A would allow for a mixed-use residential development near transit while providing neighborhood-serving commercial opportunities for future Alternative 4A residents and the existing surrounding neighborhood, and increase the City's housing stock.

Goal 3K: *Transit stations to function as a primary focal point of the City's development.*

Objective 3.15: *Focus mixed commercial/residential uses, neighborhood-oriented retail, employment opportunities, and civic and quasi-public uses around urban transit stations, while protection and preserving surrounding low-density neighborhoods from the encroachment of incompatible land uses.*

Policy 3.15.4: *Design and site new development to promote pedestrian activity and provide adequate transitions with adjacent residential uses.*

Alternative 4A would be located above the Metro Regional Connector Historic Broadway Rail Station and compatible with the existing mixed-use, pedestrian-oriented development along Broadway, while also differentiated from existing historic buildings with the vicinity of the Project Site.

Focal points would be incorporated into Alternative 4A's design and serve as way to identify the Alternative, as well as the Metro Station. The primary entryway to the commercial ground floor uses and the Metro Station would feature a 40-foot high decorative wood-paneled ceiling, creating an identifiable architectural feature, visible from the ground floor. Additionally a fritted glass crown would sit atop the 56-story residential tower and be visible from surrounding high-rises as well as from the pedestrian level.

A public paseo would be located between the new mixed-use building and the existing on-site parking structure and would create a pedestrian pathway from Broadway and the Metro plaza across the Site to Spring Street. Several ground floor commercial spaces would open directly on the public paseo area and would encourage a variety of opportunities for pedestrians to sit and enjoy the paseo and Metro plaza.

Chapter 4: Housing

Alternative 4A would be consistent with the relevant goals and objectives of Housing Chapter of the Framework Element, including the following:

Goal 4A: *An equitable distribution of housing opportunities by type and cost accessible to all residents of the City.*

Objective 4.1: *Plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types within each City subregion to meet the projected housing needs by income level of the future population to the year 2010.*

Objective 4.2: *Encourage the location of new multi-family housing development to occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers between higher-density developments and surrounding lower-density residential neighborhoods.*

As proposed, Alternative 4A would provide housing for a mix of income levels that includes studio units, one-bedroom units, and two-bedroom units. While not required, of the 680 new residential units proposed, approximately 6.6 percent, or 45 units, would be reserved for Workforce Housing Units, with the remaining units rented at market rate. In addition, the Project Site would be located directly above the Metro Regional Connector Historic Broadway Rail Station with connections and access to jobs, entertainment, and amenities within nearby Downtown neighborhoods and the Greater Los Angeles region.

Chapter 7: Economic Development Chapter

Alternative 4A would be consistent with the relevant goals, objectives, and policies of Economic Development Chapter of the Framework Element, including the following:

Goal 7C: *A City with thriving and expanding businesses.*

Objective 7.3: *Maintain and enhance the existing businesses in the City.*

Policy 7.3.2: Retain existing neighborhood commercial activities within walking distance of residential areas.

Alternative 4A would redevelop a surface parking lot with a mixed-use, high-rise building comprised of high-density residential uses and 10,000 square feet of new neighborhood-serving commercial uses meant to attract residents, workers, and visitors in an established residential and mixed-use part of Downtown Los Angeles, thus introducing new commercial uses to the Site.

Goal 7G: A range of housing opportunities in the City.

Objective 7.9: Ensure that the available range of housing opportunities is sufficient, in terms of location, concentration, type, size, price/rent range, access to local services and access to transportation, to accommodate future population growth and to enable a reasonable portion of the City's work force to both live and work in the City.

Policy 7.9.2: Concentrate future residential development along mixed-use corridors, transit corridors and other development nodes identified in the General Plan Framework Element, to optimize the impact of City capital expenditures on infrastructure improvements.

Alternative 4A would provide new housing and employment opportunities above the Metro Regional Connector Historic Broadway Rail Station and within 0.5 miles from the Metro Regional Connector 2nd Street/Hope Street and 1st Street/Central Avenue Stations. The Site would also be served by 20 Metro Bus Lines, three Metro Rapid Bus Lines, nine LADOT Commuter Express Lines, and four LADOT DASH Lines, all of which provide service to regional centers such as Century City, Santa Monica, Burbank, Long Beach, Montebello, and Hawthorne, as well as to major transit stations, including Union Station and 7th/Metro Center Station, thus establishing and concentrating a balance of land uses in an area near public transit. In addition, Alternative 4A is voluntarily setting aside approximately 6.6 percent of the total units, or 45 units, for Workforce Housing units.

By enabling the construction of a supply and range of housing in proximity to jobs, local services, and transit, Alternative 4A would be consistent with the Framework Element.

Citywide Commercial Design Guidelines

The Urban Design Studio has adopted a three part design approach to evaluating projects to reflect the new Citywide Design Guidelines, which consist of Pedestrian First Design, 360-Degree Design, and Climate Adapted Design.

Pedestrian First Design

Alternative 4A would provide transparent ground floor, street-facing storefronts and entryways that provide shelter and promote an active street presence by pedestrians. Further, in conjunction with a public paseo that would connect Broadway and Spring Street, Alternative 4A would provide a flexible open space for pedestrians that is open to the sky and would allow for pedestrian circulation at the ground level. Alternative 4A would provide full-width concrete sidewalks, tree wells, and street trees, where feasible, along 2nd Street, Spring Street, and Broadway.

360-Degree Design

Alternative 4A implements varied materials would provide horizontal and vertical articulation that break up the building planes and reduce the visual mass of the building. Variety in massing is provided through architectural protrusions and recesses and four discernable masses throughout the building comprised of the ground floor uses, a residential podium and a tower that would consist of two masses that would be slightly offset and shift at Levels 28 and 39 to create visual interest and breaks in the overall vertical configuration. Additionally, the design incorporates the Metro plaza and station entrance which would be located at the northwest corner of the Site and would include a 40-foot high primary entryway for the building's ground floor commercial uses, public paseo, and to the Metro Regional Connector Historic Broadway Rail Station below, featuring a decorative wood-paneled ceiling.

Climate Adapted Design

Alternative 4A would include sustainability measures and design features which reduce energy and water consumption, such as the use of Energy Star-labeled products and appliances, light-emitting diode (LED) lighting or other energy-efficient lighting technologies, fenestration designed for solar orientation, and pedestrian- and bicycle-friendly design with short-term and long-term bicycle parking.

Housing Element

The Housing Element 2013-2021 was adopted on December 3, 2013 and identifies the City's housing conditions and needs, and establishes the goals, objectives and policies that are the foundation of the City's housing and growth strategy. Alternative 4A is consistent with the following goals, objectives and policies of the Housing Element as described below.

Goal 1: *A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels, races, ages, and suitable for their various needs.*

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

Policy 1.1.3: *Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city's households.*

Policy 1.1.4: *Expand opportunities for residential development, particularly in designated Centers, Transit Oriented Districts and along Mixed-Use Boulevards.*

Objective 1.3: *Forecast and plan for changing housing needs over time in relation to production and preservation needs.*

Policy 1.3.5: *Provide sufficient land use and density to accommodate an adequate supply of housing units by type and cost within the City to meet the projections of housing needs, according to the policies and objectives of the City's Framework Element of the General Plan.*

Alternative 4A would allow for the construction of a new mixed-use high-rise building, comprised of 680 residential units, of which 45 units or 6.6 percent of the total units, would be set aside for Workforce Housing units and 10,000 square feet of ground floor commercial uses.

Alternative 4A would be located above the Metro Regional Connector Historic Broadway Rail Station, 0.5 miles from the Metro Regional Connector 2nd Street/Hope Street and 1st Street/Central Avenue Stations, and 0.4 miles southeast of the Metro Civic Center/Grand Park Rail Station (Red/Purple line). These subway lines provide access to the other transit lines operated by Metro. The Project Site is also served by two major transportation corridors (Spring Street and Broadway) that provide substantial public transit opportunities and facilities, including 20 Metro Bus Lines, three Metro Rapid Bus Lines, nine LADOT Commuter Express Lines, and four LADOT DASH Lines, all of which provide service to regional centers such as Century City, Santa Monica, Burbank, Long Beach, Montebello, and Hawthorne, as well as to major transit stations, including Union Station and 7th/Metro Center Station.

As proposed, Alternative 4A would accommodate various income levels (Workforce Housing and Market Rate) and unit types (a mix of studio, one-bedroom, and two-bedroom units), within a major commercial and employment center. In addition, the Project Site is located in proximity to several existing and proposed residential developments providing a range of housing types, including market rate, affordable, live/work, condominium, and apartment units, including the Pan American Lofts and the Douglas Lofts. Alternative 4A would contribute to the continued evolution of the surrounding area into a residential, commercial, and mixed-use area, and serve as a transition between the residential and commercial uses of the Historic Core at the Civic Center District immediately north of the Site.

Thus, Alternative 4A would allow for establishment of residential uses on a Site that is compatible with the existing surrounding residential development while providing neighborhood-serving ground floor commercial uses above the Metro Regional Connector Historic Broadway Rail Station.

Goal 2: *A City in which housing helps to create safe, livable and sustainable neighborhoods.*

Objective 2.1: *Promote safety and health within neighborhoods.*

Objective 2.2: *Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services, and transit.*

Policy 2.2.3: *Promote and facilitate a jobs/housing balance at a citywide level.*

Objective 2.4: *Promote livable neighborhoods with a mix of housing types, quality design and scale and character that respects unique residential neighborhoods in the City.*

Policy 2.4.2: *Develop and implement design standards that promote quality residential development.*

Objective 2.5: *Promote a more equitable distribution of affordable housing opportunities throughout the City.*

Policy 2.5.1: Target housing resources, policies and incentives to include affordable housing in residential development, particularly in mixed use development, Transit Oriented Districts and designated Centers.

Policy 2.5.2: Foster the development of new affordable housing units citywide and within each Community Plan area.

Alternative 4A would allow for the development of an integrated mixed-use building, above the Metro Regional Connector Historic Broadway Rail Station, that would result in new mixed-income housing coupled with new job-producing uses including commercial opportunities. As a mixed-use development, Alternative 4A provides for activity and natural surveillance during and after commercial business hours. The ground floor commercial uses would activate the streets, while the residential units are oriented outward, providing eyes on the street during all hours of the day to create a safer environment for residents, workers, and visitors to the area. The design of the proposed development employs character-defining features to reflect a consistent architectural style, including unobstructed building entrances and architectural variations, and follows urban design principles that improve the appearance and quality of housing in the area. By locating high-density residential and commercial components above the Metro Regional Connector Historic Broadway Rail Station, Alternative 4A would allow future residents to live in close proximity to their place of employment by providing connections to employment and amenities not only within Downtown Los Angeles, but also the Greater Los Angeles region, thereby facilitating a jobs/housing balance.

