



DEPARTMENT OF CITY PLANNING
RECOMMENDATION REPORT
CONTINUED FROM FEBRUARY 11, 2010



City Planning Commission

Date: March 11, 2010
Time: 8:30 AM*
Place: Los Angeles City Hall
 200 North Spring Street, Room 1010
 Los Angeles, CA 90012

Public Hearing: November 18, 2009
Appeal Status: General Plan Amendment, Zone Change appealable by applicant to City Council if disapproved in whole or in part.
 Other entitlements appealable to City Council by any party (pursuant to LAMC Section 12.36, Multiple Entitlements).

Expiration Date: March 11, 2010

Case No.: CPC-2007-1486-GPA-ZC-CU-DB-SPR
CEQA No.: ENV-2006-3125-EIR (SCH No. 2006111106)
Incidental Cases: N/A
Related Cases: N/A
Council No.: 11
Plan Area: West Los Angeles
Specific Plan: West LA Transportation Improvement & Mitigation
Certified NC: West Los Angeles
GPLU: Light Industrial; Public Facilities
Zone: M2-1; [Q]PF-1XL
 Zone Change from M2-1 to RAS3-1 for Parcel 'A' only.
Applicant: Westside Medical Park, LLC
Representative: Land Design Consultants, Inc.

PROJECT LOCATION: 1901, 1925, & 1933 South Bundy Drive; 12333 West Olympic Boulevard

PROPOSED PROJECT: A Zone Change from M2-1 to RAS3-1 and a General Plan Amendment from Light Industrial to General Commercial for a portion of the property in conjunction with the demolition of existing improvements and the construction of three mixed-use structures with a total of 119,838 square feet of retail floor area and 385 residential condominiums (including 62 units for Moderate Income households) on Parcel 'A', and two medical office structures with a total of 384,735 square feet of floor area, and one parking structure on Parcel 'B'. A total of 3,395 parking spaces would serve the project. The property is a 494,170 square-foot site in the M2-1 Zone with a circulation easement with DWP in the [Q]PF-1XL Zone.

- REQUESTED ACTION:**
1. Pursuant to LAMC Section 11.5.6, a **General Plan Amendment** to the West Los Angeles Community Plan from Light Industrial to General Commercial for Parcel 'A' only;
 2. Pursuant to LAMC Section 12.32-F, a **Zone Change** from M2-1 to RAS3-1 for Parcel 'A' only;
 3. Pursuant to LAMC Section 12.24-U,14, a **Conditional Use (Major Development Project)** to allow 384,735 square feet of medical office floor area in the M2-1 Zone and associated on-site parking for Parcel 'B' only, and;
 4. Pursuant to LAMC 12.22-A,25 (SB1818), a 25% **Density Bonus** increase to allow 77 additional units for a 20% set aside (or 62 units) for moderate-income households for Parcel 'A', including two incentives: (1) On Menu: Lot/Area Density Calculations to calculate the density based on the lot area prior to street dedications, and; (2) Off-Menu: to allow commercial/retail uses on the second level in the RAS3 Zone.
 5. Pursuant to LAMC Section 12.28, a **Zoning Administrator's Adjustment** to allow a reduced side yard setback of zero feet in lieu of five feet as required in the proposed

RAS3-1 Zone for Building 'C' in Parcel 'A';

6. Pursuant to LAMC Section 16.05, **Site Plan Review** for a project with a net increase of 50 or more units, or an increase of 50,000 gross square feet of nonresidential floor area, or a combination thereof.
7. Pursuant to Section 21082.1(c) of the California Public Resources Code and the California Environmental Quality Act, **Certify ENV-2006-3125-EIR** as the Environmental Impact Report for the above referenced project, Adoption of the Mitigation Monitoring Program and the required Findings for the adoption of the EIR, and adoption of Statements of Overriding Considerations setting forth the reasons and benefits of adopting the EIR with full knowledge that significant impacts may occur.

RECOMMENDED ACTIONS:

1. **Approve** a General Plan Amendment to the West Los Angeles Community Plan to change the land use designation of 1901, 1925, & 1933 South Bundy Drive (Parcel 'A') from Light Industrial to General Commercial.
2. **Approve and Recommend** that the City Council adopt a Zone Change from M2-1 (Industrial Zone) to (T)(Q)RAS3-1 (Commercial Zone) for Parcel 'A', as proposed, subject to the attached (T) and (Q) Conditions of Approval.
3. **Approve** a Conditional Use Permit to allow a Major Development Project to include 384,735 square feet of medical office floor area in the M2-1 Zone for Parcel 'B' only.
4. **Approve** a Density Bonus to allow a 25% increase in density (77 units) in exchange for a 20% set aside (62 units) for moderate-income senior households for Parcel 'A', and; two incentives: (1) On Menu: Lot Area Density to calculate the density based on the lot area prior to street dedications, and; (2) Off-Menu: to allow commercial/retail uses on the second level in the RAS3 Zone
5. **Approve** a Zoning Administrator's Adjustment allow a reduced side yard setback of zero feet in lieu of five feet as required in the proposed RAS3-1 Zone for Building 'C' in Parcel 'A' only.
6. **Approve** a Site Plan Review to permit a development project in excess of 50 dwelling units and/or 50,000 gross square feet of nonresidential floor area.
7. **Adopt** the attached Findings.
8. **Certify** ENV-2006-3125-EIR as the Environmental Impact report for the above referenced project, **Adopt** the Mitigation Monitoring Program and the required findings for the adoption of the EIR, and **Adopt** Statement of Overriding Considerations setting forth the reasons and benefits of adopting the EIR with full knowledge that significant impacts may occur.
9. **Recommend** that the applicant be advised that time limits for effectuation of a zone in the "Q" Qualified Classification and "T" Tentative Classification are specified in Section 12.32.G of the L.A.M.C. Conditions must be satisfied prior to the issuance of building permits and that the (T) Tentative classification be removed in the manner indicated on the attached page.
10. **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

11. **Advise** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

S. GAIL GOLDBERG, AICP
Director of Planning

Jim Tokunaga, Senior City Planner

Luciralia Ibarra, Hearing Officer
Telephone: (213) 978-1394

ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, Room 272, City Hall, 200 North Spring Street, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1247.

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PROJECT ANALYSIS

Reason for Continuance

On February 11, 2010, the pending application along with the appeals of the Vesting Tentative Tract Map (VTT-66732-CN-DB) was heard before the City Planning Commission. Planning staff presented the project along with a recommendation to the commission on the case and the associated appeals. The applicant's representative, Dale Goldsmith, presented the project, and made a request to revise the size of the project to accommodate the West Los Angeles Neighborhood Council's request to reduce vehicle trips by 10%. The applicant is now reducing the commercial component of the project by 26.7% resulting in a decrease in square footage from 119,838 square feet to 87,855 square feet which will result in the requested reduction of vehicle trips by approximately 10%. Representatives of the appellants, Ben Reznick for Kilroy Realty Corporation and Raymond Klein for the Brentwood Community Council, presented their reasons for appealing the Advisory Agency approval of the Tract Map. Thereafter the City Planning Commission opened the hearing for public comment on the project. There was a significant amount of public testimony with many members of the public in opposition to the project although there were speakers in support. The Council Office conditionally supports the project but indicated that they would like to see a further reduction in the project as the application proceeds through to City Council. Speakers testifying in opposition brought up similar concerns raised at the public hearing conducted by the Hearing Officer namely traffic concerns, and the overall scale and size of the project which they believe is too big.

In response to the many concerns about traffic and traffic mitigation, Sean Haeri, Senior Transportation Engineer with the Department of Transportation, testified on the traffic impacts. He described the methods for determining impacted intersections (as described in the EIR), the West LA TIMP fees, and the ATSAC (Automated Traffic Surveillance and Control) program. Mr. Haeri wanted to point out that the traffic study conducted for the project in the EIR determined that the project would result in 22 impacted and unmitigated intersections out of 64 intersections originally studied. Of special note for this project is that at the time the traffic study was submitted, the applicant was eligible to receive credit based on the payment of ATSAC fees as mitigation for traffic impacts. However, the City received funding through Prop R towards traffic signal and other infrastructure improvements. These funds received from the State eliminated the credit the applicant could have received by payment of ATSAC fees as a mitigation measure to reduce traffic impacts. Mr. Haeri stated that if the applicant had been given credit for the ATSAC fees, the project would have mitigated most of but not all of the 22 unmitigated impacts. The applicant has voluntarily agreed to pay the \$2.2 million that would have been paid and applied towards ATSAC improvements despite not getting credit for the signal improvements.

There was also discussion among the Commissioners, Planning Staff, and the applicant regarding certain aspects of the project. Discussions included the architectural massing of the project in relation to surrounding uses, access to public open space, connectivity to the future transit station and surrounding streets.

After closing public testimony, the City Planning Commission asked that the applicant and staff return in 30 days to the March 11th meeting with additional information regarding the following:

- (1) Possibility of changing the project design to reduce the bulk and massing of the proposed project in context to the neighborhood. Submit additional architectural

detail that shows architectural articulations, material use, texture, and color, as well as massing and articulation.

- (2) Display the project in context to adjacent uses and existing improvements in the vicinity as well as walkability.
- (3) Identify some specific TDM measures and implementation tools to be incorporated as conditions of approval, including bike lane/storage information, reduced parking ratios, transit subsidies/incentives, etc.
- (4) Provide landscape plans that detail the proposed open space, its accessibility to area residents, and its connectivity to existing public transit and the proposed Expo Line (Phase II). Also, show the relationship/transition between the street, the sidewalk, and the project's open space/landscape.

Since the City Planning Commission meeting, Planning Staff has met with the Citywide Unit of the Planning Department to identify potential Traffic Demand Management (TDM) measures. The applicant continues to work with the community, as well as their architects to address the design issues requested at the hearing. Although the applicant has not submitted any revised plans (at the finalization of this report on March 1) it is anticipated that much of the additional information requested by the City Planning Commission will be presented at the next meeting on March 11, 2010.

