

## FINDINGS

### CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

The City of Los Angeles, as the Lead Agency, prepared a Sustainable Communities Environmental Assessment (SCEA), Case No. ENV-2018-3337-SCEA, for the proposed Project, which includes the construction of a two-tower, mixed-use development consisting of 250 residential dwelling units, 300 hotel guest rooms, 13,120 square feet of ground floor commercial uses. At its meeting on October 1, 2024 (Council File No. 24-0812) and consideration of all comments received regarding the SCEA and the Project, the City Council adopted the SCEA pursuant to Public Resources Code (PRC) Section 21155.2(b), finding that the Project is a “transit priority project” as defined by PRC Section 21155 and has incorporated all feasible mitigation measures, performance standards, or criteria set forth in prior Environmental Impact Reports (EIRs), including SCAG 2020-2045 RTP/SCS EIR; finding all potentially significant effects required to be identified in the initial study have been identified and analyzed in the SCEA; finding with respect to each significant effect on the environment required to be identified in the initial study for the SCEA, changes or alterations have been required in or incorporated into the Project that avoid or mitigate the significant effects to a level of insignificance or those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency; finding the SCEA reflects the independent judgement and analysis of the City; finding the mitigation measures have been made enforceable conditions on the project; and adopted the SCEA and the Mitigating Monitoring Program prepared for the SCEA.

### FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map (VTTM) No. 82213, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

Section 66411 of the Subdivision Map Act (Map Act) establishes that local agencies regulate and control the design of subdivisions. Chapter 2, Article I, of the Map Act establishes the general provisions for tentative, final, and parcel maps. The subdivision and merger of land is regulated pursuant to Article 7 of the LAMC. The LAMC implements the goals, objectives, and policies of the General Plan through zoning regulations, including Specific Plans. The zoning regulations contained within the LAMC regulate, but are not limited to, the maximum permitted density, height, and the subdivision of land.

Pursuant to LAMC Section 17.05 C, tentative maps are to be designed in conformance with applicable tract map regulations to ensure compliance with the various elements of the General Plan, including the Zoning Code. Additionally, the maps are to be designed in conformance with the Street Standards established pursuant to LAMC Section 17.05 B. The Project Site is located within the Central City Community Plan<sup>1</sup>, which designates the

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<sup>1</sup> The Project Site is located within the boundaries of the new Downtown Community Plan, which became effective on January 20, 2025, and updated and replaced the Central City North Community Plan; however, the Project is vested in the provisions of the Central City North Community Plan.

Project Site for Community Commercial land uses, with corresponding zones of CR, C2, C4, RAS3, and RAS4. The Project Site is zoned C2-2D-O (Commercial Zone, Height District 2 with a "D" Limitation, Oil Drilling District) and is thus consistent with the land use designation. The C2 Zone allows for a variety of commercial uses, residential, hotel, and office uses. Height District 2 does not restrict height but imposes a 6:1 FAR limit. The "D" Limitation (Ordinance No. 164,307) of the site further restricts the Project Site to a 3:1 FAR, except for projects approved under TFAR. Further, Footnote 2 of the Central City Community Plan states, "Corresponds to Height District No. 2-D; D limitation to 3:1 FAR except for transfer of floor area up to 6:1." In conjunction with the "2D" Height District, the Project is therefore permitted up to 6:1 FAR through a TFAR request.

Under concurrent Case No. CPC-2018-3336-SN-TDR-CUB-SPR-MSD, the Applicant requests a Transfer of Floor Area Rights for the transfer of up to 226,121 square feet of floor area from the Los Angeles Convention Center to the Project Site, for a total of 452,630 square feet, or a 6:1 FAR, as well as requests for the establishment of a new Signage Supplemental Use District, a Conditional Use for alcohol sales within the hotel and for parking reductions, a Site Plan Review for a development resulting in greater than 50 residential units, and a Director's Decision for a reduction in residential open space. Additionally, the Applicant has requested a passageway reduction to 29 feet, 2 inches, in lieu of the 50 feet that is required by LAMC Section 12.21 C.2 for a 23-story building, to facilitate the mixed-use development on a constrained site within Downtown. Without the allowances for a reduced passageway, each of the building towers would need to be narrower and taller in order to accommodate the same number of units. The Project will, however, still provide building separation, and adequate access to light, air, and privacy, and be conditioned to comply with Fire Building Code requirements. Upon approval of the TFAR request, the Project, including the VTTM, would be permissible within the proposed land use designation and zone.