In addition, Alternative 4A would enhance livability of the Historic Core by redeveloping a surface parking lot and upgrade the public realm through the improvement of public streets and by creating a pedestrian friendly, landscaped public right-of-way. Improvements to the public right-of-way would allow for the widening sidewalks on Broadway, Spring Street, and 2nd Street. A maximum of 10 street trees could be planted along Broadway and Spring Street and a public paseo would connect Broadway and Spring Street by creating flexible open space for pedestrians that is open to the sky and would improve overall on-site pedestrian circulation.

Lastly, Alternative 4A provides housing at various income levels (Moderate Income and Workforce Housing) that would be transit and pedestrian accessible. Residents may access other parts of Downtown and the Metro Rail system by using the Metro Regional Connector Historic Broadway Rail Station immediately beneath the Site, using Metro Local, Rapid Bus, or the DASH bus lines, benefiting from the opportunity to forego the use of the automobile while offering opportunities to commute to jobs in a major employment center. Alternative 4A's proximity to other employment centers as well as a variety of existing dining, shopping and entertainment options would encourage the use of public transit and/or non-motorized transportation.

Mobility Element

The Mobility Element 2035 (Mobility Element), adopted in September 2016, guides development of a citywide transportation system with the goal of ensuring the efficient movement of people and goods and recognizes that primary emphasis must be placed on maximizing the efficiency of existing and proposed transportation infrastructure through advanced transportation technology, reduction of vehicle trips, and focused growth in

proximity to public transit. The Mobility Plan 2035 includes goals that define the City's high-level mobility priorities and sets forth objectives and policies to establish a citywide strategy to achieve long-term mobility and accessibility within the City of Los Angeles. The Proposed Project would be in conformance with following objectives and policies of the Mobility Element as described below.

Chapter 2: World Class Infrastructure

***Policy 2.3:** Recognize walking as a component of every trip, and ensure high-quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.*

Alternative 4A would provide Historic Core residents, workers and visitors with a combination of ground floor commercial uses in addition to the usage of an inviting public paseo that would connect Broadway and Spring Street, creating flexible open space for pedestrians that is open to the sky and would improve overall on-site pedestrian circulation.

Alternative 4A is also required to improve Broadway, 2nd Street, and Spring Street with full-width concrete sidewalks. Additionally, 10 street trees are proposed, where feasible, along Broadway and Spring Street. The landscaping for the Project Site would include both native and adaptive native plant materials. Thus, Alternative 4A would enhance the pedestrian experience with landscaping and other improvements, resulting in a safe and comfortable walking environment for area residents and visitors.

Chapter 3: Access for All Angelenos

***Policy 3.1:** Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement - as integral components of the City's transportation system.*

***Policy 3.3:** Promote Equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.*

***Policy 3.5:** Support "first-mile, last-mile solutions" such as multi-modal transportation services, organizations, and activities in the areas around transit stations and major bus stops (transit stops) to maximize multi-modal connectivity and access for transit riders.*

***Policy 3.7:** Improve transit access and service to major regional destinations, job centers, and inter-modal facilities.*

***Policy 3.8:** Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.*

Alternative 4A would provide all residents, workers and visitors with affordable, convenient and attractive services by encouraging pedestrian movement, a combination of commercial uses on the ground floor, and a public paseo. Alternative 4A's proximity to the Metro Connector Historic Broadway Rail Station, Civic Center/Grand Park Rail Station (Red/Purple Lines), in addition to other transit lines and buses operated by Metro, would reduce vehicular trips to and from the Project Site, vehicle miles traveled, and would result in improved air quality. In addition, Alternative 4A would include large, glazed commercial frontages, which

would encourage pedestrian activity within the Historic Core and through pedestrian-friendly design. By locating high-density residential and commercial components uses above transit, Alternative 4A would allow future residents to live in proximity to their place of employment while having access to new and existing commercial uses. Last, Alternative 4A would provide a total of 454 bicycle parking spaces, thus, thereby supporting “first-mile, last-mile solutions”, enabling residents, workers, visitors, and patrons improved access to and from the Project Site.

Chapter 5: Clean Environments and Healthy Communities

Policy 5.4: *Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.*

As conditioned, all electric vehicle charging spaces (EV spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC.

Health and Wellness Element

Adopted in March 2015, the Plan for a Healthy Los Angeles lays the foundation to create healthier communities for all Angelenos. As the Health and Wellness Element of the General Plan, it provides high-level policy vision, along with measurable objectives and implementation programs, to elevate health as a priority for the City’s future growth and development. Through a new focus on public health from the perspective of the built environment and City services, the City of Los Angeles will strive to achieve better health and social equity through its programs, policies, plans, budgeting, and community engagement. Alternative 4A is consistent with the following goals, objectives and policies:

Chapter 2: A City Built for Health

Policy 2.2: *Promote a healthy built environment by encouraging the design and rehabilitation of buildings and sites for healthy living and working conditions, including promoting enhanced pedestrian-oriented circulation, lighting, attractive and open stairs, healthy building materials and universal accessibility using existing tools, practices, and programs.*

Alternative 4A would provide public open space and improve pedestrian circulation around and through the building via a public paseo that would connect Broadway and Spring Street. The public paseo would be open to the sky, and create a flexible open space for the public and would improve pedestrian circulation at the ground level. The public paseo would be a social space able to host a variety of uses including outdoor dining, seating, bike parking, and neighborhood circulation to and from the adjacent spaces, all positioned to activate the space, which would make a positive contribution to the neighborhood. While Alternative 4A would result in improved sidewalk areas along Broadway, 2nd Street, and Spring Street, it should be noted that these areas would not be available for amenities such as additional outdoor seating via benches and/or temporary movable tables and chairs, kiosks, due to the clearance requirements needed for the Metro Regional Connector Historic Broadway Rail Station immediately below the Site. Alternative 4A would also include open space in the form of extensively landscaped residential amenity decks.

Chapter 5: An Environment Where Life Thrives

Policy 5.1: *Reduce air pollution from stationary and mobile sources; protect human health and welfare and promote improved respiratory health.*

Policy 5.7: *Promote land use policies that reduce per capita greenhouse gas emissions, result in improved air quality and decreased air pollution, especially for children, seniors and other susceptible to respiratory diseases.*

Alternative 4A would redevelop a former surface parking lot with new housing coupled with new commercial uses, located immediately above the Metro Regional Connector Historic Broadway Rail Station. Future visitors, employees, and residents of Alternative 4A, as well as people who already live and work in the area, would be able to take advantage of the mix of land uses within proximity to transit to serve their daily needs. Amenities, including amenity decks, lounge areas, and a recreation room, would encourage and allow for socializing on-site. The Alternative 4A's proximity to multiple Metro Stations and other transit options would encourage residents, patrons and visitors to use public transportation or walk, thus reducing air pollution and greenhouse gas emissions that would otherwise be caused by vehicle trips. The Alternative 4A's public paseo and ground floor commercial uses, within proximity to the above-referenced transit options, would sustain street level interest and promote pedestrian activity with linkages to the transit network.

Land Use Element - Central City Community Plan

Last updated in 2003, the Central City Community Plan guides the development and improvement of the community to meet existing and anticipated needs and conditions, as well as to balance growth and stability. The development of Alternative 4A represents an opportunity to achieve the overarching goals of the Central City Community Plan, which include strengthening the commercial base in Downtown Los Angeles and facilitating the expansion of housing choices in order to attract new and diverse households. Alternative 4A furthers the following Community Plan objectives and policies:

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

Objective 1-3: *To foster residential development which can accommodate a full range of incomes.*

Objective 2-1: *To improve Central City's competitiveness as a location for offices, business, retail, and industry.*

Policy 2-1.2: *To maintain a safe, clean, attractive, and lively environment.*

Objective 2-3: *To promote land uses in Central City that will address the needs of all the visitors to Downtown for business, conventions, trade show, and tourism.*

Objective 2-4: *To encourage a mix of uses which create an active, 24-hour downtown environment for current residents and which would also foster increased tourism.*

Objective 11-6: *To accommodate pedestrian open space and usage in Central City.*

The Project Site is located within the Historic Core of the Central City Community Plan. This area is generally characterized by government facilities, a high concentration of architecturally significant buildings, including nationally recognized historic theaters, office buildings, ground floor retail, and commercial buildings which have been converted to residential uses. In recent years, applications and/or conversions for new mixed-use developments containing office, live/work, residential, and commercial uses have been steadily rising as the City facilitates the growing need for new residential units and office space in all areas of the Central City Community Plan.

A key residential goal of the Central City Community Plan is the provision of new housing to satisfy the varying needs and desires of all economic segments of the community. Alternative 4A would provide needed housing to meet continuing demand in Los Angeles. As proposed, Alternative 4A would accommodate various income levels (Market Rate and Workforce Housing) and unit types (studio, one-bedroom, and two-bedroom), 10,000 square feet of ground floor commercial uses, to be constructed above the Metro Regional Connector Historic Broadway Rail Station, on a Site that was formally a surface parking lot, within a major employment center. Alternative 4A would also add new land uses that are compatible with the adjacent commercial and residential neighborhoods and would create an active 24-hour environment. The location of Alternative 4A is advantageous for future residents due to the proximity to significant regional employment centers such as the Financial District, the Civic Center, the Fashion District, and the Arts District.

Alternative 4A would also create a pedestrian-friendly environment by maintaining a strong streetwall with storefronts and providing a public paseo that would connect Spring Street and Broadway through a creative open space for pedestrians. The public paseo and right-of-way improvements would improve pedestrian circulation within the area while providing new pedestrian linkages to other downtown activity centers and encouraging the use of pedestrian open space in the Central City. Alternative 4A, therefore, would improve access and create a safe and convenient street environment for customers, residents, and employees in the area. For the reasons summarized above, Alternative 4A would be consistent with the applicable objectives and policy of the Central City Community Plan.