Project Summary

The proposed mixed-use development consists of the construction of three new buildings with a total of 385 residential condominiums and 119,838 square feet of ground-floor and mezzanine-level retail floor area, and 1,419 subterranean parking spaces on Parcel 'A' in the proposed RAS3-1 Zone, and; two medical office buildings with a total of 384,735 square feet of floor area, and one parking structure with nine levels of basement, ground, and rooftop parking with 1,976 parking spaces on Parcel 'B' on a combined 494,170 square-foot site in the M2-1 Zone. The development on Parcel 'A' exceeds the maximum allowable density permitted under the current adopted zone and the land use designation. However, the applicant is seeking a Zone Change, General Plan Amendment, and 25% Density Bonus pursuant to 12.22-A.25 for Parcel 'A'. The applicant is utilizing an on-menu incentive to calculate the unit density of the lot size prior to dedications, or 246,722 square feet, which allows a maximum of 308 units based on the proposed RAS3 Zone, and an off-menu incentive to allow retail uses on the mezzanine level of the three buildings. The RAS3 Zone only permits ground-floor retail. The project will replace surface parking and light manufacturing structures.

Background

The subject site is an irregular-shaped lot with 11.34 net acres, and consisting of 12 tied parcels. Property addresses, per ZIMAS, include 1901, 1925, & 1933 South Bundy Drive, and 12333 West Olympic Boulevard (the "subject site"). The project location has an approximate 411-foot frontage along Olympic Boulevard to the south, an approximate 555-foot frontage along Bundy Drive to the northeast, and a 30-foot frontage (access driveway) along Nebraska Avenue to the northwest. The site is zoned M2-1 with one DWP-owned parcel in the [Q]PF-1XL Zone which is proposed to serve as a vehicular easement for the project. The site is located within the West Los Angeles Community Plan Area, which designates the site as Light Industrial. The subject site is also located in the West Los Angeles Transportation Improvement and Mitigation Specific Plan Area, and is not subject to a Redevelopment Project Plan Area or Historic Preservation Overlay Zone.

The subject site has a lot area of approximately 503,206 square feet (11.55 acres), prior to dedications. With the 15-foot wide street dedication required along Bundy Drive, the lot area is reduced to approximately 494,170 net square feet (11.34 acres). Pursuant to L.A.M.C. Sections 12.37-G and 12.03, the buildable area for the entire site is based on the lot area after dedications (503,206 square feet). The applicant, however, is using the 'Density Calculation' incentive of Density Bonus provisions, LAMC Section 12.22-A,25(f)(7), for Parcel 'A', which permits density to be calculated on the lot area prior to dedications.

The subject site is not located within a flood hazard, hillside, floodway or mud-prone area. The engineer has submitted a certified statement asserting that there are no protected trees on the site however, there are nine non-protected trees with trunk diameters of 12 inches and more that will be removed to accommodate the new development.

Surrounding Properties:

Adjacent land uses include commercial and multi-family uses to the northeast in the M2-1 and R3-1 Zones, commercial uses and multi-family residences to the northwest in the M2-1 and R3-1 Zones, a Department of Water and Power Sub Station to the west in the [Q]PF-1XL Zone, commercial and light manufacturing uses, including an auto dealer to the south west in the M2-1 Zone, and office buildings to the southeast in the M2-1 Zone. Single-family residences are located across Nebraska Avenue to the north in the R1-1 Zone.

Street and Circulation:

Olympic Boulevard is a Major Highway Class II dedicated to a variable 110- and 117-foot width along the projects southern street frontage. Bundy Drive is a Secondary Highway dedicated to a variable 60- and 73-foot width at the project's northeastern street frontage. Nebraska Avenue is a Collector Street dedicated to a 60-foot width at the project's northwestern street frontage. Four vehicular access points are proposed: one from an existing driveway along Nebraska Avenue, two along Bundy Drive, and one along Olympic Boulevard. The project is located within walking distance of a proposed Expo Line Phase II Metro Station at the intersection of Exposition Boulevard and Bundy Drive.

Relevant Cases:

On-Site:

VTT-66732-CN-DB: On December 30, 2009, the Advisory Agency approved Vesting Tentative Tract Map No. 66732 for the merger and re-subdivision of two master ground lots and 12 airspace lots for the construction of a new mixed-use development consisting of three mixed-use buildings with a total of 385 residential condominiums, including a 25% Density Bonus request, pursuant to SB1818, for 77 additional units (with 62 units set aside for Moderate Income households), 119,838 square feet of retail, and 1,419 parking spaces on Parcel 'A' in the proposed RAS3-1 Zone. Two medical office buildings with a total of 384,735 square feet of floor area, and one parking structure with seven levels of subterranean, ground-, above-ground, and rooftop parking with 1,976 parking spaces on Parcel 'B' in the M2-1 Zone (on concurrent appeal to the City Planning Commission).

VTT-66732-CN-DB-A(2): On January 7th and 14th, the tract was appealed by two parties, the Kilroy Realty Corporation and the Brentwood Community Council, citing inadequacies in the EIR and that the project conflicts with adopted policies and plans.

Off-Site:

CPC-2006-1771-GPA-ZC-SPR: On November 14, 2006, the City Planning Commission approved a General Plan Amendment and Zone Change from [Q]M2-1VL-CDO to the [T][Q]C2-1VL Zone and from Light Industrial to Neighborhood Commercial for a property located at 11500 Tennessee Avenue in the West Los Angeles Community Plan area. The Zone Change and General Plan Amendment were in conjunction with VTT-61143 for the development of 84 Joint Live/Work Quarters.

Issues

General Plan Amendment and Zone Change of Industrial Designated Properties (Parcel 'A'). The applicant is requesting a General Plan Amendment and Zone Change that would allow the development of a mixed use development involving 385 residential condominiums and 119,838 square feet of retail on a portion of the M2-1 zoned lot (Parcel 'A'). Parcel 'A' is identified as an "Industrial Mixed Use" (IMU) District under the City's recent Industrial Land Use Survey for the Westside Area, which is characterized as "Areas that should remain as predominantly industrial/employment district, but which may support a limited amount of residential uses." The current pattern of development for those properties immediately abutting Parcel 'A' along Bundy Avenue includes office space, small businesses, and ground floor retail immediately to the north, east, and south in the M2-1 Zone, and multi-family uses to the northeast in the R3-1 Zone. These general and neighborhood serving commercial uses, while designated as Light Industrial, are not being utilized for industrial use but nevertheless compliment the established single- and multi-family residences to the north and northeast. As such, the proposed mixed-use development of 385 residential condominium units and 119,838 square feet of retail will not only complement the existing land use pattern, where general commercial and retail uses abut low and medium residential uses, it will increase the availability of homeownership opportunities and commercial/retail jobs. Moreover, the City's Industrial Land Use Survey recommended that proposed residential uses in IMU Districts include a job-producing component and provide affordable housing. The proposed project satisfies these criteria. In addition, the medical office development along Olympic Boulevard to the south on Parcel 'B' retains light industrial land use designation where it is appropriate, adjacent to existing light industrial uses, an auto dealer, and a DWP Sub Station, increases employment opportunities, and also supports the land use pattern of the project area. The proposed Zone Change to RAS3-1 will bring the General Plan Amendment into consistency with the West Los Angeles Community Plan where the proposed General Commercial land use designation has the corresponding zones are C1.5, C2, CR, C4, RAS3, RAS4, and P.

Traffic. Many area residents and business owners expressed concern that existing traffic conditions are already over-burdened and that the proposed development, despite the implementation of traffic-related improvements, would further exacerbate traffic and parking conditions in the area. The EIR that was prepared for the project determined that the proposed project would result in significant impacts to levels of service at 40 of 64 study intersections (nine of which are located within the City of Santa Monica). The Applicant has worked extensively with Caltrans and LADOT to come up with mitigation measures. Of the 40 study intersections, 12 locations were determined to exhibit no acceptable physical mitigation

measures that would reduce the significant impacts. Of the 40 impacted locations, only 28 are proposed to receive any physical and/or traffic signal improvements as part of the project's mitigation package. The proposed mitigation measures would reduce the project's potential impacts to less-than significant levels at 19 intersections, including 10 locations within the City of Los Angeles and all nine locations within the City of Santa Monica. The proposed project however will still result in significant and unavoidable impacts at 12 intersections and cumulative impacts at these intersections will also be significant and unavoidable.

Conditional Use Permit (Parcel 'B'). The request for a conditional use is to permit the major development of a non-residential project exceeding 100,000 square feet of floor area. The proposed project would replace a one story light industrial building constructed between 1949-1952 with approximately 101,626 square feet with the construction of two medical office buildings with a total of 384,735 square feet of floor area, and one parking structure with nine levels of basement, ground, and rooftop parking with 1,976 parking spaces on Parcel 'B' (Master Lot 2 as detailed under VTT-66732-CN-DB-GB). The development on Parcel 'B' will be a LEED Silver project, and will replace outdated improvements with green building in an area served by several public transit options, including the proposed Phase II Expo Line transit stop at Bundy Drive and Exposition Boulevard, and will introduce a range of jobs to the site, including janitorial, administrative and professional level positions.

Zoning Administrator's Adjustment (Parcel 'A'). The applicant is seeking a Zoning Administrator's Adjustment for a zero-foot side yard for Building C located on Parcel A. Building C is located on airspace lots 6, 9, and 10, and abuts the rear property line of Parcel 'A' (Master Lot 1). The zero-foot rear yard setback in lieu of five feet is sought to avoid the creation of dead space for that portion of the building which is adjacent to the parking structure on Parcel 'B' in the M2-1 Zone, where zero-foot side yard setbacks are permitted. Industrial land use areas are not geared towards supporting pedestrian activity, and as such, no setbacks are required. Moreover, while the West Los Angeles Community Plan recognizes that industrial uses are located near residential neighborhoods, it does not provide specific considerations for residential developments near industrial zones. As such, the adjustment is an appropriate request in consideration of its location to an abutting parking structure in a residential zone.