Other than the above-referenced deviation requests, the Project would also comply with all applicable zoning regulations as prescribed by the LAMC and/or as permissible by State law. The C2 Zone permits residential density at R4 standards, however, LAMC Section 12.22 C.3(c) does not limit density for Projects within the Greater Downtown Housing Incentive Area, and therefore the Project is permitted the proposed 300 hotel guest rooms and 250 residential units.

Furthermore, Pursuant to LAMC Section 17.06 B, a tentative map must be prepared by or under the direction of a licensed land surveyor or registered civil engineer. The VTTM indicates the map number, notes, legal description, contact information for the owner, applicant, and engineer, as well as other pertinent information as required by LAMC Section 17.06 B. Additionally, LAMC Section 17.15 B requires that vesting tentative maps provide the proposed building envelope, height, size, and number of units, as well as the approximate location of buildings and driveways, and proposed exterior garden walls. The VTTM provides the building envelope, height, and approximate location of the building and driveways among other required map elements. Therefore, as conditioned, the proposed map demonstrates compliance with LAMC Sections 17.05 C, 17.06 B, and 17.15 B.

Therefore, in conjunction with the entitlement requests, the proposed VTTM would be consistent with these regulations, and the use, density, and floor area permitted by the General Plan.

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

For purposes of a subdivision, design and improvement is defined by Section 66418 of the Subdivision Map Act and LAMC Section 17.02. Section 66418 of the Subdivision Map Act defines the term “design” as follows: “Design” means: (1) street alignments, grades and widths; (2) drainage and sanitary facilities and utilities, including alignments and grades thereof; (3) location and size of all required easements and rights-of-way; (4) fire roads and firebreaks; (5) lot size and configuration; (6) traffic access; (7) grading; (8) land to be dedicated for park or recreational purposes; and (9) such other specific physical requirements in the plan and configuration of the entire subdivision as may be necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan. Further, Section 66427 of the Subdivision Map Act expressly states that the “Design and location of buildings are not part of the map review process for condominium, community apartment or stock cooperative projects.”

LAMC Section 17.05 enumerates design standards for a tentative map and requires that each map be designed in conformance with the Street Design Standards and in conformance with the General Plan. LAMC Section 17.05 C, third paragraph, further establishes that density calculations include the areas for residential use and areas designated for public uses, except for land set aside for street purposes (net area). LAMC Section 17.06 B and 17.15 lists the map requirements for a tentative tract map and vesting tentative tract map. The design and improvement of the VTTM is consistent with the design standards established by the Subdivision Map Act and LAMC regulations.

As indicated in Finding (a), LAMC Section 17.05 C requires that the tentative map be designed in conformance with the zoning regulations of the Project Site. The Project Site is located within the Central City Community Plan<sup>2</sup>, which designates the Project Site for Community Commercial land uses, with corresponding zones of CR, C2, C4, RAS3, and RAS4. The Project Site is zoned C2-2D-O (Commercial Zone, Height District 2 with a “D” Limitation, Oil Drilling District) and is thus consistent with the land use designation. The C2 Zone permits a variety of commercial uses, including retail, restaurant, and office uses and residential uses. The “D” Limitation (Ordinance No. 164,307) of the site further restricts the Project Site to a 3:1 FAR, except for projects approved under TFAR. Further, Footnote 2 of the Central City Community Plan states, “Corresponds to Height District No. 2-D; D limitation to 3:1 FAR except for transfer of floor area up to 6:1.” In conjunction with the “2D” Height District, the Project is therefore permitted up to 6:1 FAR through a TFAR request.

Additionally, the Applicant has requested a passageway reduction to 29 feet, 2 inches, in lieu of the 50 feet that is required by LAMC Section 12.21 C.2 for a 23-story building, to facilitate the mixed-use development on a constrained site within Downtown. Without the allowances for a reduced passageway, each of the building towers would need to be narrower and taller in order to accommodate the same number of units. The Project will, however, still provide building separation, and adequate access to light, air, and privacy, and be conditioned to comply with Fire Building Code requirements. Upon approval of the

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<sup>2</sup> The Project Site is located within the boundaries of the new Downtown Community Plan, which became effective on January 20, 2025 and updated and replaced the Central City North Community Plan; however, the Project is vested in the provisions of the Central City North Community Plan.