- 3. The Sewerage Facilities Element** of the General Plan would not be affected by the recommended action. While the sewer system might be able to accommodate the total flows for Alternative 4A, 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 would 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 would be made at that time. Ultimately, this sewage flow would be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for Alternative 4A.

Entitlement Findings

- 4. Vesting Zone Change, and “T” and “Q” Classification Findings.**

Pursuant to Section 12.32 of the Los Angeles Municipal Code (LAMC), the Applicant requests a Vesting Zone Change to remove Q Condition No. 7 of Ordinance No. 180,871. This Ordinance, which became effective on October 26, 2009, established the Broadway CDO and contains Q Conditions, which provide context-specific regulations pertaining use and design. Q Condition No. 7 requires that the lot coverage for portions of buildings over 150 feet shall be no less than 30 percent of the lot and no more than 40 percent of the lot.

Alternative 4A's tower element would consist of two masses that would be slightly offset and shift at Levels 28 and 39. The Applicant is requesting to deviate from this requirement and instead construct a tower that would be designed with floorplates ranging from 9,812 square feet (8.31 percent lot coverage) to 12,371 square feet (10.48 percent lot coverage).

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

Alternative 4A proposes a 56-story, 570-foot tall, mixed-use, high-rise building with 680 residential units, of which 45 units or 6.6 percent of the total units, would be set aside for Workforce Housing units, 10,000 square feet of ground floor commercial uses, and 74,165 square feet of open space. In total, Alternative 4A would contain up to 707,036 square feet of floor area, inclusive of the 9,810 square-foot Metro portal and plaza, on an 118,051 square-foot (2.71 net acre) lot, for an FAR of 6:1. The new building would be built above the Metro plaza area, with the floor of Level 2 serving as the roof over the plaza. Parking would be provided within the existing on-site parking structure to remain as part of Alternative 4A's work scope, and includes two subterranean and five above-grade parking levels, located immediately south of the high-rise building.

The Applicant requests a Vesting Zone Change to remove Q Condition No. 7 of Ordinance 180,871. The Ordinance, which became effective on October 26, 2009, established the Broadway CDO and contains Q Conditions, which provide context-specific regulations pertaining for use and design. Q Condition No. 7 requires that the lot coverage for portions of buildings over 150 feet shall be no less than 30 percent of the lot and no more than 40 percent of the lot. The Applicant is requesting a Vesting Zone Change to deviate from this requirement and instead construct a tower that would be designed with floorplates ranging from 9,812 square feet (8.31 percent lot coverage) to 12,371 square feet (10.48 percent lot coverage).

The intent of Q Condition No. 7 is to allow for future towers to better fit into the existing tightly knit infill lots found in the Historic Core District, and specifically along Broadway. While heights above 150 feet are permitted, these regulations are meant to diminish massing, particularly as viewed from Broadway and perpendicular streets. As such, the established maximum and minimum lot coverage would permit high-rise development, ensure that new development is compatible with existing, historic development patterns, but not promote the tall, slender towers that are more appropriate in other parts of Downtown, such as South Park, and have more variation in building heights and building modulation.¹

As demonstrated in Finding 5.a and b, Alternative 4A would substantially comply with the adopted Broadway Design Guidelines and Standards and would comply with all of the remaining Broadway CDO Q Conditions to ensure that Alternative 4A reflects the overall Broadway CDO vision of a cohesive, pedestrian-friendly, and vibrant entertainment, commercial, and mixed-use district.

Public Necessity. Alternative 4A would be constructed above the Metro Regional Connector Historic Broadway Rail Station and located in close proximity to jobs,

¹ CPC-2009-874-CDO-ZC Department of City Planning Staff Report.

housing, and a wide range of uses and public services. Alternative 4A would be compatible with the surrounding commercial and residential buildings in the area, including the U.S. Federal Courthouse Building, City of Los Angeles Police (LAPD) Headquarters, Caltrans Building, and the Los Angeles Times Mirror Square Campus. The recommended Vesting Zone Change would allow for the development of 680 new residential units, including a voluntary set-aside of 45 units (or 6.6 percent of the total units) for Workforce Housing units, which would contribute to the Mayor's goal of permitting 100,000 new housing units by 2021. Alternative 4A would also introduce new ground floor commercial uses to the Site, which would maximize ground floor transparency and create a vibrant urban place that is inviting to pedestrians, increasingly walkable, and less auto dependent. Furthermore, Alternative 4A includes both private and public amenities that would improve the quality of life for future residents and visitors.

The recommended Vesting Zone Change would allow Alternative 4A to help alleviate the City's housing shortage by providing a mixed-income, mixed-use residential development, thus serving to address the City's housing shortage and need for affordable housing. In addition, Alternative 4A would make more efficient use of land by redeveloping a former surface parking lot with new residential and commercial uses. Locating both a greater residential density and neighborhood-serving commercial uses above the Metro Regional Connector Historic Broadway Rail Station would also greatly benefit the residents in offering efficient transit alternatives and contribute to building the critical mass necessary to support a more efficient regional transit system. Alternative 4A would accommodate projected population growth in the area, while being compatible with its surrounding uses. Accordingly, the recommended Vesting Zone Change would be in conformity with public necessity.

Convenience. Approval of the recommended Vesting Zone Change would facilitate the redevelopment of an existing surface parking lot with a new mixed-use development, located above the Metro Regional Connector Historic Broadway Rail Station, and in close proximity to other mass transit options, jobs, and housing. The Alternative 4A density and scope are appropriate for the Site and the surrounding properties, as it locates needed residential density near several transit options that afford easy access to employment centers, entertainment, and services, creates new commercial uses for the neighborhood, promotes pedestrian activity in the general area, and provides a community gathering point with a public paseo that would be integrated with the Metro plaza. Accordingly, the recommended Vesting Zone Change would be in conformity with convenience.

General Welfare. Approval of the recommended Vesting Zone Change would allow the redevelopment of an infill Site in an area previously developed with numerous surface parking lots and vacant historic buildings and theaters, that is evolving with more development of commercial and residential uses as well as rehabilitated historic buildings. As discussed above, the area is served by transit that would afford residents access to jobs, entertainment, and services within downtown and the Greater Los Angeles region.

As proposed, the Vesting Zone Change would remove the lot coverage requirements for Alternative 4A's residential tower that extends above 150 feet, and allow for a slender tower design as opposed to a shorter and wider mid-rise tower design. Compliance with Q Condition No. 7 would require demolition of the existing parking

structure, and as the 2.71-acre Site is substantially larger than a majority of the parcels located along the Broadway Corridor, application of Q Condition No. 7 would result in over-size and impractical tower floorplates. Further, if Alternative 4A were required to comply with Q Condition No. 7 and build to the maximum permitted FAR of 6:1, the proposed building would range between 14 to 19 stories tall, which would be out of scale with the surrounding properties located within the Broadway CDO, and likely require the removal of the public paseo and existing parking structure which covers approximately 50 percent of the Site.

The recommended Vesting Zone Change would allow for a mixed-use residential development near transit while providing neighborhood-serving commercial opportunities for future residents and the existing surrounding neighborhood, while increasing the City's housing stock.

Additionally, Alternative 4A would activate and enhance the aesthetic character of an infill site within a transit-rich neighborhood. Alternative 4A includes 680 new residential units, including a voluntary set-aside of 45 units (or 6.6 percent of the total units) for Workforce Housing units without any direct displacement of existing housing units. Alternative 4A would further promote foot traffic through the use of a strong streetwall which would be built to the property line along Broadway. Ground floor commercial spaces would feature 27-foot tall entryways accessible along Broadway, 2nd Street, Spring Street, and from the public paseo that would provide a pedestrian connection between Broadway and Spring Street. Accordingly, the recommended Vesting Zone Change would be in conformity with general welfare.

Good Zoning Practices. The Vesting Zone Change conforms with good planning practices in that the request would preserve and strengthen an existing, viable mixed-use area, with the introduction of a new, compatible mixed-use project. Alternative 4A would redevelop the Site, formerly developed with a surface parking lot with a new, 56-story tower. The recommended Vesting Zone Change is consistent with the Regional Center Land Use Designation, otherwise compliant with the Broadway CDO excluding the request herein. The proposed designation would then be compatible with the market-driven and government-initiated transitions within the area.

Alternative 4A would also be compatible with mixed-use buildings in the surrounding neighborhood as it is located at the northern boundary of the Broadway CDO, and would generally conform with the Broadway Design Guidelines and Standards, while also serving as a transition to the Civic Center District. The Project Site is located in an important part of the City's urban fabric and is located in close proximity to government facilities, historic theaters, office buildings, and commercial buildings, many of which have been converted to residential uses. The mixed of uses that would be developed as part of Alternative 4A would be compatible with the existing government office buildings located near the Project Site, (e.g., U.S. Federal Courthouse Building, LAPD Headquarters, Caltrans Building) as well as with future proposed development in the Project vicinity (e.g., Los Angeles Times Mirror Square project, 5th and Hill project, 4th and Hill project, and Angel's Landing project).

As such, the Vesting Zone Change would be consistent with good zoning practices and development patterns in the immediate area.

b. T and Q Classification Findings.

Per LAMC Section 12.32 G.1 and 2, the current action, as recommended, has been made contingent upon compliance with new T and Q conditions of approval imposed herein for Alternative 4A. The T Conditions are necessary to ensure the identified dedications, improvements, and actions are undertaken to meet the public's needs, convenience, and general welfare served by the actions required. These actions and improvements will provide the necessary infrastructure to serve the proposed community at this site. The Q Conditions that limits the scale and scope of future development on the Site are also necessary to protect the best interests of and to assure a development more compatible with surrounding properties and the overall pattern of development in the community, 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.

5. Community Design Overlay Plan Approval

Following is a delineation of the findings and application of the relevant facts as related to the request to allow the redevelopment of a surface parking lot with 680 residential units and 10,000 square feet of commercial ground floor uses on a Site located within the Broadway CDO.

a. Pursuant to LAMC Section 13.08, the project substantially complies with the adopted Community Design Overlay Guidelines and Standards.

As provided below, Alternative 4A substantially complies with the CDO.

1. Respecting the Historic Context

GUIDELINE 1: Pursue creative and innovative contemporary designs for new buildings that will complement Broadway's designated National Register Historic District.