Density Bonus (Parcel 'A'). The Applicant is utilizing the City's Density Bonus to increase the allowable density on Parcel 'A'. The 246,722 square foot site allows for 308 by-right units. In exchange for setting aside 20% (62 units) for Moderate Income Senior households, the project qualifies for a 25% density bonus, which grants the development an additional 77 units (385 units total). The 20% set aside units automatically allows the applicant to qualify for two incentives and reduced parking requirements. In this instance, the two incentives include:

Lot Area (On-Menu): Allows the applicant to calculate unit density on the lot area prior to dedications (246,722 square-foot site in lieu of the 238,392 square feet remaining after dedications), which permits a maximum of 308 units as opposed to 297 units as part of this incentive.

2nd Floor Retail (Off-Menu): The proposed RAS3 Zone (LAMC 12.10.5-A,2) restricts commercial uses to the ground floor only. This particular incentive would allow the applicant to provide two levels of retail uses, including the ground floor and the mezzanine level as shown on the site plans.

Site Plan Review. The applicant intends to demolish four industrial structures and surface parking to construct a new mixed-use development involving the creation of two lots, one mixed

with residential and retail uses, and the other with new medical offices. The residential and retail project on Parcel 'A' will border an established multi-family neighborhood to the northeast and will also compliment existing small businesses along Nebraska Avenue and Bundy Drive. Parcel 'B', with 384,735 square feet of medical office floor area, occupies the southern half of the property and will be located adjacent to existing light industrial uses, including media-oriented offices buildings, an auto dealer, light manufacturing use, and a Department of Water and Power sub station. The development of Parcel 'B' for medical office uses is a major development consistent with the M2-1 Zone and the Light Industrial land use designation of the West Los Angeles Community Plan. The applicant intends to pursue a phased development that involves incremental construction and demolition over a period of time. Parcel 'A' will include a pedestrian-oriented promenade leading to the three structures that include retail uses on the ground and mezzanine levels, with subsequent floors of residential condominiums. The project exceeds the required parking and open space requirements by providing 3,395 parking spaces in lieu of the 3,253 spaces required for parking congested areas, and a combined 199,985 square feet of private and common open space in lieu of the minimum 57,750 square feet required. The landscape design includes a pedestrian-only access from Bundy Drive with a promenade lined with canopy shading, palm, and fragrant trees. Moreover, the project satisfies the City's Walkability Checklist and proposes a LEED-certified development on Parcel 'A' and a LEED Silver development on Parcel 'B'.

Conclusion

Based on the information submitted, the surrounding uses, input from the public hearing, as well as the project's compatibility with adjacent uses, the Department of City Planning is recommending that the City Planning Commission approve the requested entitlements and recommendations, as conditioned, as the two proposed development parcels will provide a more appropriate pattern of development and includes uses conducive with the established single- and multi-family residences, and commercial uses to the north and the commercial and light industrial uses to the south. In addition to introducing a more appropriate pattern on land uses, the development of Parcel 'A' will provide 146 Senior units, 62 Moderate Income units, and neighborhood serving retail opportunities and jobs. The construction of Parcel 'B' will replace 101,626 square feet of older manufacturing uses with 384,735 square feet of medical office floor area in a LEED Silver development. Moreover, the project site is extensively served by several public transit options, including Santa Monica's Big Blue Bus Lines 1, 5, 10, and 14 and Metro Bus Lines 4 and 704, and is within walking distance of the proposed Metro Exposition Line that will connect Santa Monica with Downtown Los Angeles. The conditions included herein will address, to the extent possible, the negative impacts that may otherwise arise. Therefore, the infill development of this property in conjunction with the Zone Change and other entitlements will be desirable by providing much-needed housing, retail floor area, and will create a new range of job opportunities.

Conditions For Effectuating (T) Tentative Classification Removal

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

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

Responsibilities/Guarantees.

1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
2. Bureau of Engineering. Prior to the issuance of sign-offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to the project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.
 - a. Street Dedication.
 - (1) *Bundy Drive* (Secondary Highway): That a 15-foot wide strip of land be dedicated along Bundy Drive adjoining the subdivision to complete a 45-foot wide half street dedication in accordance with Secondary Highway Standards.
 - (2) *Olympic Boulevard* (Major Highway Class II): None.
 - (3) *Nebraska Avenue* (Collector Street): None.
 - b. Street Improvement.
 - (1) *Olympic Boulevard*: Improved Olympic Boulevard adjoining the subdivision by the construction of a new 12-foot full width concrete sidewalk with tree wells and 2-foot wide concrete gutter and curb if necessary together with any necessary removal and construction of existing improvements.
 - (2) *Bundy Drive*: Improve Bundy Drive being dedicated and adjoining the subdivision by the construction of the following: (a) A concrete curb, a concrete gutter, and a 10-foot full-width concrete sidewalk with tree wells; (b) Suitable surfacing to join the existing pavement and to complete a 35-foot half roadway; (c) Any necessary removal and reconstruction of the existing improvements, and; (d) The necessary transitions to join the existing improvement.

- c. Sewers. Sewer lines are available in streets adjoining the tract. The construction of house connection sewers will be required to serve the tract. This tract will connect to the public sewer system and will not result in violation of the California Water Code. All sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a Building Permit.
 - d. Sanitation. An investigation by the Bureau of Sanitation may be necessary to determine the capacity of the existing public sewers to accommodate the proposed development. Submit a request to the Sewer Public Counter of the West Los Angeles Engineering District Office of the Bureau of Engineering.
 - e. Street Lighting. Install street lighting facilities to serve the tract as follows:
 - (5) Two (2) new street lights on Olympic Boulevard, and;
 - (6) If street widening per BOE improvement conditions, relocate and upgrade: four (4) on Bundy Drive, and one (1) on Olympic Boulevard.
3. Department of Transportation. Satisfactory arrangements shall be made with the Department of Transportation to assure:
 - a. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
 - b. A parking area and driveway plan shall be submitted to the Citywide Planning Coordination Section of Department of Transportation and the Bureau of Engineering, Central District Office for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Suite 400, Station 3.
4. Fire Department.
 - a. Submit plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
 - b. Construction of public or private roadway in the proposed development shall not exceed 15 percent in grade.
 - c. During demolition, the Fire Department access will remain clear and unobstructed.
 - d. The width of private roadways for general access use and fire lanes shall not be less than 20 feet clear to the sky.
 - e. Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
 - f. No proposed development utilizing cluster, group, or condominium design of one or two family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.
 - g. All access roads, including fire lanes, shall be maintained in an unobstructed manner, removal of obstructions shall be at the owner's expense. The entrance to all required

fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code.

- h. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
- i. Where above ground floors are used for residential purposes, the access requirements shall be designated fire lane to the main entrance of individual units.
- j. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway or an improved street, access road, or designated fire lane.
- k. Private roadways for general access use shall have a minimum width of 25 feet.
- l. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- m. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- n. Adequate public and private fire hydrants shall be required.
- o. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- p. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
- q. Where fire apparatus will be driven onto the road level surface of the subterranean parking structure, that structure shall be engineered to withstand a bearing pressure of 8,600 pounds per square foot.
- r. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel.
- s. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- t. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- u. Private streets shall be recorded as Private Streets, AND Fire Lane. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement.
- v. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- w. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.

- x. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
 - y. All public street and fire lane cul-de-sac shall have the curbs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.
 - z. Building designs for multi-residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150 feet horizontal travel distance from the edge of the public street, private street or Fire Lane.
 - aa. Entrance to the main lobby shall be located off the address side of the building.
 - bb. Any required Fire Annunciator panel or Fire Control Room shall be located within 50 feet visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
5. Bureau of Street Lighting. Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
- a. Two (2) new street lights on Olympic Boulevard.
 - b. If street widening per BOE improvement conditions, relocate and upgrade: four (4) on Bundy Drive, and one (1) on Olympic Boulevard.

Notice: If conditions dictate, connections to the public sewer system may be postponed until adequate capacity is available.

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.

(Q) Qualified Conditions of Approval

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

A. Entitlement Conditions

1. **Use.** The use and area regulations for the new development on-site shall be developed for residential and commercial uses as permitted in the (T)(Q) RAS3-1 Zone as defined in LAMC Section 12.10.5 unless modified by herein conditions or subsequent action.
2. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan labeled Exhibit "A". Prior to the issuance of building permits, detailed development plans including a site plan illustrating elevations, facades, and architectural treatment, and a landscape/irrigation plan shall be submitted for review and approval by the Planning Department. The plans shall comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
3. **Floor Area.**
 - a. The total commercial/retail floor area of all buildings on Parcel 'A' shall be limited to no more than 119,838 square feet, and is not exceed more than three times the buildable lot area (3:1 FAR), consistent with the RAS3-1 Zone.
 - b. The total medical office floor area of all buildings on Parcel 'B' shall be limited to 384,735 square feet, and is not exceed more than more than one and one-half times the buildable lot area (1.5:1), consistent with the M2-1 Zone.
4. **Density.** Parcel 'A' shall have no more than 385 dwelling units (Building A: 60 units; Building B: 101 dwelling units; Building C: 224 dwelling units).
5. **Height.** The height of the structures shall comply with Section 12.21.1. Any structures on the roof, such as air condition units and other equipment, shall be fully screened from view of any abutting properties with residential dwellings.
6. **Parking.**
 - a. Off-street parking spaces for residential, commercial, and medical office uses shall be provided in accordance with that approved by the Advisory Agency under the related Tract Map No. VTT-66732-CN-DB. Condition No. 14 of the tract map determination specifies that 737 parking spaces shall be provided for the 385 residential condominium units, 682 parking spaces for the 119,838 square feet of retail/commercial floor area, and 1,976 parking spaces for the medical office uses.
 - b. All parking for the proposed project shall be internal to the buildings or subterranean, and therefore shall not result in spillover to adjacent uses. The above-grade garage openings shall be covered with frosted or back painted glass or decorative grids. The height and size of the openings shall be designed to conceal automobile headlights.