TFAR request and the building separation deviation, the Project, including the VTTM, would be permissible within the proposed land use designation and zone.

The design and layout of the map is also consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the LAMC. The VTTM was distributed to and reviewed by the various City agencies of the Subdivision Committee, including, but not limited to, BOE, Department of Building and Safety (LADBS) - Grading Division and Zoning Division, Bureau of Street Lighting, Bureau of Street Services - Urban Forestry Division, and the Department of Recreation and Parks, that have the authority to make dedication, and/or improvement recommendations. Several public agencies found the subdivision design satisfactory, with imposed improvement requirements and/or conditions of approval. Street dedications and improvements will be consistent with the Downtown Design Guide, Downtown Street Standards, and the Mobility 2035 Plan, and no deviations are being granted. Sewers are available and have been inspected and deemed adequate in accommodating the proposed project's sewerage needs, subject to conditions of approval. Fire access and site grading have been reviewed and deemed appropriate.

The subdivision will be required to comply with all regulations pertaining to grading, building permits, and street improvement permit requirements. Conditions of Approval for the design and improvement of the subdivision are required to be performed prior to the recordation of the tentative map, building permit, grading permit, or certificate of occupancy. Therefore, as conditioned and in conjunction with the related entitlement requests, the design and improvements of the proposed subdivision would be substantially consistent with the applicable General Plan and Specific Plan.

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

The subject property consists of one lot encompassing a total of approximately 75,503 square feet (approximately 1.7 acres) of lot area. The Project Site is located within a highly urbanized area, is currently developed with four commercial retail/office buildings and a surface parking lot, all of which would be demolished to allow for construction of a mixed-use development consisting of a residential tower on the eastern half of the Project Site, and a hotel tower on the western half of the Project Site, both with ground floor retail.

The Project Site has been previously developed, is located within an urbanized area, and is relatively flat, but has an approximately two-foot grade change from Flower Street to Hope Street. The Project Site is not located in a Very High Fire Hazard Severity Zone, Alquist-Priolo Zone, Fault Rupture Study Area, Landslide Zone, Liquefaction Zone, or Tsunami Inundation Zone. The Project Site is located within the Puente Hills Blind Thrust Fault Zone and will comply with all applicable building safety standards, and is located within a 500-year flood plain, designated as a FEMA Zone X (which denotes an area with a 0.2-percent annual chance flood), but the Project would not impede or redirect flood flows, increase runoff or the potential for on- or off-site flooding. While the Project Site is located within a designated Methane Buffer Zone mapped by the City, it would be subject to the Methane Requirements in Division 71 Section 91.7103 of the LAMC, and not adversely affect the physical suitability of the site for the proposed type of development. In addition, LADBS - Grading Division, has reviewed the geology/soils reports prepared for the Project and has determined that geology/soils reports are not needed as the project is not located within any of these hazard zones.

Additionally, Phase I and II Environmental Site Assessments (ESAs) were prepared to identify any potential hazardous environmental conditions. The Phase II ESA concluded that no further investigation is warranted at this time. The Project Site will be redeveloped with residential uses and has been conditioned to comply with the Mitigation Monitoring Program (MMP) adopted as part of the Sustainable Communities Environmental Assessment (SCEA), which was adopted by the City Council on October 1, 2024, for the Project. Specifically, a Soils Management Plan has been incorporated as Mitigation Measure MM-HAZ-1, wherein, in the event that hazardous materials are discovered during the construction phase, the transport and disposal of any hazardous materials and soil shall obtain approval from the Los Angeles Fire Department (LAFD) and LADBS. In addition, prior to the issuance of any permits, the Project would be reviewed and approved by LADBS and LAFD to ensure compliance with building, fire, and safety codes.

Therefore, as conditioned, the Project Site would be physically suitable for the proposed type of development.

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

The General Plan identifies, through its Community and Specific Plans, geographic locations where planned and anticipated densities are permitted. Zoning standards for density are applied to sites throughout the City and are allocated based on the type of land use, physical suitability, and population growth that is expected to occur.