The proposed mixed-use building meets the Standards under Guideline 1 which requires new construction to be pedestrian-oriented and compatible with the existing mixed-use development along Broadway, while also differentiated from existing historic buildings. It should be noted that the Project Site is located north of the Broadway Theater and Commercial District, a National Register Historic District, which is characterized by buildings with a common setback abutting the sidewalk, three-part facades with ground level storefronts, and building materials such as glazed terra cotta and cast stone, with the most prevalent architectural style being Beaux Arts.

Alternative 4A would respect the traditional lot patterns, which consist of mixed-use buildings that incorporate pedestrian-scaled design features and elements, including landscaping, that contribute to a pedestrian-friendly environment on Broadway and promote an active street life 24-hours a day. Alternative 4A would include transparent ground floor commercial storefronts and a residential lobby, a prominent ground floor entryway facing the public street, and a horizontal 10-story podium that mirrors the building form and height of surrounding older structures such as the Victor Clothing Building and the Bradbury Building, both of which are located to the south along Broadway. Ground floor landscaping would include a public paseo located between the new mixed-use building and the existing on-site parking structure, creating a

pedestrian pathway accessible from Broadway and the Metro plaza across the Site to Spring Street. Additionally, the new residential tower would be constructed on the northeast corner of the Site, away from Broadway. Alternative 4A would include balconies on the 10-story podium and the tower, however they would be Juliet balconies (with minimal projection) and thus be more compatible with nearby historic resources, which rarely included balconies.

The 2.71-acre Site is considered large in comparison to a majority of the parcels located in the Broadway CDO and would be constructed above the Metro Regional Connector Historic Broadway Rail Station. Notable attention was focused on the new building's ground floor design, the Metro plaza entryway, and the podium element. Specially, the ground floor commercial uses would feature a full-height glass curtainwall with aluminum mullions to distinguish individual commercial storefront entrances. Additionally, at the northwest corner of the Site, the building would include a 40-foot high primary entryway for the building's ground floor commercial uses, public paseo, and to the Metro Regional Connector Historic Broadway Rail Station below, featuring a decorative wood-paneled ceiling. Moving away from the northwest corner, the ceiling would gradually slope down to create a pedestrian-scaled façade that would span the entire length of 2nd Street and wrap the corners of Broadway and Spring Street, forming a cohesive ground floor. Similar to the ground floor commercial uses, the 10-story podium would be constructed out of 127-foot high glass curtainwall, and as discussed above, consistent with the height of adjacent historic resources.

It should be noted that the Historic Resources Report completed for the Project, but for which the findings would also be applicable to Alternative 4A, determined that development of the site would not result in any direct impacts to historic resources as there are no on-site historic resources and thus, no historic resources would be demolished, destroyed, relocated, or altered as a result of Alternative 4A. Regarding the Secretary of the Interior Standards, the National Park Service issues Standards with accompanying guidelines for four types of treatments for historic resource: Preservation, Rehabilitation, Restoration, and Reconstruction. Although none of the four treatments as a whole applies specifically to new construction in the vicinity of historic resources, the Standards for Rehabilitation, specifically Nos. 9 and 10 provide relevant guidelines for such projects.

Standard No. 9 states, "New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment."

Standard No. 10 states, "New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired."

The proposed building would be located directly across 2nd Street from the Mirror Building, and north of the Douglas Building and the Victor Clothing Company within the same block, separated by the existing parking structure to remain within the Project Site, and a small surface parking lot. Thus Alternative 4A would not destroy historic materials, features, and spatial relationships that characterize the surrounding

buildings and the spatial relationship between the Mirror Building, the Douglas Building, the Victor Clothing Company and its immediate environment would remain intact. In addition, redevelopment of the Site would not change the relationship between the Victor Clothing Company and other contributing buildings in the Historic District.

The Mirror Building is 10-stories in height, the Douglas Building and the Victor Clothing Company are each five-stories in height, and the proposed building's tower would be 56-stories in height. While the building's size and scale would be different than that of the historic buildings, these historic resources do not abut the Project Site, making the difference in height less noticeable. In addition, the new building would be compatible with the size and scale of the other high-rise buildings that began to characterize Downtown Los Angeles beginning in the 1980s. At present, the Historic Core has a higher concentration of 12-story buildings; however, as the Central City Community Plan states, although "neighborhoods and districts were originally defined with specific boundaries as defined in the Downtown Strategic Plan, [...] over time the boundaries have blurred as land uses changed and overlapped with adjoining uses." West of Hill Street, two blocks away from the Project Site, buildings begin rising to 20 stories.

The proposed building would be differentiated from the historic buildings by its contemporary materials, however the tallest portion of the building would be gradually oriented away from Broadway and toward Spring Street, reflecting, to a degree, the height and massing of the Mirror Building directly north of the Project Site across 2nd Street. Thus, the design of the proposed building is responsive to the height and massing of the buildings that surround it.

As discussed above, the building's features, including the ground floor transparent uses, podium massing and height and public pedestrian paseo would be compatible with the surrounding historic buildings' features. While the materials would be contemporary, this is less important for related new construction, especially when they are not adjoining. Using complementary materials is more important for additions to a historic building or where there is an established architectural style and palette of materials, such as within a historic district. Although the proposed building would not strictly comply with this particular guideline of Standard No. 9, it would not reduce the integrity or significance of the nearby historic resources.

Regarding Standard No. 10, the building would be sufficiently separated from the Mirror Building by 2nd Street and from the Douglas Building and the Victory Clothing Company by two parcels spanning the width of the block that serve as surface parking lots. If the new building were removed in the future, the adjacent historic resources would not be materially affected and the essential form and integrity of the surrounding historic resources and their environment would be unimpaired.

Thus, while the proposed materials would reflect a more contemporary feel, the building would serve as an anchor at the northern edge of the Broadway CDO that mirrors the traditional lot patterns of surrounding historic buildings, complies with the applicable Secretary of Interior Standards, and also simultaneously displays visual qualities found in nearby buildings just outside the Broadway CDO, including the LAPD Headquarters, U.S. Federal Courthouse Building, and Caltrans Building.

2. Building Orientation and Frontage

GUIDELINE 2: Site buildings to promote pedestrian activity along the public right-of-way by placing business entrances on the street. Developments should not face inward but rather should be oriented towards the street to reinforce the existing character of the Broadway Corridor.

The proposed mixed-use building meets the Standards under Guideline 2, which requires that buildings be built to the front property lines and oriented to the street; accessory parking be located at the rear of the building when feasible; shall be visually compatible with other structures associated with the project, in terms of material, color, design and other elements; and that the ground floor storefront spaces be accessible from the sidewalk and maintain a minimum floor-to-ceiling height of 15 feet, with a prominent primary entrance that is distinguished from other on-site storefronts.

The Project Site is subject to a five-foot Building Line imposed along the Broadway frontage per Ordinance No. 75667. The ground floor commercial uses would be built to the shared property line between the northeasterly side of the Metro plaza and the subject site; and to the property line along 2nd Street. The podium built over the Metro plaza would not encroach into the five-foot Building Line. It should be noted that Site is located within a Metro Rail Project Area and, as shown on VTT Map No. 74320, Lots 2, 3, and 7 are owned by Metro and would be occupied by the Metro plaza, portal and station.

Thus the ground floor commercial uses are built to the Applicant's property line at the northwest corner of 2nd Street and Broadway. In addition, the 10-story podium element would be constructed above the Metro plaza, further reinforcing the existing streetwall along Broadway.

No new parking would be constructed as part of Alternative 4A. Vehicle parking would be fully contained in the existing parking structure, which was constructed in 1988, includes two subterranean and five above grade parking levels, and is located immediately south of the new building and public paseo. Under Alternative 4A the number of total parking spaces would be reduced from 1,460 to 1,436 spaces to accommodate required long-term bicycle parking spaces.

Alternative 4A is primarily oriented towards 2nd Street, with additional ground floor commercial frontages and entrances accessible from the Metro plaza and Spring Street. A 40-foot tall primary pedestrian entryway to the Site and Metro plaza would be located at the corner of Broadway and 2nd Street. Additionally a prominent residential lobby entrance would be centrally located along 2nd Street, and multiple individual entrances to the ground floor commercial spaces would be accessible from Spring Street, 2nd Street, the Metro plaza, and from the paseo. All ground floor commercial uses would maintain a floor-to-ceiling height of 27 feet and 37-foot depth, exceeding the Guidelines' requirements for a 15-foot floor-to-ceiling height and 25-foot depth. As discussed above, under Guideline 1, the building's residential tower would be set back from the Site's Broadway property line and located along Spring Street, to maintain consistency with the existing historic streetwall.

Thus, Alternative 4A, specifically the ground floor commercial uses, Metro plaza, and public paseo, would be designed to promote pedestrian activity in the right-of-way and the overall design of Alternative 4A would be oriented towards the street to reinforce the Broadway Corridor.

3. Setbacks

GUIDELINE 3: Encourage an inviting pedestrian environment and provide for streetwall continuity by locating new buildings at the property line or the prevailing setback, as applicable. Where permitted, additional setback areas should encourage active public uses through additional street trees, outdoor seating areas, kiosks, forecourts and arcades.

Alternative 4A meets the Guideline 3 Standards by locating the building at the property line along Spring Street, 2nd Street, and Broadway. As discussed above, Metro owns the lot located at the corner of Broadway and 2nd Street and would develop this portion of the Project Site with the Metro plaza to provide access to the Metro Regional Connector Historic Broadway Rail Station. The ground floor commercial uses and residential lobby would be built to the property line along 2nd Street and Spring Street but, as conditioned, shall be required to comply with the street dedications and improvements to the satisfaction of the City Engineer. Above the ground floor commercial uses, the approximately 127-foot tall podium would be built to the property line along 2nd Street and Broadway.

In conjunction with the Vesting Zone Change, Alternative 4A would not be required to comply with Standard 3e, which requires that any portion of a tower above 150 feet meet a minimum lot coverage of 30 percent and a maximum of 40 percent.

Alternative 4A would develop the Site with an inviting pedestrian environment by located the building at the property lines and maintain the existing streetwall along Broadway.

4. Open Space

GUIDELINE 4: Encourage publicly accessible, urban open spaces as part of a project site design to invite and encourage pedestrian activity. Create inviting spaces, provide shade, screen unattractive areas, and enhance architectural detailing through the thoughtful and careful placement of landscaping. Paseos and arcades should accommodate pedestrian traffic and offer opportunities for amenities such as outdoor dining, sitting areas, and landscaping. The arcade presents the opportunity for pedestrian-oriented retail.