B. Other Conditions

7. **Sustainability.** Prior to the issuance of a certificate of occupancy, the Applicant shall endeavor to comply with the requirements of the US Green Building Council in an effort to obtain LEED Certification for Parcel 'A' and LEED Silver for Parcel 'B'. The proposed project shall be subject to the Green Building Program Ordinance No. 179,820.
8. **Architectural Materials.**
 - a. A consistent use of architectural and building materials shall be applied throughout all exterior facades of the building to avoid creating a "backside" to the site.
 - b. The proposed project shall not use architectural finishes that would produce substantial glare. The retail ground level windows of the proposed project shall be clear, low insulated glass in display areas and frosted or black painted glass in non-display areas. Exterior applied stucco and stone veneer shall be used for the retail storefront at base of the building (Level 1). The residential facade shall be composed of low-insulated glass with aluminum and vinyl windows with stone veneer and exterior applied stucco. Balconies rails shall be painted metal, glass or solid applied stucco. (MM)
9. **Driveway Access.**
 - a. Vehicular access driveways shall be limited to: Two (2) separate driveways along Bundy Drive; One (1) driveway along Olympic Boulevard; and one (1) existing driveway shall remain along Nebraska Avenue, which will be gated at the property line for the project site and will be accessed for emergency purposes only.
 - b. The northwesterly Nebraska Avenue vehicular access is a shared driveway and shall only be used by project residents and visitors for Emergency Access purposes.
 - c. The proposed vehicular easement along Olympic Boulevard requires approval of the Los Angeles Department of Water and Power Board.
10. **Parking and Driveway Plan.**
 - a. This project is subject to the West Los Angeles Transportation Improvement and Mitigation Specific Plan requirements. A parking area and driveway plan shall be submitted to the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Final DOT approval should be accomplished by submitting detailed site/driveway plans at a scale of 1"=40' to DOT's West LA/Coastal Development Review Section located at 7166 W. Manchester Avenue, Los Angeles, 90045. (MM)
 - b. Bicycle racks/storage facilities shall be provided on-site and shall be shown on the final approved plans..

11. Commercial Delivery.

- a. No delivery for commercial uses shall be permitted between the peak hours of 7:00 am to 9:00 am and between 5:00 pm to 7:00 pm. Delivery vehicles shall only queue on-site and not along Bundy Drive, Nebraska Avenue, Olympic Boulevard, or other adjacent residential street.
- b. A maximum overall vehicle/truck length shall be restricted to 48 feet.

12. Pedestrian Access. Pedestrian-only access shall be provided from Bundy Drive as shown on Exhibit 'A'.**C. Environmental Conditions****13. Air Pollution – Stationary.**

- a. COMMERCIAL - An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 12, to the satisfaction of the Department of Building and Safety.
- b. RESIDENTIAL - An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 11, to the satisfaction of the Department of Building and Safety.

14. Cultural Resources.

- a. A covenant and agreement shall be recorded prior to obtaining a grading permit stating that if any archaeological materials are encountered during the course of project development, construction shall be halted. The services of an archaeologist shall be secured by contacting the Center for Public Archaeology - Cal State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist to assess the resources, evaluate the potential impact (if any), and prescribe an appropriate method for preserving the resource either by removing the resource from where it is found or by documenting the resource before construction may again commence. Copies of the archaeological survey, study or report shall be submitted to the South Central Coastal Information Center at California State University Fullerton, Department of Anthropology.
- b. A covenant and agreement shall be recorded prior to obtaining a grading permit stating that if any paleontological materials are encountered during the course of the project development, construction shall be halted. The services of a paleontologist shall be secured by contacting the Center for Public Paleontology - USC, UCLA, Cal State Los Angeles, Cal State Long Beach, or the Natural History Museum of Los Angeles County to assess the resources, evaluate the potential impact (if any), and prescribe an appropriate method for preserving the resource either by removing the resource from where it is found or by documenting the resource found before construction may again commence. Copies of the paleontological survey, study or report shall be submitted to the Natural History Museum of Los Angeles County.
- c. If human remains are discovered at the project site during construction, work at the specific construction site at which the remains have been uncovered shall be suspended, and the City of L.A. Department of Building and Safety and County

Coroner shall be immediately notified. If the remains are determined by the County Coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains.

15. Storm Water.

- a. The Applicant shall comply with and implement applicable requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by the Los Angeles Regional Water Control Board for managing stormwater run-off from the site during construction and operations.
- b. The Applicant shall implement all applicable and feasible stormwater BMPs, including but not limited to structural BMPs, in accordance with best management practices.
- c. Post development peak stormwater runoff discharge rates shall be approved by the City of Los Angeles where the estimated peak stormwater discharge rate will not result in significant increased potential for downstream erosion.

16. Hazardous Materials

- a. Prior to the issuance of a demolition permit for any existing on-site structure, the structure shall undergo survey to document the presence of any potential polychlorinated biphenyls (PCBs) within the structure. Any PCBs identified as part of this survey shall be properly disposed of in accordance with all applicable City, State, and federal regulations.
- b. The proposed project shall comply fully with the Asbestos Operations & Maintenance Program, 1901, 1925 and 1933 S. Bundy Drive, Los Angeles, California, prepared by Allstate Services Environmental, Inc., November 17, 2005. In addition, prior to the issuance of a demolition permit for any existing on-site structure not previously surveyed, the structure shall undergo an asbestos survey to document the presence of any potential asbestos-containing materials (ACMs) within the structure. Any ACMs identified as part of this survey shall be abated in accordance with South Coast Air Quality Management District Rule 1403 as well as any other applicable City, State, and federal regulations.
- c. A California-licensed and registered asbestos abatement contractor shall remove the ACMs that would be disturbed as a result of planned or other renovations to the subject building(s). The contractor would comply with asbestos consultant specifications for the abatement of these regulated materials in compliance with local, State, and federal regulations.
- d. Lead abatement specifications by a Lead Project Monitor/Designer are required for all demolition activities to prevent further contamination of lead dust and OSHA requirements.
- e. All construction work where an employee may be occupationally exposed to lead must comply with Cal/OSHA requirements set forth in 8 CCR 1532.1. This regulation requires initial employee exposure monitoring to evaluate worker exposure during work that disturbs lead-containing materials (lead present in any detectable concentration).

- f. All construction workers shall be required to utilize personal protective equipment (including respiratory protection if deemed necessary) during all demolition activities or any activities that would potentially expose workers to lead impacted dust.
 - g. Prior to the issuance of a demolition permit for any existing on-site structure, the structure shall undergo a lead-based paint (LBP) survey to document the presence of any potential LBP within the structure. Any LBP identified as part of this survey shall be abated in accordance with all applicable City, State, and federal regulations.
 - h. Waste items generated during demolition and abatement procedures shall be properly sampled and profiled to determine the final disposition of the waste.
 - i. The Applicant shall comply with all of the conditions set forth in the May 27, 2008 letter from the California RWQCB which determined that no further action is required for soil remediation at the project site. Among the conditions of the letter is the requirement that should soil contamination be detected during future activities at the project site, the RWQCB shall be notified within 72 hours and a health and safety plan shall be implemented to reduce the contamination to an acceptable level.
 - j. The proposed project shall comply with all City, State, and federal regulations governing the proper regulation, use, and disposal of biohazardous materials. Pursuant to Section 57.08 of the City of Los Angeles Municipal Code (LAMC), the Applicant shall file a Hazardous Materials Release Response Plan (HMRRP) and Inventory Program for all businesses that handle in excess of 500 pounds or 55 gallons of hazardous materials at any one time during the year. Such businesses shall also prepare and submit a Business Plan to the City of Los Angeles Fire Department (LAFD) which provides an inventory of hazardous materials used, establishes emergency response procedures, and sets forth a training program.
 - k. The project Applicant shall provide an electric and magnetic field (EMF) information and disclosure statement to each prospective buyer for all proposed residential units. Such statement shall include, but not be limited to, the following:
 - The location of the neighboring City of Los Angeles Department of Water and Power (LADWP) electrical distribution yard with respect to the project site;
 - A statement that this subject has been addressed in the EIR for the proposed project and that the EIR is on file with the City of Los Angeles Department of City Planning.
 - A statement that additional information regarding the potential health effects from EMF exposure may be obtained by viewing available information posted on the California Department of Health Services' (DHS) official internet site at <http://www.dhs.ca.gov/ehib/emf/RiskEvaluation/riskeval.html> or by contacting the LADWP EMF inquiry line at (213) 367-2616.
17. **Interference.** The Applicant shall coordinate with the adjacent television facility to ensure that medical equipment and/or the proposed development do not interfere with microwave and satellite transmission operations at the existing television facility.
18. **Noise**
- a. All new mechanical equipment associated with the proposed project shall comply with Section 112.02 of the City of Los Angeles Municipal Code, which prohibits noise from air conditioning, refrigeration, heating, pumping, and filtering equipment from

exceeding existing ambient noise levels on the premises of other occupied properties by more than five decibels.

- b. The Project Applicant shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which ensure an acceptable interior noise environment.
- c. All exterior windows within the residential units at the project site shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Class of 50 or greater as defined in UBC No. 35-1, 1979 edition or any amendment thereto. The applicant, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable residential room.