The Project Site is located within the Central City Community Plan<sup>3</sup>, which designates the Project Site for Community Commercial land uses, with corresponding zones of CR, C2, C4, RAS3, and RAS4. The Project Site is zoned C2-2D-O (Commercial Zone, Height District 2 with a “D” Limitation, Oil Drilling District) and is thus consistent with the land use designation. The C2 Zone permits a variety of commercial uses, including retail, restaurant, and office uses and residential uses. The “D” Limitation (Ordinance No. 164307) of the site further restricts the Project Site to a 3:1 FAR, except for projects approved under TFAR. Further, Footnote 2 of the Central City Community Plan states, “Corresponds to Height District No. 2-D; D limitation to 3:1 FAR except for transfer of floor area up to 6:1.” In conjunction with the “2D” Height District, the Project is therefore permitted up to 6:1 FAR through a TFAR request. Upon approval of the TFAR request, the Project, including the VTTM, would be permissible within the proposed land use designation and zone. Additionally, the Project proposes a total of 300 hotel guest rooms and 250 residential units. The C2 Zone permits residential density at R4 standards, however, LAMC Section 12.22 C.3(c) does not limit density for Projects within the Greater Downtown Housing Incentive Area.

Furthermore, the Project Site is an existing infill lot located within a substantially developed urban area easily accessible via improved streets, highways, and transit systems, and with adequate infrastructure. The Project vicinity is developed with commercial and residential uses in several mid-rise buildings and adaptive reuse residential buildings, as well as the Los Angeles Convention Center, resulting in a neighborhood characterized by a wide variety of building sizes, heights, and architectural styles in the Downtown area of

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<sup>3</sup> The Project Site is located within the boundaries of the new Downtown Community Plan, which became effective on January 20, 2025 and updated and replaced the Central City North Community Plan; however, the Project is vested in the provisions of the Central City North Community Plan.



the City. The development of residential, hotel, and commercial uses in this location is permitted and compatible with other similar residential and commercial uses in the vicinity. There are no special circumstances that would preclude the proposed density on the subject property.

Therefore, the site is physically suitable for the proposed density of development.

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

The Project Site does not contain wetlands or riparian areas or have significant value as a wildlife habitat, and implementation of the Project would not harm protected species. The Project Site is situated in a heavily developed industrial area and is currently entirely developed with buildings and pavement. There are no natural open spaces with water courses such as streams or lakes within and/or directly adjacent to the Project Site and the Project Site and vicinity do not support any riparian or wetland habitat, as defined by Section 404 of the Clean Water Act. Furthermore, the Project Site is not located in or adjacent to a Biological Resource Area, as defined by the City, and are not within or near a designated Significant Ecological Area. The Project Site does not contain any natural open spaces, act as a wildlife corridor, migratory corridors, conflict with a Habitat Conservation Plan, nor possess any areas of significant biological resource value.

There are no trees on the Project site, however there are seven street trees located within the public ROW surrounding the Project Site, all of which would be removed as part of the Project and replaced to the satisfaction of the Urban Forestry Division. None are significant protected trees, and they do not possess significant value as habitat. Therefore, no impacts to candidate, sensitive, or special status plant species would occur.

As noted above, the Project Site is developed with existing buildings and surface parking areas, and does not contain any natural open spaces, act as a wildlife corridor, or contain riparian habitat, wetland habitat, or migratory corridors. The Project would not conflict with any protected tree ordinance or Habitat Conservation Plan, nor possess any areas of significant biological resource value. Therefore, the design of the subdivision would not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

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

The proposed subdivision and subsequent improvements are subject to the provisions of the LAMC (e.g., the Fire Code, Planning and Zoning Code, Health and Safety Code, etc.) and the Building Code. Other health and safety-related requirements as mandated by law would apply where applicable to ensure the public health and welfare (e.g., asbestos abatement, seismic safety, flood hazard management, etc.).

The VTTM subdivision design is a single ground lot with four airspace lots to allow for a two-tower, mixed use development consisting of residential dwelling units, hotel guest rooms, and ground floor retail. The design and layout of the map is consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the LAMC. The VTTM was distributed to and reviewed by the various City agencies of the Subdivision Committee, including, but not limited to, the Bureau of

Engineering (BOE), LADBS - Grading Division and Zoning Division, Bureau of Street Lighting, Bureau of Street Services - Urban Forestry Division, and Department of Recreation and Parks, that have the authority to make dedication, and/or improvement recommendations. Several public agencies found the subdivision design satisfactory, with imposed improvement requirements and/or conditions of approval. Specifically, the LADBS - Grading Division has reviewed the VTTM prepared for the Project and has determined that geology/soils reports are not needed as the Project is not located within a Hillside Area, Liquefaction Zone, or earthquake hazard zone.