Pursuant to the Guideline 4 Standards, the Project Site frontage along Broadway is approximately 360 feet and, thus, pedestrian access shall be provided from the rear of the building to the front property line. An on-site 21,000 square-foot public paseo would extend from Broadway to Spring Street between the new building and the existing parking structure, located on the southern portion of the Site. The paseo would be open to the sky; landscaped with shrubs, turf areas, and trees; include at least one gathering space with a Japanese Maple tree, or similar ornamental tree, serving as the main focal point; and provide movable furniture. Additionally,

approximately 7,000 of the proposed 10,000 square feet of ground floor commercial uses would be accessible from the paseo.

Outdoor terraces would be located on Levels 2, 11, and 39, and a rooftop terrace would be located on Level 56. The terraces would be integrated into the building architecture and provide passive and active open spaces. Further, these spaces would provide areas for socializing, include landscape areas, pool areas, group gathering areas, a barbeque area, and outdoor dining areas.

Thus, Alternative 4A would include new publicly accessible open space on the Site, including a paseo, which would comply with the applicable Broadway Design Guidelines and Standards. The proposed open space would encourage on-site pedestrian activity as well as increase the surrounding areas walkability.

5. Corporate Identity Architecture

GUIDELINE 5: Buildings in the District should contribute to the architectural integrity of the surrounding area. Buildings used for franchise restaurants, retail space or other formula commercial uses that traditionally have a pre-determined corporate architectural identity may not be compatible with these guidelines. In such cases, buildings shall be redesigned so as to be consistent with these Design Guidelines and Development Standards.

The Project Site is located north of the Broadway Theater and Commercial District, a National Register Historic District. Commercial tenants have not been identified at this time. While it is expected that the commercial tenants may have signage with corporate identification, in accordance with the Guideline 5 Standards and, as conditioned, the building would not be modified to accommodate corporate architectural identity. Additionally, all signage would be required to comply with the Historic Broadway Sign Supplemental Use District.

6. Building Scale and Massing

GUIDELINE 6: Building and massing of new buildings should complement the existing urban form and the prevailing height of existing buildings while considering light, shadows, views, etc.

The mixed-use building would comply with the applicable Guideline 6 Standards in that the building's mass would be reduced through the incorporation of architectural projections, recesses, and four discernable masses. First, the ground floor commercial uses would be constructed with an aluminum storefront curtainwall with transparent low-iron glazing and widely spaced mullions. Above the ground floor commercial uses, the residential podium would combine transparent glazing on windows with formed aluminum framing and mullions and Juliet balconies that are complementary to the ground floor commercial uses, but would maintain a closer fenestration and spacing to emphasize the horizontal lines throughout this portion of the building. The tower element would consist of two masses that would be slightly offset and shift at Levels 28 and 39 to create visual interest and breaks in the overall vertical configuration. While the tower design would incorporate the same glass curtainwall system with non-reflect glazing as the residential podium below, minimal framing and aluminum

mullions would emphasize the verticality of the tower portion while allowing the visual weight of the building to be concentrated on the commercial and residential base. Finally, a decorative fritted clear glass parapet would be proposed as a means to screen mechanical equipment, while adding an architectural element that would further define the building.

Additionally, the podium's streetwall along Broadway would be approximately 127 feet in height, and not less than 95 percent of the streetwall would be built to the property line. The glass curtainwall podium would complement the existing historic scale and massing of the surrounding area. As conditioned, the new residential tower would be constructed on the northeast corner of the Site, along Spring Street and away from Broadway, so as not to impact the historic streetwall.

7. Building Articulation

GUIDELINE 7: Heighten visual interest and enhance pedestrian orientation by incorporating variation in the facades of buildings. These elements and variations may include: architectural features; changes in building materials, texture and color; generously sized, transparent display windows; arcades, canopies and awnings; cornices, and other details such as transom windows and overdoors. New developments should be governed by a formal architectural concept, like the existing historic structures, that exhibits variation in the basic principles of visual order to clarify buildings' uses and differentiate ground floor uses.

Alternative 4A fulfills the Standards under Guideline 7 by including a range of architectural features that would enhance the pedestrian environment while also clarifying the building's uses. The ground floor uses would maintain more than 70 percent transparency and include large display windows which, as conditioned, would utilize clear, non-reflective glass. The ground floor would be broken up into individual storefronts with aluminum mullions to distinguish individual commercial storefront entrances. The perimeter of the building's ground floor level would have maximum height of 40 feet above the Metro plaza at the northwest corner of the Site. Moving away from the northwest corner, the ceiling would gradually slope down to create a pedestrian-oriented façade that would span the entire length of 2nd Street and wrap the corners of Broadway and Spring Street, forming a cohesive ground-floor.

The building would occupy less than 150 feet of street frontage along Broadway and Spring Street. The building's base along the 2nd Street frontage is approximately 311 feet long. A 10-foot wide vertical recess would be incorporated into Alternative 4A's 2nd Street facade as a means to create a break between the tower portion and podium building elements.

At the Broadway elevation, above the ground floor commercial uses, the podium would combine transparent glazing on windows with formed aluminum framing and mullions and juliet balconies that are complimentary to the ground floor commercial uses, but would maintain a closer fenestration and spacing to emphasize the horizontal lines throughout this portion of the building.

8. Entry Treatments

GUIDELINE 8: Each building should have a prominent main building entrance that allows pedestrians access to a main lobby from Broadway and any perpendicular side street to an active pedestrian environment.

Alternative 4A would comply with the Guideline 8 Standards and would include a 40-foot high primary entryway, designed with a decorative wood-paneled ceiling that would provide immediate pedestrian access to the Site and Metro plaza. Additionally a prominent residential lobby entrance would be centrally located along 2nd Street, and multiple individual entrances to the ground floor commercial spaces would be accessible from Spring Street, 2nd Street, the Metro plaza, and from the paseo. All ground floor commercial uses would maintain a floor-to-ceiling height of 27 feet and 37-foot depth, exceeding the Guidelines' requirements for a 15-foot floor-to-ceiling height and 25-foot depth. The loading dock area would be located at southeast corner of the building, along Spring Street, away from the Metro plaza and the building's primary 2nd Street frontage.

9. Storefronts

GUIDELINE 9: Encourage window-shopping and an active pedestrian environment by providing a significant level of storefront transparency at the ground floor on building facades along public streets. Storefronts should allow maximum visibility from sidewalk areas into the interior of all commercial uses. Storefront entrances should be designed so that they are a predominant architectural feature on the building façade and create an inviting entrance.

The mixed-use building would comply with the applicable Guideline 9 standards and include several ground floor commercial spaces, which would be accessible from 2nd Street, Spring Street, the Metro plaza, and the public paseo. Alternative 4A's ground floor curtainwall would occupy greater than 70 percent of the ground floor façade and no railings would be incorporated into the commercial space design. As conditioned and shown in Exhibit A, the ground floor commercial uses would be glazed with clear, non-reflective, low-iron glass and thus would comply with the Guideline 9 Standards.

10. Windows

GUIDELINE 10: All structures should have as many windows as possible on the ground floor when facing a street or pedestrian walkway. There should be little or no blank wall area, except to separate buildings or retail/office spaces. This increases safety by allowing businesses to have 'eyes on the street' and passerby to see interior building activities. Windows should incorporate passive solar and other green building standards to the extent feasible to reduce energy consumption.

Alternative 4A fulfills the Standards under Guideline 10 and would include ground floor windows that would be evenly and regularly spaced, creating a discernible rhythm and allowing a minimum of 90 percent light transmission on the ground floor. As conditioned, Alternative 4A would use clear, non-reflective glass on the ground floor and the building's fenestration would be designed to allow for solar orientation, in that the building would be the same on all four sides of the tower and would be similar, but

different on the base. While the building design doesn't change in regards to solar orientation, the glazed area has been strategically reduced with the use of solid panels to increase the performance of the building compared to an all glass tower.

11. Facades, Exterior Surface Materials & Color

GUIDELINE 11: The texture of building facades should be complementary to other buildings in the surrounding area. Large expanses of the same building material detract from the building's aesthetics. The use of varied and complementary building materials reduces the mass of a building and creates visual interest.

Pursuant to the Standards under Guideline 11, while Alternative 4A would employ a glass curtainwall system as the primary exterior façade material, to ensure the building's mass is reduced and to create visual interest, Alternative 4A would incorporate architectural projections, recesses, and four discernable masses throughout the building as described above under Finding 5.a, 6 Building and Massing. While the tower design would incorporate the same glass curtainwall system with non-reflect glazing as the residential podium below, minimal framing and aluminum mullions would emphasize the verticality of the tower portion while allowing the visual weight of the building to be concentrated on the commercial and residential base. Finally, a decorative fritted clear glass parapet would be proposed as a means to screen mechanical equipment, while adding an architectural element that would further define the building.

12. Lighting

GUIDELINE 12: Lighting should be incorporated into the design not only to accentuate architectural features, but also to provide a safe environment for pedestrian activity. All open areas, including parking lots, walkways, and trash areas, should have security lighting for safety.

As conditioned, storefronts, entryways, and pedestrian areas would be illuminated with down-cast lighting, while architectural features shall be illuminated with accent up-lights to the greatest extent possible, thus complying with the Guideline 12 Standards. Additionally, pedestrian-oriented lighting would be provided along the public paseo and around the Metro plaza to provide aesthetic and security lighting. Lighting from within and around the ground floor commercial uses would provide a safe pedestrian environment.

13. Awnings and Canopies

GUIDELINE 13: Where appropriate, use awnings or canopies to define the public realm of the sidewalk, provide shelter and shade, and enhance the building façade by adding variation, color, and horizontal rhythm. Awnings and canopies reinforce a pedestrian scale and add a comfortable sense of enclosure to outdoor seating and other active public uses.

Alternative 4A's primary entryway would a 40-foot high canopy that extends over the Metro plaza, designed with a decorative wood-paneled ceiling that would provide immediate pedestrian access to the Site and Metro plaza. The 40-foot high canopy would gently slope downwards along 2nd Street and Broadway to 27 feet and create

a pedestrian-oriented façade that would span the entire length of 2nd Street and wrap the corners of Broadway and Spring Street, forming a cohesive ground floor.