19. Public Services - Fire

- a. During the plot plan review, the project applicant shall consult with the LAFD regarding the installation of private fire hydrants, sprinklers, and/or other fire protection features within the proposed project. All required fire protection features shall be installed to the satisfaction of the LAFD.
- b. If the proposed project includes any new public streets, the applicant shall consult with the LAFD regarding the potential installation of public fire hydrants. Any required public fire hydrants shall be installed to the satisfaction of the LAFD.
- c. The length of the fire lane shall not exceed 700 feet without secondary access.
- d. The proposed project shall include a 28-foot designated fire lane with a through street-to-street connection.

20. Public Services – Police/Crime Prevention

- a. The Applicant shall contact the Crime Prevention Unit within the Community Relations Section for advisement on crime prevention features.
- b. The Applicant shall provide the West Los Angeles Area Commanding Officer with a diagram of each portion of the property. The diagram would include access routes and any additional information that might facilitate police response.

21. Public Services - School Fees. The project applicant shall pay all applicable school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.

22. Public Services - Recreation. To the extent feasible, the proposed project shall include the development of recreational and park amenities within the proposed site; and the project applicant shall pay Quimby and/or Park fees for any remaining mitigation deficit for project impacts on parks and recreational facilities in the project.

23. Public Services – Library. To the extent feasible, the proposed project shall include the development of approximately 373.5 square feet of library space within the proposed site; and the project applicant shall pay negotiated fees with LAPL for any remaining mitigation deficit for project impacts on library facilities in the project.

24. Water Conservation

- a. The project developer shall ensure that the landscape irrigation system be designed, installed and tested to provide uniform irrigation coverage. Sprinkler head patterns shall be adjusted to minimize over spray onto walkways and streets.
- b. The project developer shall install either a “smart sprinkler” system to provide irrigation for the landscaped areas or, at a minimum, set automatic irrigation timers to water landscaping during early morning or late evening hours to reduce water losses from evaporation. Irrigation run times for all zones shall be adjusted seasonally, reducing water times and frequency in the cooler months (fall, winter, spring). Sprinkler timer run times shall be adjusted to avoid water runoff, especially when irrigating sloped property.
- c. The project developer shall select and use drought-tolerant, low-water-consuming plant varieties to reduce irrigation water consumption.
- d. The project developer shall install low-flush water toilets and water-saving showerheads in new construction. Low-flow faucet aerators should be installed on all sink faucets.
- e. High efficiency toilets (1.28 gallons per flush or less, includes dual flush).
- f. High efficiency urinals (0.5 gallons per flush or less, includes waterless).
- g. Restroom faucet flow rate of 1.5 gallons per minute or less.
- h. Install self-closing faucets in all public restrooms.
- i. Showerhead flow rate of 2.0 gallons per minute or less.
- j. Limit of one showerhead per shower stall.
- k. High efficiency clothes washers (water factor 6.0 or less).
- l. High efficiency dishwashers (Energy Star rated).
- m. Domestic water heating system located in close proximity to point(s) of use, as feasible; use of tankless and on-demand water heaters as feasible.
- n. Cooling towers shall be operated at a minimum of 5.5 cycles of concentration.
- o. Onsite water recycling systems shall be required for wastewater discharge from commercial laundries, dye houses, food processing, and certain manufacturing operations (subject to a payback threshold of five years or less); all water recycling system for all new car wash facilities shall be mandated.
- p. Mandated use of recycled water (where available) for appropriate end uses (irrigation, cooling towers, sanitary).
- q. Irrigation system requirements:
 - Weather-based irrigation controller with rain shutoff;
 - Flow sensor and master valve shutoff (large landscapes);

- Matched precipitation (flow) rates for sprinkler heads;
 - Drip/microspray/subsurface irrigation where appropriate;
 - Minimum irrigation system distribution uniformity of 75 percent;
 - Proper hydro-zoning, turf minimization and use of native/drought tolerant plant materials;
 - Use of landscape contouring to minimize precipitation runoff.
- r. Metering requirements:
- All dwelling units/commercial spaces shall include individual meters and billing for water use; and
 - All irrigated landscapes of 5,000 square feet or more shall include separate meters or submeters.
- s. Required compliance with all City of Los Angeles SUSMP requirements, and encouraging the implementation of BMPs that have stormwater recharge or reuse benefits.
25. **Utilities (Recycling).** To support recycling of operational wastes, the proposed project shall include a residential recycling program.

D. Transportation Conditions

26. **West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP) Fees.** Prior to the issuance of a building, grading or foundation permit for any Project, the legal owner(s) of the property shall covenant and agree to complete, prior to the issuance of any certificate of occupancy, the transportation mitigation measures required pursuant to the Transportation Mitigation Plan as approved by LADOT, or City Council on Appeal, and to pay the West Los Angeles Transportation Impact Assessment Fee in accordance with the West Los Angeles Transportation Improvement and Mitigation Specific Plan. The covenant shall also include a declaration, in writing, that the owner acknowledges the contents and limitations of this Specific Plan.
27. **Wilshire Boulevard and Barrington Avenue.** The developer shall install new north-south left-turn signal phasing (protected/permissive) at this intersection to improve the operating capacity of the Barrington Avenue approaches.
28. **Texas Avenue and Bundy Drive.** Widen the west side of Bundy Drive within the existing right-of-way, and restripe the northbound and southbound approaches of Bundy Drive to provide exclusive left-turn pockets in both directions at Texas Avenue. This improvement is identified in the WLA TIMP as part of overall improvements to the Bundy Drive corridor in the project vicinity to address congestion caused at this intersection and throughout the corridor by left-turning vehicles blocking through vehicle traffic.
29. **Santa Monica Boulevard and Bundy Drive.** Restripe the eastbound approach of the intersection to install an exclusive right-turn only lane on Santa Monica Boulevard. This measure requires the elimination of approximately four to five commercial parking spaces along the south side of Santa Monica Boulevard west of Bundy Drive during this time period. Additionally, install new north-south left-turn phasing at this intersection and contribute to the installation of a new Automated Traffic Surveillance Control System (ATSAC) traffic monitoring camera at this location.

30. **Santa Monica Boulevard and Barrington Avenue.** The developer shall install new north-south left-turn signal phasing (protected/permissive) at this intersection to improve the operating capacity of the Barrington Avenue approaches.
31. **Colorado Avenue/Idaho Avenue and Centinela Avenue.** Restripe the existing eastbound approach of Idaho Avenue to install a new right-turn only lane; this approach of the intersection currently operates in this manner, with a wide curb lane that allows for a de-facto right-turn lane. Note: Although LADOT has reviewed and conceptually accepted this proposed improvement, this intersection is shared with the City of Santa Monica, and will require review and approval by that jurisdiction.
32. **Missouri Avenue/Project Driveway and Bundy Drive.** Restripe the westbound approach of Missouri Avenue to install a left turn lane, plus a shared through/right turn lane. Convert the existing two-way left-turn center lane on Bundy Drive south of Missouri Avenue to a new northbound left-turn lane to provide access to the new project driveway.
33. **La Grange Avenue and Bundy Drive.** Install a third southbound through lane on Bundy Drive between Missouri Avenue and Olympic Boulevard, as part of the required dedication and roadway widenings identified previously in the description of the “Bundy Drive Dedication and Widening” improvement.
34. **Olympic Boulevard and Centinela Avenue-south leg.** The project driveway (southbound approach) is to provide a total of four lanes, including two inbound and two outbound lanes. Additionally, reduce the existing sidewalk width along the west side of Centinela Avenue south of Olympic Boulevard to eight feet and widen the roadway by approximately four feet. Restripe the northbound approach of Centinela Avenue to provide dual left turn lanes plus one shared through/right turn lane. Install new left-turn signal phasing (protected/permissive) for the north-south, and westbound approaches at this intersection.
35. **Olympic Boulevard and Bundy Drive.** Widen both sides of Olympic Boulevard west of Bundy Drive by approximately two feet, and restripe the eastbound approach of Olympic Boulevard to install dual left-turn lanes, in addition to three through lanes and a right-turn only lane; restripe the westbound approach to provide appropriate lane alignments and transitions across the intersection. Additionally, contribute to the installation of an ATSAC traffic monitoring camera at this intersection.
36. **Olympic Boulevard and Sepulveda Boulevard.** The developer shall install new left-turn signal phasing (protected/permissive) on both the northbound and southbound approaches of this intersection. This improvement will help reduce the existing congestion on the Sepulveda Boulevard approaches.
37. **Centinela Avenue and I-10 Westbound On/Off-Ramps.** Reduce the existing sidewalk width on the north/east side of Centinela Avenue to eight feet and widen the roadway north of the freeway ramps to install a second southbound through lane, in addition to the existing single southbound through lane and right-turn only lane (onto the I-10 westbound on-ramp). Modify the traffic signal operations and equipment, and restripe both the freeway off-ramp and the south leg of the intersection as necessary to accommodate the improvement.
38. **Pico Boulevard and Centinela Avenue.** Reduce the width of the sidewalk and widen the north side of Pico Boulevard, and restripe the westbound approach of the intersection to

provide an exclusive right-turn only lane, in addition to the existing left-turn and two through lanes. Modify the existing signal equipment as necessary to implement this measure.