The Project Site is located within an urbanized area, has been previously developed, and has an approximately two-foot grade change from Flower Street to Hope Street. The Project Site is located within the Puente Hills Blind Thrust Fault Zone and will comply with all applicable building safety standards, and is located within a 500-year flood zone, but would not impede or redirect flood flows, increase runoff or the potential for on- or off-site flooding. The Project Site is not located in any other hazard zone, such as a Very High Fire Hazard Severity Zone, Alquist-Priolo Zone, Fault Rupture Study Area, Landslide Zone, or Tsunami Inundation Zone. The Project Site is located within a designated Methane Buffer Zone mapped by the City and would therefore be subject to the Methane Requirements in Division 71 Section 91.7103 of the LAMC. Additionally, Phase I and II ESAs were prepared to identify any potential hazardous environmental conditions. The Phase II ESA concluded that no further investigation is warranted at this time. The Project Site will be redeveloped with residential uses and has been conditioned to comply with the (MMP) adopted as part of the SCEA, which was adopted by the City Council on October 1, 2024 for the Project. Specifically, a Soils Management Plan has been incorporated as Mitigation Measure MM-HAZ-1, wherein, in the event that hazardous materials are discovered during the construction phase, the transport and disposal of any hazardous materials and soil shall obtain approval from LAFD and LADBS. In addition, prior to the issuance of any permits, the Project would be reviewed and approved by LADBS and LAFD to ensure compliance with building, fire, and safety codes.

The SCEA fully analyzed the impacts of both construction and operation of the Project on the existing public utility and sewer systems and determined that impacts are less than significant. Additionally, BOE has reported that the proposed subdivision does not violate the existing California Water Code. As discussed in the SCEA, the development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the Hyperion Treatment Plant, which meets Statewide Ocean discharge standards. The subdivision will be connected to the public sewer system and will have only a minor incremental increase on the effluent treated by the Hyperion Treatment Plant, which has adequate capacity to serve the project. Moreover, as required by LAMC Section 64.15, further detailed gauging and evaluation will be conducted as part of the required building permit process for the Project, including the requirement to obtain final approval of an updated Sewer Capacity Availability Report demonstrating adequate capacity. In addition, Project-related sanitary sewer connections and on-site water and wastewater infrastructure will be designed and constructed in accordance with applicable LASAN and California Plumbing Code standards.

Therefore, the design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

- (g) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR

## ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

There are no recorded instruments identifying easements encumbering the Project Site for the purpose of providing public access. The Project Site is surrounded by private properties that adjoin improved public streets and sidewalks designed and improved for the specific purpose of providing public access throughout the area. An unnamed alley exists to the rear of the Project Site, which the Project does not propose to modify. The Project Site does not adjoin or provide access to a natural habitat, public park, or any other officially recognized public recreation area. Necessary public access for roads and utilities will be acquired by the City prior to recordation of the proposed VTTM. As stated in the BOE's Project Specific Condition Nos. 1 and 2 as well as BOE's Standard Condition No. S-3(i), BOE is requiring an additional 3-foot-wide average sidewalk easement for both Flower Street and Venice Boulevard. BOE is also requiring the construction of a concrete curb, a concrete gutter, a full width concrete sidewalks with tree wells; as well as the repair and replacement of any damaged, cracked, or off-grade concrete sidewalk, integral concrete curb, gutter, concrete bus pad and/or roadway pavement and that all existing curb ramps be reconstructed in accordance with BOE's Special Order 04-0222, including any necessary removal and reconstruction of the existing improvements to the satisfaction of the City Engineer.

Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

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

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the Applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcels to be subdivided, and other design and improvement requirements. A final solar report will be submitted to the Advisory Agency prior to the recordation of the final map as a condition of approval of the request herein.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the vesting tentative tract map was filed. Prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans, planting of trees for shade purposes, and the height of buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for VTTM No. 82213.