Additionally, a framed aluminum canopy would be constructed above the 2nd Street residential lobby entrance, extending approximately five feet over the sidewalk and would provide shade and an architectural element that would clearly mark the entrance.

14. Security Grilles

GUIDELINE 14: Buildings should be designed with security features that effectively deter criminal activity while maintaining a positive image about the community. When used, security grilles should be screened from view during business hours and should be integrated into the design of the building.

In compliance with the Guideline 14 Standards, no security grilles are proposed as part of Alternative 4A. The loading dock area would be located at southeast corner of the building, accessible from Spring Street, but away from the Metro plaza and the building's primary 2nd Street frontage. The loading dock area would have roll-up doors. In compliance with the Guideline 14 Standards, as conditioned, if security grilles are included as part of Alternative 4A, all security grilles would be transparent and the mechanical housing will be screened.

15. Utilities, Mechanical Equipment, Trash Containers & Loading

GUIDELINE 15: Utilities, storage areas, loading docks, mechanical equipment and other service areas should be screened from the adjacent public right-of-way. Equipment can be screened from public view through the use of building parapets, landscaping walls and other similar architectural treatments. Plywood and wood lattice screens should be avoided.

Pursuant to the Guideline 15 Standards, service areas and trash containers would be located entirely within the building and would be accessed from Spring Street. As conditioned, no mechanical equipment would project beyond any windows facing any street and all rooftop and other mechanical equipment would be screened from view on Broadway, 2nd Street, and Spring Street.

16. Sidewalk Dining Enclosures

GUIDELINE 16: Support an open and safe physical environment by designing enclosures for outdoor eating areas that do not detract from the quality of the pedestrian experience along the sidewalk.

No enclosures are proposed abutting the public street. Due Alternative 4A's expansive sidewalk easement, required placement of utilities, and emergency access panels and hatches needed for the Metro Regional Connector Historic Broadway Rail Station, Alternative 4A would not feature sidewalk dining along 2nd Street and/or Spring Street. As several ground floor commercial spaces would open directly on the public paseo area, this space would encourage a variety of opportunities for pedestrians to sit, dine, and enjoy the paseo and Metro plaza. As conditioned, all new outdoor dining enclosure

would be designed to be compatible with the applicable Broadway Design Guidelines and Standards.

17. Wireless Telecommunication Facilities

GUIDELINE 17: Wireless telecommunication facilities should be designed so as to appear compatible with or complementary to surrounding architecture and structures.

As conditioned, no new wireless telecommunications facilities are proposed as part of Alternative 4A.

18. Parking and Parking Structure Design

GUIDELINE 1 [sic]: Parking lots and structures should fit within the urban fabric; massing, scale and façade articulation should respond to the surroundings and provide a degree of three-dimensional interest. The overall design should promote pedestrian safety by minimizing conflict with vehicles. Parking should encourage a balance between a pedestrian-oriented Broadway and necessary car storage. Protect nearby residents from potential adverse impacts – noise, visual, or otherwise – of parking and parking structures.

Alternative 4A would redevelop a site that was a former surface parking lot. No new parking would be constructed as part of Alternative 4A and the existing on-site parking structure is not subject to the Broadway Design Guidelines and Standards, as it was constructed in 1988. Vehicle parking would be fully contained within the existing two subterranean and five above grade parking levels, located immediately south of the new building and public paseo. Under Alternative 4A, the number of total parking spaces would be reduced from 1,460 to 1,436 spaces to accommodate required long-term bicycle parking spaces. The existing two ingress/egress driveways along Spring Street and one ingress/egress driveway along Broadway would be retained. Additionally, the paseo, located immediately north of the parking structure, would be landscaped to soften the appearance of the structure.

19. Vehicular Access

GUIDELINE 2 [sic]: Minimize conflicts between pedestrians on the sidewalk and automotive traffic by providing vehicular access to parking areas along side streets or alleys wherever possible.

No new curb cuts are proposed along Broadway. A new driveway would be provided for the loading dock area accessible from Spring Street and away from the residential lobby entrance along 2nd Street.

- b. Pursuant to LAMC Section 13.08, the structures, site plan, and landscaping are harmonious in scale and design with existing development and any cultural scenic or environmental resources adjacent to the site and in the vicinity.**

As discussed under Finding 5.a above, Alternative 4A's proposed building, site plan, and landscaping would be in substantial conformance with the applicable Broadway Design Guidelines and Standards and would be compatible with the existing mixed-

use, pedestrian-oriented development along Broadway, while also acting as a transition to the Civic Center District immediately north of the Site.

Alternative 4A would redevelop the Site, a former surface parking lot, with a new mixed-use development that would include 680 residential units, of which 45 units or 6.6 percent of the total units, would be set aside for Workforce Housing units, and 10,000 square feet of ground floor commercial uses. An existing on-site parking structure is located on the southern portion of the Site, and would remain as part of Alternative 4A's work scope. The Metro Regional Connector Historic Broadway Rail Station would be located on the northwest corner of the Site, with the primary entryway at the corner of 2nd Street and Broadway.

Alternative 4A's ground floor commercial uses, podium element, and location of the proposed tower, would comply with the applicable Broadway Design Guidelines and Standards. The building's ground floor commercial uses and residential lobby would feature 27-foot floor-to-ceiling glass curtainwall frontages with aluminum mullions to differentiate individual storefront entrances and would provide direct pedestrian access to these uses from 2nd Street, Spring Street, and Broadway. The residential podium would be approximately 127 feet in height, and would be consistent with the height of historic resources located within the Project Site vicinity. As designed, the residential tower would be located away from Broadway and along the eastside of the Site. Additionally, in conjunction with the Vesting Zone Change, Alternative 4A's tower would be designed with floorplates ranging from 9,812 square feet (8.31 percent lot coverage) to 12,371 square feet (10.48 percent lot coverage).

As previously mentioned, the Metro Regional Connector Historic Broadway Rail Station would be located on the Site. Alternative 4A would include a canopy over the Metro plaza, creating a primary entryway to the ground floor commercial uses and the Metro plaza. Moving away from the northwest corner, the ceiling would gradually slope down to create a pedestrian-oriented façade that would span the entire length of 2nd Street and wrap the corners of Broadway and Spring Street, forming a cohesive ground-floor.

Site planning involves the proper placement and orientation of structures, open spaces, parking, and pedestrian and vehicular circulation on a given site. The purpose of good site design is to create a functional and attractive development, to minimize adverse impacts on the surrounding area, and to ensure that a new development project will be an asset to the community. Within the boundaries of the Broadway CDO, site planning of new buildings and additions should promote continuity of the historic context of Broadway. Careful consideration should be given to the relationship of new development with existing buildings and how it fits into the existing historic development pattern. The proposed site plan is compatible with existing development along Broadway, in that the Project's Site plan would respect the traditional lot patterns which consist of mixed-use buildings that incorporate pedestrian scaled design features and elements, including landscaping, that contribute to a pedestrian-friendly environment on Broadway and promote an active street life 24 hours a day.

Alternative 4A would include a 21,000 square-foot, publicly accessible paseo, which would comply with the applicable Broadway Design Guideline and Standards. The

proposed open space would encourage on-site pedestrian activity as well as increase the surrounding areas walkability. The paseo would extend from Broadway to Spring Street between the new building and the existing parking structure, located on the southern portion of the Site. The paseo would be open to the sky; landscaped with shrubs, turf areas, and trees; include at least one gathering space with a Japanese Maple or similar ornamental tree, as shown in Exhibit A, serving as the main focal point; and provide movable furniture. Additionally, approximately 7,000 of the 10,000 square feet of the proposed ground floor commercial uses would be accessible from the paseo.

The Project Site is surrounded by a mix of commercial, office, government and residential uses and range from mid-rise to high-rise buildings. To the west across Broadway is an existing surface parking lot and 10-story office building. To the north across 2nd Street is the Los Angeles Times-Mirror Square Campus, which includes an 11-story office building and a six-level parking structure fronting 2nd Street. Single-story commercial buildings and a six-level parking structure are located to the east across Spring Street. To the immediate south (of the existing on-site parking structure), and within the same block as the Project Site, are a surface parking lot and a six-story apartment building (the Hosfield Building, now known as the Victor Clothing Building) fronting Broadway, as well as a surface parking lot and five-story apartment building (the Douglas Building Lofts) fronting Spring Street.

There are no cultural scenic, environmental resources, including historic resources, located on the Project Site; however, seven historic resources are located within the Project vicinity, including the Times-Plant Complex, the Mirror Building, the Executive Building (all located on the Los Angeles Times-Mirror Square Campus); the Higgins Building; the Douglas Building; the Irvine-Byrne Building; and the Victor Clothing Company Building. Alternative 4A would be located within the same block as the Douglas Building and the Victor Clothing Company Building, but would be separated by the existing on-site parking structure to remain, and two surface parking lots. Further, the historic resources located on the Los Angeles Times-Mirror Square Campus would be located to the north of the Site and separated by 2nd Street.

Thus, Alternative 4A would be harmonious in form and design with the surrounding historic resources as well as activate a former surface parking lot with a mixed-use building on a Site located with the Broadway CDO.

6. Director's Determination

The following are the mandated findings for a Director's Decision as required by LAMC 12.21 G.3(a) to permit the payment of in lieu fees for all required trees that cannot be planted on-site or in the parkway abutting the Site.

a. The open space provided conforms with the objectives of this subsection.

Pursuant to LAMC Section 12.21 G.2, usable open space shall afford occupants of multiple residential dwelling units opportunities for outdoor living and recreation; provide safer play areas for children as an alternative to the surrounding streets, parking areas, and alleys; improve the aesthetic quality of multiple residential dwelling units by providing relief to the massing of buildings through the use of landscape

materials and reduced lot coverage; provide a more desirable living environment for occupants of multiple residential dwelling units by increasing natural light and ventilation; and improve pedestrian circulation and providing access to on-site recreation facilities.

Alternative 4A would provide a total of 74,165 square feet of open space, 340 square feet more than required by LAMC Section 12.21 G.2. Outdoor open space areas would total 50,320 square feet, including the ground floor public paseo, amenity terraces, which would be programmed with two pools, landscaped and hardscaped areas, outdoor dining and seating areas, and a barbeque area. A total of 183 private balconies would be provided. Indoor recreation space would total 14,695 square feet and include fitness rooms, screening/media rooms, residential spa uses, and recreation rooms.