39. **Pico Boulevard and Bundy Drive.** Restripe the southbound approach of Bundy Drive at Pico Boulevard to convert the existing right-turn only lane to a shared through/right turn lane. Additionally, widen the west side of Bundy Drive south of Pico Boulevard (between Pico Boulevard and the I-10 Westbound-to-Southbound Bundy Drive off-ramp), to provide an additional southbound “receiving” lane, with the innermost lane striped and signed as a “trap” lane for the new dual left-turn lanes at the I-10 Eastbound on-ramps. This improvement is part of the comprehensive improvement of the Bundy Drive/I-10 Westbound on- and off-ramp interchange, as described in more detail in the discussion of the recommended improvements for the “Bundy Drive and I-10 Westbound Off-Ramp” and the “Bundy Drive and I-10 Eastbound On-Ramp” locations, below. Additionally, contribute to the installation of an ATSAC traffic monitoring camera. The improvement will require Caltrans approval due to the proposed widening on Caltrans property along the west side of Bundy Drive.
40. **Bundy Drive and I-10 Westbound Off-Ramp.** Widen the existing westbound I-10 Freeway-to-northbound Bundy Drive off-ramp to provide two lanes after the divergence from the mainline I-10 Freeway. Flare the ramp terminus at Bundy Drive to provide three lanes, including a left-turn lane, a center shared left-turn/right-turn lane, and one right-turn only lane, and realign the ramp approach so that it intersects Bundy Drive at an approximately 90-degree angle. Remove the existing westbound I-10 Freeway-to-southbound Bundy Drive “loop” ramp (allowing the widening along the west side of Bundy Drive, as described in the improvement for “Pico Boulevard and Bundy Drive”, above), and install a new traffic signal at this location to control the new westbound I-10 Freeway off-ramp to both directions of Bundy Drive. This signal shall be coordinated with the existing signals at the intersections of both Bundy Drive and Pico Boulevard to the north, and at Bundy Drive and I-10 Freeway eastbound on-ramp to the south of this location. Additionally, in order to improve traffic flows along northbound Bundy Drive and reduce the existing conflicts with merging off-ramp traffic, right-turn on red movements should be prohibited from the off-ramp. (LADOT has indicated that this measure will require Caltrans approval).
41. **Bundy Drive and I-10 Eastbound On-Ramp.** Restripe Bundy Drive south of Pico Boulevard to provide dual southbound left turn lanes onto the I-10 eastbound on-ramp, in addition to the existing two through lanes in that direction. The innermost “through” lane on southbound Bundy Drive will become a dedicated lane for the outermost of the dual left-turn lanes; the second, inner left-turn lane should begin at the south side of the new westbound I-10 off-ramp described above. Additionally, the on-ramp should be widened if possible to provide an additional lane, preserving the existing high occupancy vehicle (HOV) bypass lane and increasing the storage capacity of the ramp to minimize potential vehicle queue “spillover” onto Bundy Drive. This spillover is a primary cause of the current congestion experienced at the intersection of Pico Boulevard and Bundy Drive, as ramp-bound traffic cannot access the ramp, and the southbound Bundy Drive left-turn queue exceeds the pocket length and blocks southbound Bundy Drive through traffic. As with the other associated Bundy Drive/I-10 Freeway ramp improvements described previously (final review and approval is under Caltrans’ jurisdiction due to the proposed widening of the freeway on-ramp).

42. **Pico Boulevard and Barrington Avenue.** Restripe the northbound approach of Barrington Avenue at this intersection to provide an exclusive right-turn only lane. Additionally install new left-turn signal phasing (protected/permissive) for both the northbound and southbound approaches of this intersection, in order to provide turning capacity through northbound and southbound “through” traffic on Barrington Avenue. The installation of the recommended signal phases is consistent with the City’s ongoing left-turn phasing installation program.
43. **Pico Boulevard and Sawtelle Boulevard.** The developer shall install new left-turn signal phasing (protected/permissive) on the northbound approach of this intersection, to mirror the existing southbound left-turn phase.
44. **Centinela Avenue and I-10 Eastbound On-Ramp.** Widen both sides of Centinela Avenue both north and south of the on-ramp as necessary to install a second southbound left-turn lane onto the on-ramp. Modify and/or replace the existing traffic signal equipment as necessary to accommodate the proposed improvement.
44. **Ocean Park Boulevard and Centinela Avenue.** Restripe the southbound approach of Centinela Avenue at this intersection to convert the existing through lane to operate as a shared through/left-turn lane. Modify the existing traffic signal operation to install “opposed” phasing on both the northbound and southbound approaches of this intersection to allow the addition of the shared left-turn/through lane.
46. **Traffic Signal Coordination.** The project shall coordinate with the City of Santa Monica to promote the development, design, and installation of a new traffic signal coordination system, similar to the City of Los Angeles’ ATSAC traffic signal control system, within the City of Santa Monica. Such a signal coordination system could be installed as an extension of the existing City of Los Angeles ATSAC/ATCS signal coordination system. It is not proposed that the proposed project install the actual system, since such a system would require funding and construction capability outside the ability of any single project to implement. Rather it is envisioned that the proposed project would contribute “fair share” funding to the development of such a system, along with other ongoing or proposed developments within both the cities of Santa Monica and Los Angeles, in a cooperative approach between those jurisdictions to extend the current ATSAC system outside the City of Los Angeles to improve traffic flow throughout the entire study area.
47. **West LA TIMP Contribution.** The developer shall voluntarily provide a contribution of \$2,000,000 to the WLA TIMP fee, to provide for additional transportation-related improvements in the project area beyond those assignable to the TIMP fees. A portion of the contributions shall be used to facilitate the immediate implementation of the Adaptive Traffic Control System (ATCS) signal coordination upgrades in the study area. Although the ATCS improvement program is assumed to be funded, the timing and availability of such funding for its installation is currently uncertain. While the implementation of ATCS is not a project mitigation improvement, the voluntary contribution by the project toward its near-term operations will assure that the additional roadway and intersection capacities resulting from the signal coordination upgrades will be in place at the time the additional traffic demands generated by the project would occur, effectively offsetting many of the potential project traffic impacts described earlier in this document.
48. **Traffic Demand Management (TDM).** The project shall implement a TDM program to reduce both daily and peak hour trips to and from the project site. This program shall be available to employees, residents, visitors, and patrons of the project. The program shall

be overseen by an on-site TDM coordinator, who will assist with the development, operation, and implementation of the various programs, including but not limited to carpool incentives, ride share matching, bicycle lockers, and variable work shifts. A menu of items to be included in the project's TDM program developed specifically for the proposed project or taken from the City's Transportation Demand Management Ordinance (Section 98.0411 of the LAMC). However, it should be noted that not all of these elements would apply to all of the project site's component uses.

- On-site Transportation Coordinator, in charge of:
- Carpool/Vanpool and Rideshare Matching;
- Preferential Vanpool/Carpool Parking;
- Transit Passes or Subsidies;
- Parking Cash-Out;
- Flex-Use Vehicles;
- Guaranteed Ride Home;
- Bicycle Racks and Showers/Lockers; and
- Flexible Work Hours/Telecommute Opportunities.

49. **Local/Residential Traffic Intrusion Protection Program.** The proposed project, in coordination with LADOT, shall develop a program to reduce or prevent traffic intrusion into the neighborhoods surrounding the project site. The program may include physical measures such as additional STOP signs and/or speed humps, or access control measures like full or partial cul-de-sacs, chokers, or other barriers, or restriction of turning movements at the project's driveways or to/from major streets. It is recommended that the project Applicant make a voluntary contribution of \$200,000 to establish a fund from which detailed studies and recommendations regarding specific program elements and locations for their implementation.
50. **Lincoln Boulevard.** Restripe Lincoln Boulevard to the north such that a right-turn only lane is established.

E. Construction Conditions

51. That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract map number. **YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.**
- a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that the public can easily read it. The sign must be sturdily attached to a wooden post if it will be freestanding.
 - b. Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.
 - c. If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres, or portion thereof. Each sign must be posted in a prominent location.
52. The applicant shall ensure the following construction Best Management Practices is incorporated within the Storm Water Pollution Prevention Plan (SWPPP):

- a. Chapter IX, Division 70b of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities shall require grading permits from the Department of Building and Safety.
 - b. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
 - c. Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.
 - d. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
 - e. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
 - f. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
 - g. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
 - h. Store trash dumpsters either under cover and with drains routed to the sanitary sewer or use non-leaking or water tight dumpsters with lids. Wash containers in an area with properly connected sanitary sewer.
 - i. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
 - j. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop cloths to catch drips and spills.
53. In Parcel A, construction and demolition shall be restricted to the hours of 7:00 AM to 6:00 PM Monday through Friday, and 8:00 AM to 6:00 PM on Saturday, and prohibited on all Sundays and federal holidays.
54. Construction vehicles are prohibited from parking, queuing, delivering, idling, or otherwise obstructing traffic on any public street in the vicinity of the project area.
55. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.

56. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
57. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
58. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
59. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
60. All trucks hauling dirt, sand, soil, or other loose materials shall be covered and shall maintain at least two feet of freeboard (between the top of the load and the top of the trailer) in accordance with CVC Section 23114.
61. Following daily construction activities, adjacent paved streets found to contain visible soil material that carried over from the project site shall be swept.
62. Soil Stabilizers shall be applied to inactive construction areas as necessary.
63. Ground cover in disturbed areas shall be quickly replaced.
64. All haul roads shall be watered twice daily while in use during construction activities.
65. All stock piles of debris, dirt, or rusty materials shall be covered with a tarp to prevent the release of fugitive dust.
66. Vehicle speed on unpaved roads shall be reduced to less than 15 miles per hour (mph).
67. The project developer shall provide temporary traffic control during all phases of construction to assist with the improvement of traffic flow.
68. The project developer shall require contract specifications that construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for an extended period of time (i.e., 5 minutes or longer).
69. The project developer shall require by contract specifications that construction operations rely on the electricity infrastructure surrounding the construction site rather than electrical generators powered by internal combustion engines to the extent feasible.
70. The project developer shall require by contract specifications that all diesel-powered construction equipment and haul trucks used would be retrofitted with after-treatment products (e.g., engine catalysts) to the extent that it is economically feasible and readily available in the South Coast Air Basin.
71. The project developer shall require by contract specifications that all heavy-duty diesel-powered equipment operating and refueling at the project site as well as haul trucks would use low- NOx diesel fuel to the extent that it is readily available and cost effective (up to 125 percent of the cost of California ARB diesel) in the South Coast Air Basin.