The northern portion of the Site was previously developed as surface parking lot, but is currently in use as a staging and excavation area for construction of the Metro Regional Connector Historic Broadway Rail Station. Pursuant to a right-of-entry agreement, Metro has had exclusive control and use of the surface lot since March 2015 and will continue to use it as a construction staging and excavation area for the Regional Connector project until September 2021. At that time, control of the surface parking lot, with the exception of the Metro plaza area, portal, and station, would revert back to the Applicant. The southern portion of the Site is developed with a 67-foot tall parking structure that includes two subterranean and five above-grade parking levels. Development of the Site would include the introduction of ground floor commercial uses and a public paseo which would be located between the new building and existing parking structure. The public paseo would be landscaped with canopy trees, a variety of shrubs and grasses, permeable paving, and seating, be open from sunrise to sunset daily, and provide a mid-site cut through.

The open space terraces located on Levels 2, 11, and 39 would be integrated into the building architecture by creating offsets and recesses, and would provide passive and active open spaces, areas for socializing, and barbeque and outdoor dining areas. Furthermore, Alternative 4A is designed to be in substantial conformance with the Broadway Design Guidelines and Standards for new construction, such that the podium would closely match the height and form of adjacent historic resources, while the tower would be set back from the Broadway property line so as to not impact the line of the historic streetwall. Overall Alternative 4A would meet the objectives of LAMC 12.21 G.2 and would provide residents with opportunities for outdoor living and recreation and improve pedestrian circulation and providing access to on-site recreation facilities. As only 85 of the 170 required trees can be planted on-site, as shown on the Landscape Plans, the payment of in-lieu fees for all required trees that cannot be plant on-site or in the parkway abutting the Site is required.

b. That the proposed project complies with the total usable open space requirements.

Pursuant to LAMC 12.21 G.2, based on the number of units and the mix of unit types, 73,825 square feet of residential usable open space is required, and a total of 74,165 square feet of usable open space would be provided, as shown in the table below. Additionally, 9,150 square feet of private open space would be provided via 183 private

residential balconies of which no more than 50 square feet per dwelling unit shall be attributable to the total required open space. As stated above, outdoor common open spaces on Levels 2, 11, 39, and 56 would include two pools, landscaped and hardscaped areas, outdoor dining and seating areas, and a barbeque area. The interior amenity spaces on Levels 2, 11, and 39 would be comprised of recreation rooms, screening/media rooms, fitness spaces, and spa amenities (open to residents only).

Open Space Required			
Use¹	LAMC Requirement	Amount	Total Required
Studio (< 3 Habitable Rooms)	100 sf / unit	188 units	18,800 sf
1-Bedroom (<3 Habitable Rooms)	100 sf / unit	259 units	25,900 sf
2-Bedroom (= 3 Habitable Rooms)	125 sf / unit	233 unit	29,125 sf
Total Open Space Required			73,825 sf
¹ Kitchens are not considered habitable rooms for the purposes of open space calculations.			

Open Space Provided			
Location	Use	Amount	Total Amount
Common Open Space			
Ground Level	Public Paseo	20,925 sf	20,925 sf
Level 2	Terrace	3,235 sf	5,290 sf
	Interior Amenity Space	2,055 sf	
Level 11	Terrace	15,680 sf	20,000 sf
	Indoor Fitness Room, Interior Amenity Space	4,320 sf	
Level 39	Terrace	2,150 sf	10,470 sf
	Interior Amenity Space	8,320 sf	
Level 56	Roof Deck	8,330 sf	8,330 sf
Total Provided			65,015 sf
Private Open Space			
Private Open Space	Balconies (50 sf)	9,150 sf	9,150 sf
Total Provided			
Total Open Space Provided		74,165 sf	74,165 sf

Alternative 4A would provide a total of 65,015 square feet of common open space. Pursuant to LAMC Section 12.21 G, a maximum of 25 percent (or 16,254 square feet) of the total required usable common open space may be allocated for recreation rooms. Recreation room square footage totals 14,695 square feet and, as described above, would include recreation rooms, screening/mediate rooms, fitness spaces, and residential spa amenities. A minimum of 25 percent of the total required common open space would be planted with ground cover, shrubs, or trees.

Pursuant to LAMC Section 12.21 G.2(a)(3), at least one 24-inch box tree for every four dwelling units shall be provided on-site and/or as street trees in adjacent parkways. Alternative 4A includes 680 residential units and would therefore be required to provide a total of 170 trees to be planted on-site or as street trees within the parkway adjacent to the Site. Due to the size of the Project Site, the on-site Metro plaza (which the Applicant does not own) and the existing on-site parking structure that would remain, to provide parking for Alternative 4A as well as commuters and residents in the area, only 85 trees can be accommodated on-site. As shown on Alternative 4A's landscape plans, 10 trees would be planted as street trees along the Broadway and Spring Street parkways, if feasible. At this time, it is unclear whether the proposed street trees could be planted given a wide range of the subsurface subway facilities surrounding the Project Site as required by Metro to be included as part of the Regional Connector Historic Broadway Rail Station. Therefore, the 10 parkway trees are not included in

the total number of on-site trees proposed. Overall Alternative 4A would meet the objectives of LAMC 12.21 G.2 and the Applicant would be required to pay an in-lieu fee to cover the cost to procure and plant each tree that cannot be planted on-site or as a street tree within the adjacent parkway.

7. Site Plan Review Findings.

The following are the findings for Site Plan Review as required by LAMC 16.05.

- 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.**

Alternative 4A proposes to redevelop a surface parking lot with a 56-story, 570-foot tall, mixed-use, high-rise building containing 680 residential units, of which 45 units or 6.6 percent of the total units, would be set aside for Workforce Housing units, and 10,000 square feet of ground floor commercial uses, while maintaining the on-site parking structure to the south.

As discussed in Finding No. 2, Alternative 4A would be consistent with the purposes, intent and provisions of the General Plan and its elements, including the Framework Element, Housing Element, Mobility Element, Health and Wellness Element and the Land Use Element – Central City Community Plan, as it would provide mixed-income housing opportunities, supporting the City's desire for more affordable housing options by voluntarily reserving 6.6 percent of the total units for Workforce Housing units, is located in proximity to several mass transit options, including fixed rail stations and several bus routes and in close proximity to employment centers; and would maintain a safe and clean environment, support the neighborhood with retail services needed for area residents, workers, and visitors, and activate the streets with more pedestrians while bringing improvements to the Historic Core, while strengthening the commercial base in Downtown Los Angeles and facilitating the expansion of housing choices in order to attract new and diverse households.

In addition, and as discussed under Findings 2.a and b. and 5.a and b above, the proposed building, site plan, and landscaping would be in substantial conformance with the applicable Broadway Design Guidelines and Standards and would be compatible with the existing mixed-use, pedestrian-oriented development along Broadway, while also acting as a transition to the Civic Center District immediately north of the Site.

In addition, Alternative 4A would generally be consistent with the Standards and Guidelines in the Downtown Design Guide, as it provides a new mixed-use development consisting of residential and commercial uses. Alternative 4A would be served by two major transportation corridors (Spring Street and Broadway) that provide substantial public transit opportunities, including Metro Rail stations and bus lines. Further, Alternative 4A has been designed with open space, landscaping, outdoor recreation amenities, and articulated building elevations; and proposed uses were considered with respect to light and ventilation, with each dwelling having access to open space.

Alternative 4A would retain the existing parking structure, covering approximately 50 percent of the Project Site. A proposed paseo would be located immediately north of the parking structure and provide a connection between Spring Street and Broadway. The paseo, would be open to the public from sunrise to sunset, seven (7) days a week, and act a social space that would be able to host a variety of uses including outdoor dining, seating, bike parking, and neighborhood circulation to and from the adjacent spaces, all positioned to activate the space.

Based on its design and proposed amenities, Alternative 4A meets several goals listed throughout the Downtown Design Guide, including the following: (i) streetwall massing and articulation that help define the pedestrian environment at street level (Chapter 4 goals); (ii) encourage residents, tenants and visitors to use transit (Chapter 2 goals); (iii) providing publicly accessible open space and a paseo, lined with commercial uses, providing pedestrian linkages between streets (Chapter 7 goals) and; (iv) providing visual articulation and variation to enrich the pedestrian experience and contribute to the quality and definition of the streetwall (Chapter 8 goals);

- 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 in neighboring properties.**

The Project Site is located within the Central City Community Plan Area and Historic Core of Downtown Los Angeles, which is characterized by government facilities, a high concentration of architecturally significant buildings, including nationally recognized historic theaters, office buildings, ground floor retail, and commercial buildings which have be converted to residential uses. The Project Site is surrounded by a mix of commercial office, government and civic office, retail, and residential uses contained in structures ranging from low- to high-rise buildings. To the west, across Broadway, is an existing surface parking lot and 10-story office building. To the north, across 2nd Street, is the Los Angeles Times Mirror Square Campus, which includes an 11-story office building and a six-level parking structure front 2nd Street. To the east, across Spring Street, are single-story commercial buildings and a six-level parking structure. To the immediate south, and within the same block as the Project Site, is a surface parking lot and six-story apartment building (Hosfield Building, now known as the Victor Clothing Building) front Broadway, as well as a surface parking lot and five-story apartment building (Douglas Building Lofts) fronting Spring Street. Alternative 4A would redevelop a former surface parking lot with 680 residential units and 10,000 square feet of ground floor commercial uses, and would be compatible with the existing mixed-use, pedestrian-oriented development along Broadway while acting as a transition to the Civic Center District immediately north of the Site.

Height

The new 56-story, mixed-use development would measure approximately 570 feet in height to the highest roofline, 608 feet in height to the highest portion of the fritted glass crown, and approximately 616 feet in height to the top of the building's elevator run. Although the height of the proposed tower would be taller than the immediately surrounding buildings, the development would fit within the range of other residential and mixed-use building heights in Downtown. Furthermore, Alternative 4A has been

designed to be sensitive to existing surrounding development, specifically in regards to the buildings located in the Broadway CDO, in that the residential tower has been located on the eastern portion of the Site, away from Broadway. As such, the development and use of the Site would be consistent with the scale of existing and future proposed developments within the surrounding neighborhood.

Bulk & Mass

As previously mentioned, the surrounding area is currently developed with a mix of commercial office, government and civic office, retail, and residential uses contained in structures ranging from low- to high-rise buildings, which are physically separated from the Project Site by streets and surface parking lots. Alternative 4A would retain the existing parking structure, covering approximately 50 percent of the Site. To ensure the building's mass is reduced and to create visual interest, Alternative 4A incorporates architectural projections, recesses and four discernable masses throughout the building. First, the ground floor commercial uses would be constructed with an aluminum storefront curtainwall with transparent low-iron glazing and widely spaced mullions. Above the ground floor commercial uses, the residential podium would combine transparent glazing on windows with formed aluminum framing and mullions and juliet balconies that are complimentary to the ground floor commercial uses, but would maintain a narrower fenestration and spacing to emphasize the horizontal lines throughout this portion of the building. The tower element would consist of two masses that would be slightly offset and shift at Levels 28 and 39 to create visual interest and breaks in the overall vertical configuration. While the tower design would incorporate the same glass curtainwall system with non-reflect glazing as the residential podium below, minimal framing and aluminum mullions would emphasize the verticality of the tower portion while allowing the visual weight of the building to be concentrated on the commercial and residential base. Additionally, the tower would be constructed on the northeast corner of the Site, away from Broadway so as not to impact the historic streetwall. Finally, a decorative fritted clear glass parapet would be proposed as a means to screen mechanical equipment, while adding an architectural element that would further define the building.

The podium's streetwall along Broadway would be 127 feet in height, and not less than 95 percent of streetwall would be built to the property line. The glass curtainwall podium would create a scale that would complement the existing historic scale and massing of the surrounding area.

Parking

Based on the unit mix and commercial floor area proposed, a total of 738 residential parking spaces and 10 commercial parking spaces are required. The Applicant is utilizing the bicycle replacement provision for a 15 percent reduction in the total required residential parking, or 111 spaces; and a 20 percent reduction in the total required commercial parking, or two (2) spaces, for a total reduction of 113 spaces, thereby providing a total of 454 bicycle parking spaces (inclusive of the required bicycle parking), and a total reduced parking requirement of 635 vehicle spaces. Parking would be provided within an existing parking structure that includes two subterranean and five above-grade parking levels, located on the southern portion of the Project Site. There are 1,460 vehicle parking spaces on the Project Site, in accordance with several off-site parking covenants recorded on the Site (County of Los Angeles Recorder Instrument Nos. 90-2043634, 97-1672752, 98-854779, and 05-

1924091), 69 parking spaces are reserved for the Los Angeles Times Mirror Square Campus tenants. Additionally, the parking structure provides vehicle parking for the public and leased parking for other businesses, commuters, and residents in the area.

Alternative 4A also includes immediate installation of Electric Vehicle (EV) charging stations for five percent of the total code-required proposed parking spaces and wiring for future installation of EV charging stations for 20 percent of the total code required proposed parking spaces.

A new on-site loading dock area would be accessible via Spring Street and would be located north of the public paseo. Operating hours for the loading dock would be 24 hours per day, seven days per week.

Landscaping

Alternative 4A includes shade trees and landscaping along the public paseo. Street trees are proposed along Spring Street and Broadway, where feasible. Outdoor terraces would be integrated into the building architecture by creating offsets and recesses, and would provide passive and active open spaces. The landscaping for the Project Site would include both native and adaptive native plant materials. Alternative 4A proposes to provide 85 trees on-site.

Trash Collection

As conditioned, all trash and recycling areas shall be enclosed and not visible from the public right-of-way.

Lighting & Building Signage

As conditioned, lighting would be provided in compliance the Broadway CDO Q Conditions; and night lighting would be provided to illuminate building vehicular and pedestrian entrances, the pedestrian paseo on the south side of the Site, signs, and security. Lighting would be low-level and ground- and/or building-mounted fixtures. Additionally, Alternative 4A is required to install pedestrian and streetlights to the satisfaction of the Bureau of Street Lighting as part of its right-of-way improvements. In compliance with the Broadway CDO, lighting for the storefronts, entryways, and pedestrian areas have been designed, and conditioned, to be illuminated with down-cast lighting, while architectural features shall be illuminated with accent up-lights to the greatest extent possible.

No signage has been proposed as part of the work scope at this time; however, as conditioned, all future signage would be required to comply with the Historic Broadway Sign Supplemental Use District and in accordance with the Broadway CDO. In addition, Alternative 4A has been conditioned so that there shall be no off-site commercial signage on construction fencing during construction.

As described above, Alternative 4A consists of a. new mixed-use building, an off-street parking structure, a loading area, lighting, landscaping, trash collection, and other such pertinent improvements that would be compatible with existing and future development on adjacent and neighboring properties. The arrangement of the proposed development is consistent and compatible with existing and future development in neighboring properties.

- c. **That any residential project provides recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.**

Alternative 4A would improve habitability for its residents by placing residents in proximity to on-site recreational and ground floor commercial amenities. Based on the number of units and the mix of size/type varying from one to three habitable rooms, 73,825 square feet of usable open space is required, and a total of 74,165 square feet of residential usable open space is provided.

In addition to usable open spaces within the residential portion of the development, Alternative 4A offers commercial opportunities at the ground level as well as movable and fixed outdoor furniture such that residents of Alternative 4A would be able to enjoy both the public commercial amenities and the private residential amenities. Alternative 4A would include approximately 10,000 square feet of commercial ground floor uses and residents of the mixed-use building would be able to buy items at the specialty stores, and use the public spaces during hours of operation.

Residents would have exclusive access to amenity decks on Levels 2, 11, 39, and 56 of the new building. A variety of amenities would be provided on each deck including landscaped and hardscaped areas, outdoor dining and seating areas, two outdoor pools, and a barbeque area. Additionally, Alternative 4A would include a public paseo that would connect Broadway and Spring Street by creating flexible open space for pedestrians that is open to the sky and would improve overall on-site pedestrian circulation. The residential and commercial amenities are wholly within the Project Site, and are not expected to impact neighboring properties. Alternative 4A would ultimately benefit the surrounding neighborhood because it is subject to LAMC Section 12.33, which would require a parks and recreation fee, to be paid prior to the final subdivision map approval, which can be used to develop or program neighborhood and community parks.

Alternative 4A also proposes street trees, tree wells, and dedications in compliance with the Mobility Element 2035. In addition, as conditioned in related Case No. VTT-74320, the Applicant would be required to provide new full width sidewalks along Broadway, 2nd Street, and Spring Street. By combining design, density, the Metro Rail Station, and ground floor public space for the community, Alternative 4A would provide recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) FINDINGS

Environmental Findings

The City of Los Angeles, as lead agency, acting through the Department of City Planning, prepared an Environmental Impact Report (EIR), under Case No. ENV-2016-3809-EIR (State Clearing House No. 2017011062), consisting of a Draft EIR dated April March 19, 2019, a Final EIR dated October 23, 2019, an Erratum dated November 15, 2019, and an Addendum dated December 13, 2019 (222 W. 2nd Street Project EIR). Pursuant to the California Environmental Quality Act (CEQA) (California Public Resources Code [PRC] Sections 21,000-21189.57), the EIR is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and components of Alternative 4A at 222 W. 2nd. Street,

consisting of the redevelopment of a surface parking lot and development of a new mixed-use building, including 680 residential units and 10,000 square feet of ground floor commercial uses.

In a Letter of Decision dated December 5, 2019, the City's Deputy Advisory Agency certified the EIR; adopted the environmental findings prepared for the Alternative 4A, as well as a Statement of Overriding Considerations and a Mitigation Monitoring Program (MMP); and approved the Alternative 4A Vesting Tentative Tract Map. No appeals for the Alternative 4A were received. A Notice of Determination was filed on December 16, 2019 with the Los Angeles County Clerk.

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

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Likewise, PRC Section 21166 states that unless one or more of the following events occur, no Subsequent or Supplemental EIR shall be required by the lead agency or by any responsible agency:

- Substantial changes are proposed in the project which will require major revisions of the environmental impact report;
- Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report; or
- New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

CEQA FINDINGS

FOUND, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in the 222 West 2nd Street Project EIR No. ENV-2016-3809-EIR (SCH No. 2017011062), previously certified on December 5, 2019, which includes the Draft EIR dated March 19, 2019, the Final EIR, dated October 23, 2019, the Erratum dated November 15, 2019, and the Addendum dated December 13, 2019; and pursuant to CEQA Guidelines, Sections 15162 and 15164, no subsequent EIR, negative declaration, or addendum is required for approval of the project.

MITIGATION MONITORING PROGRAM

All mitigation measures in the previously adopted Mitigation Monitoring Program attached as Exhibit C are imposed on Alternative 4A through Condition of Approval to mitigate or avoid significant effects of the Alternative on the environment and to ensure compliance during implementation.

COVID-19 UPDATE

Interim Appeal Filing Procedures

March 27, 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, the Department of City Planning is implementing new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction. There are two options for filing appeals, which are effective immediately and described below.

OPTION 1: EMAIL PLUS US MAIL

This is a two-step process including pre-clearance by email of the appeal application followed by application and payment submittal via US Mail.

STEP 1:

Email planning.figcounter@lacity.org with the subject line: "Request to File Appeal." In the email body provide:

- The case number
- Appellant contact information (name, email, telephone number)

Include as individual attachments to the email:

- Copy of Signed Appeal Application
- Justification
- Letter of Determination

City Planning staff will contact the appellant to confirm whether the appeal is complete and meets the applicable provisions of the Los Angeles Municipal Code (LAMC). The appellant will then be instructed to move forward with Step 2.

STEP 2:

Send appeal application via US Mail, postmarked no later than the last day of the appeal period. The package shall include:

- Original Appeal Application (wet signatures),
- Copy of email correspondence with City Planning staff (from Step 1)
- Appeal fee, check payable to the City of Los Angeles (\$109.47 for an aggrieved party, not the Project Applicant.)

Mail the appeal application to:

Department City Planning - Metro DSC
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012

City Planning staff will email and mail the appellant with a receipt for payment. Note: only the original application, email, and check need to be sent via US Mail. This ensures a standard envelope with standard postage is sufficient, and no trip to the Post Office is necessary. Steps 1 and 2 must both be completed. An email alone is not sufficient to satisfy appeal requirements.

OPTION 2: DROP OFF AT DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop off appeal applications and payment. **Drop off areas are monitored in secure locations outside the three DSCs (Metro/Downtown, Van Nuys, and West Los Angeles) and are available during regular business hours.**

City Planning staff will follow up with the appellant via email and phone to:

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