72. The project developer shall require contract specifications that alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) would be utilized to the extent that it is economically feasible and the equipment is readily available in the South Coast Air Basin.
73. The project developer shall utilize low-VOC paints on all portions of the proposed structures.
74. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
75. The project shall comply with the City of Los Angeles Noise Ordinance Nos. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
76. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
77. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
78. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
79. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
80. Construction of the proposed project shall comply with recommendations set forth in the Preliminary Geotechnical Investigation, Proposed Medical Office Buildings and Mixed-Use Development, 12333 Olympic Boulevard and 1901 to 1933 Bundy Drive, Los Angeles, California prepared by Geotechnologies, Inc., dated February 7, 2007 and the Geotechnical Engineering Investigation, Proposed Medical Park 12333 Olympic Boulevard and 1901 to 1933 Bundy Drive, Los Angeles, California prepared by Geotechnologies, Inc., dated May 23, 2008 (see also Appendix D to the Draft EIR) to the extent feasible.
81. Noise and groundborne vibration construction activities whose specific location on the project site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise- and vibration-sensitive land uses.
82. Barriers such as plywood structures or flexible sound control curtains shall be erected along the northern project boundary to the adjacent uses and along the southern project boundary to the adjacent uses to minimize the amount of noise to the maximum extent feasible during construction.
83. An information sign shall be posted at the entrance to the construction site that identifies the permitted construction hours and provides a dedicated telephone number to receive information about the construction process and to report complaints regarding excessive noise levels. An ongoing log of calls received shall be maintained as part of the mitigation monitoring and reporting program.

84. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
85. The project contractor shall use power construction equipment with noise shielding and muffling devices.
86. The contractor shall contract for waste disposal services with a company that recycles construction-related wastes.
87. Haul Route. Prior to the issuance of a grading permit, the subdivider shall record and execute a Covenant and Agreement (Planning Department General Form CP-6770), binding the subdivider of exporting of approximately 60,000 cubic yards of soil, a total of 80 trips per day for a duration of 30 days, in addition to the following haul route conditions: (MM)
 - a. Streets to be used are limited to Olympic Boulevard, Bundy Drive, 10 Freeway, 405 Freeway, 118 Highway, 5 Freeway, Penrose Street, Bradley Avenue, and Tujunga Avenue.
 - b. Hauling hours of operation shall be from 7:00 a.m. to 5:00 p.m. Monday through Friday. Trucks shall not arrive at the construction site before the prescribed start time.
 - c. Trucks shall be restricted to 18-wheel dump trucks or smaller.
 - d. All staging shall be on-site. Alternatively, an off-site location shall be selected and trucks radioed into site.
 - e. The Traffic Bureau of the Los Angeles Police Department shall be notified prior to the start of hauling (213.485.3106).
 - f. Streets shall be cleaned of spilled materials at the termination of each work day.
 - g. The final approved haul routes and all the conditions of approval shall be available on the job site at all times.
 - h. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
 - i. Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.
 - j. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
 - k. All trucks are to be watered at the job site to prevent excessive blowing dirt.
 - l. All trucks are to be cleaned of loose earth at the job site to prevent spilling. Any material spilled on the public street shall be removed by the contractor.
 - m. The applicant shall be in conformance with the State of California, Department of

Transportation, policy regarding movements of reducible loads.

- n. All regulations set forth in the State of California Department of Motor Vehicles pertaining to the hauling of earth shall be complied with.
- o. "Truck Crossing" warning signs shall be placed 300 feet in advance of the exit in each direction.
- p. One flag person(s) shall be required at the job and dump sites to assist the trucks in and out of the project area. Flag person(s) and warning signs shall be in compliance with Part II of the 1985 Edition of "Work Area Traffic Control Handbook."
- q. The City of Los Angeles, Department of Transportation, telephone 213.485.2298, shall be notified 72 hours prior to beginning operations in order to have temporary "No Parking" signs posted along the route.
- r. Any desire to change the prescribed routes must be approved by the concerned governmental agencies by contacting the Street Use Inspection Division at 213.485.3711 before the change takes place.
- s. The permittee shall notify the Street Use Inspection Division, 213.485.3711, at least 72 hours prior to the beginning of hauling operations and shall also notify the Division immediately upon completion of hauling operations.
- t. A surety bond shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond will be issued by the West Los Angeles District Engineering Office, 1828 Sawtelle Boulevard, 3rd Floor, Los Angeles, CA 90025. Further information regarding the bond may be obtained by calling 310.575.8388.

F. Administrative Conditions

- 88. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc, as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
- 89. **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.
- 90. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in the (Q) 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 assigns. The agreement shall be submitted to the Planning Department for approval before being recorded, after recordation, a copy bearing the Recorder' number and date shall be provided to the Planning Department for attachment to the file.
- 91. **Covenants and Agreements.** All covenants and agreements referred to herein shall be effective upon recordation, shall run with the land and shall be binding upon any future owners, successors, heirs or assigns of the Applicant.

92. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
93. **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.
94. **Building Plans.** Page No. 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
95. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
96. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim, action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

FINDINGS

- 1. General Plan Land Use Designation.** The subject property is located within the area covered by the West Los Angeles Community Plan area, which was adopted by the City Council on July 27, 1999. The Community Plan designates the subject property for Light Industrial land use with the corresponding zones of MR2, M2, and P. The subject property contains approximately 11.34 acres of buildable area or 494,170 net square feet and is currently zoned M2-1, and therefore is consistent with the Light Industrial land use designation. The project area has also been identified as an Industrial Mixed Use (IMU) District in the City's recent Industrial Land Use Policy Project (ILUPP) for the West Los Angeles survey area. An IMU District is defined as being a predominantly industrial/employment area that may, given the existence of non-industrial land uses, potentially support residential uses.

The applicant in this case, is seeking a General Plan Amendment for that portion of the development identified as Parcel 'A', from Light Industrial to General Commercial to allow the mixed-used development of residential and retail uses. The proposed General Commercial land use designation in the West Los Angeles Community Plan allows the corresponding zones of C1.5, C2, CR, C4, RAS3, RAS4, and P. Parcel 'A' has a lot size of 238,395 square feet (5.4 acres) and is currently improved with three light manufacturing structures constructed between 1950 and 1953 with approximately 84,143 square feet of floor area. Immediately adjacent uses include a restaurant, golf shop, and meditation center to the north in the M2-1 Zone, multi-family residences to the northeast across Bundy Drive in the R3-1 Zone, a gym, office space, and a former animal shelter to the east across Bundy Drive in the M2-1 Zone, and offices and an auto dealer to the south in the M2-1 Zone, and light manufacturing uses and the DWP substation to the west in the M2-1 Zone. Single-family residences are located just north of Nebraska Avenue in the R1-1 Zone. As such, the proposed Zone Change from M2-1 to RAS3-1 for the proposed mixed-use development on Parcel 'A' will be consistent with General Plan Amendment request from Light Industrial to General Commercial.

The current pattern of development for those properties immediately abutting Parcel 'A' includes office space, small businesses, and ground floor retail. And while these properties are located in the M2-1 Zone and designated for Light Industrial land uses, they are not being utilized as such. Moreover, these general and neighborhood serving commercial uses adjoin multi-family residences to the northeast across Bundy Drive and single-family homes to the north across Nebraska Avenue, where they are more appropriate than the uses the Light Industrial land use designation calls for. In consideration of this, the proposed mixed-use development of 385 residential condominium units and 119,838 square feet of retail, therefore, will not only complement the existing land use pattern of the neighborhood, but will serve as an additional buffer to the established single- and multi-family residences from the more intensive industrial uses that are located east and south of the project site. Also, the development will benefit the project area by providing additional retail and commercial job opportunities in the vicinity, while simultaneously increasing the multi-family housing stock, consistent with the adjacent Medium Residential land use designation.

- 2. General Plan Text.** The West Los Angeles Community Plan text includes the following relevant land use issues, objectives, policies and programs:

Industrial Issues

- Utilization of industrially designated land for commercial and retail purposes.
- Inadequate buffering and landscaping in industrial areas where residential development is located, especially south of Exposition Boulevard.
- Non-conforming residential units in the area zoned and designated for industrial land use.
- Aesthetic improvement of industrially-designated major arteries (e.g., along Sepulveda Boulevard).

Industrial Objectives

Objective 3-1: To retain existing industrial uses and promote future development which contributes to job opportunities and minimizes environmental impacts.

Policy 3-1.1 - Designate and preserve lands for the continuation of existing industry and development of new industrial parks, research and development uses, light manufacturing and similar uses.

Objective 3-2: To improve the aesthetic quality and design of industrial areas, eliminate blight and detrimental visual impact and mitigate negative impacts generated by industrial uses on nearby residential neighborhoods.

Policy 3-2.1 - Require that new industrial development be designed to be compatible with adjacent residential neighborhoods. Require urban design techniques, such as appropriate building orientation and scale, landscaping, buffering and increased setbacks in the development of new industrial properties to improve land use compatibility with adjacent uses and to enhance the physical environment.

Policy 3-2.2 - Require a transition of industrial uses, from intensive uses to less intensive uses, in those areas in proximity to residential neighborhoods.

Objective 3-3: To provide locations for future industrial development and employment which are convenient to transportation facilities and compatible with surrounding land use.

Policy 3-3.1 - Define and separate new and/or expanded industrial uses from other uses by freeways, highways and other physical barriers.

The proposal involves a Zone Change for Parcel 'A', consistent with the proposed Plan Amendment, from the M2-1 Zone to the RAS3-1 Zone, and the development of medical office uses on Parcel 'B' in the M2-1 Zone. Parcel 'A' occupies the northeast portion of the subject property, which is adjacent to single and multi-family uses to the north and northeast in the R1-1 and R3-1 Zones, respectively. It is also adjacent to small business fronting Nebraska Avenue to the north and Bundy Drive to the northeast in the M2-1 Zone. These include a meditation center, a golf shop, a small market, and commercial offices. Parcel 'B', at the southern end of the property, will remain zoned as M2-1 and involves the development of 384,735 square feet of new medical office floor area. Parcel 'B' is flanked by light industrial and office uses to the east, west, and south in the M2-1 Zone, and a DWP Substation to the north in the [Q]PF-1XL Zones. The development of this project will replace existing single- and two-story manufacturing buildings and a large surface parking area originally constructed in the 1950's. The applicant has stated that the existing tenants at the project site have given notice as to their intent to vacate the site.

The project area is located in an Industrial Mixed Use (IMU) District under the City's recent Industrial Land Use Policy Project (ILUPP) for the West Los Angeles survey area. The intent of the ILUPP, completed in 2007, was to re-evaluate the viability of the City's

industrial land stock, and in particular, those areas which are experiencing the greatest pressure to convert to non-industrial uses. The ILUPP established four industrial district categories to characterize those areas: (1) that should be maintained as industrial and in which residential uses are not appropriate (Employment Protection Districts), (2) “that should remain as predominantly industrial/employment districts, but which may support a limited amount of residential uses” (Industrial Mixed Use), (3) whose viability has been compromised by significant land use conversions (Transition Districts), (4) and those in which earlier land use decisions resulted in inappropriate land use patterns that should be corrected (Correction Areas). In January 2008, a joint memo was issued on behalf of the Department of City Planning and the Community Redevelopment Agency (CRA), with directions and guidance on the implementation of the City’s adopted policy to retain industrial land for job-producing uses, while evaluating entitlements requests in the identified survey areas. In evaluating entitlement requests for industrially zoned lands, the project is to be weighed against the “Community Benefits” characterized in the ILUPP. These “Community Benefits” include: (a) Relocation Consultation for Displaced Businesses (the use of a relocation consultant to identify sites and entitlements to effectuate the relocation of the displaced business, (b) Job Training Assistance Fund (a \$15,000 payment into a City approved job training assistance fund for each industrial job displaced by the project, (c) Minimum Job-Producing Space (requires an appropriate design and a minimum percentage of project floor area equivalent to at least one story or 0.5 FAR, whichever is less, to be permanently maintained for industrial/employment use and occupancy), (d) Affordable Housing (a minimum number of on-site affordable units in residential, mixed-use, artist housing, or live/work projects, based on the following percentages: 10% Very Low, 15% Low, or 20% Moderate Income households, where the use of the City’s Density Bonus can be used to satisfy the requirement).

The proposed project, as it pertains to Parcel ‘A’, where the applicant is seeking a Zone Change from M2-1 to RAS3-1 and a General Plan Amendment from Light Industrial to General Commercial for the construction of a mixed-use development of 385 residential condominiums and 119,838 square feet of retail, meets the intent of projects in IMU Districts by complimenting the provision of mixed-income housing with new jobs created by the retail and commercial space proposed on Parcel ‘A’ as well as the range of entry-level and professional-level jobs created by Parcel ‘B’. Moreover, the development of Parcel ‘A’ meets the objectives under the ILUPP’s Community Benefits. The existing industrial tenants have already expressed their intent to vacate their businesses (and jobs) from the site, thus rendering the existing improvements underutilized. The applicant is, however, meeting the two remaining and pertinent benefits by: (1) providing two stories of Job-Producing Space for retail and commercial uses in excess of the one-story of ground-level commercial permitted in the proposed RAS3-1 Zone, and (2) setting aside 20% (62 units) of the 308 base units for Moderate Income households in exchange for a 25% Density Bonus (77 additional units).

The proposal for Parcel ‘B’ retains industrial land uses where they are most conducive, adjacent to other existing and established industrial uses, replaces out-dated manufacturing structures with modern medical office facilities, provides a range of job-producing opportunities to the immediate community, removes a large expanse of surface parking with a ‘LEED Silver’ design. Moreover, this development compliments a pattern of uses along Olympic Boulevard, including media, light manufacturing, and other office uses.

Residential Issues

- Need to maintain the low density character of single family neighborhoods and avoid encroachment from other uses, commercial off-street parking, or spillover traffic.
- Preservation of residential neighborhoods and provision of more affordable housing and child care facilities.
- Inadequate transition between commercial and industrial uses and single and multi-family areas.

Residential Objectives

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

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

Objective 1-2: To reduce vehicular trips and congestion by developing new housing in proximity to adequate services and facilities.

Policy 1-2.1 - Locate higher residential densities near commercial centers and major bus routes where public service facilities and infrastructure will support this development.

Policy 1-2.2 - Locate senior citizen housing within reasonable walking distance of health and community facilities, services and public transportation.

Objective 1-4: To promote adequate and affordable housing and increase its accessibility to more segments of the population, especially students and senior citizens.

Policy 1-4.1 - Promote greater individual choice in type, quality, price and location of housing.

Policy 1.4-2 - Ensure that new housing opportunities minimize displacement of residents.

Parcel 'A' of the proposed project involves the construction of 385 residential condominiums and 119,838 square feet of retail and commercial spaces. Of the 385 residential condominium units, 146 market-rate units are intended for seniors, 62 units for Moderate Income households, and 177 units will be unrestricted and sold at market-rate prices. As previously mentioned, the location of Parcel 'A' is in close proximity to an established single-family and multi-family residential neighborhood, north of Nebraska Avenue and to the northeast across Bundy Drive, and adjacent to neighborhood serving small businesses and offices. This development replaces underutilized industrial land and surface parking with new homeownership opportunities and neighborhood serving retail uses within direct walking distance of the surrounding community. Moreover, the project is utilizing the City's Density Bonus program to provide 62 units for Moderate Income households. Based on the proposed RAS3-1 Zone, Parcel 'A' is allowed a by-right development of 308 dwelling units. By setting aside 20% for Moderate Income purposes, the applicant is granted a 25% Density Bonus, or an additional 77 units. The placement of the mixed-use development near an established residential community, with neighborhood serving retail uses that complement the existing small business at the intersection of Nebraska Avenue and Bundy Drive provides a development that is considerate of the land uses of the community, while meeting the demands for new housing types and price ranges without displacing residential tenants in the West Los Angeles Community Plan area. The mixed-use development also represents good zoning practice by appropriately

transitioning low intensity land uses (single family) from high intensity land uses (industrial).

Commercial Issues

- Unsightliness of some new construction due to a lack of landscaping, and unimaginative architectural quality.
- New commercial development incompatible with existing buildings in terms of architectural design, bulk and building heights.
- Lack of street scape improvements including street furniture and street trees to create a more pedestrian and neighborhood friendly environment.

Commercial Objectives

Objective 2-1: To conserve and strengthen viable commercial development and to provide additional opportunities for new commercial development and services within existing commercial areas.

Policy 2-1.3 - Ensure the viability of existing neighborhood stores and businesses, which support the needs of local residents and are compatible with the neighborhood.

Objective 2-2: To promote distinctive commercial districts and pedestrian-oriented areas.

Policy 2-2.1 - Encourage Pedestrian-oriented design in designated areas and in new development.

Policy 2-2.2 - Promote mixed-use projects along transit corridors and in appropriate commercial areas.

Policy 2-2.5 - Require that the first floor street frontage of structures, including mixed use projects and parking structures located in pedestrian oriented districts, incorporate commercial uses.

The commercial component of Parcel 'A' addresses long-standing issues for commercial development in the West Los Angeles Community area in that it introduces an attractive streetscape and introduces a new mixed-use development within walking distance to an established transit corridor, including Olympic Boulevard and Exposition Boulevard. In addition, the design meets several of the Community Plan's commercial objectives by not only promoting a pedestrian-oriented and LEED-certified design, but by replacing underutilized industrial land with a complimentary residential and retail mix that better serves the immediate needs of the residential. The 119,838 square feet for retail will occupy the first and second stories of the structures on Parcel 'A', with the subsequent upper-level floors housing the residential units. Moreover, the applicant has stated that parking for the entire project will be free with validation to ensure that no spillover parking impacts the adjacent businesses and residences, and that the parking structure proposed for the medical office on Parcel 'B' be made available as an additional parking option during the medical offices' non-business hours (evenings and weekends). Additionally, the project area is currently served by extensive public transit options, including the City of Santa Monica's Big Blue Bus Lines 1, 5, 10, and 14, and Metro Bus Lines 4 and 704, and is within walking distance of the proposed MTA Exposition Line that would connect Santa Monica with Downtown Los Angeles. The proposed General Plan Amendment, Zone Change, and the development of the mixed-use project will be consistent with these Community Plan objectives.

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

The project site is currently developed with three single- and two-story manufacturing structures originally constructed in the 1950's and a large expanse of asphalt surface parking, and has minimal landscaping. It is one of the few under-improved properties in the vicinity, in which surface parking dominates a majority of the property. Development of this site is an infill of an otherwise mixed-use neighborhood. By enabling the construction of a supply of housing and new retail opportunities in close proximity to existing residences, jobs and services, the proposed General Plan Amendment, Zone Change would be consistent with goals and policies of the Framework Element. The Land Use chapter of the Framework Element identifies objectives and supporting policies relevant to the project site. Those objectives and policies seek, in part, to provide for the stability of single-family residences, enhancement of multi-family residential neighborhoods, and the provision of high quality commercial opportunities.

3. The **Transportation Element** of the General Plan may be affected by the recommended action herein. Olympic Boulevard is a Major Highway Class II dedicated to a variable 110- and 117-foot width along the project's southern street frontage. Bundy Drive is a Secondary Highway dedicated to a variable 60- and 73-foot width at the project's northeastern street frontage. Nebraska Avenue is a Collector Street dedicated to a 60-foot width at the project's northwestern street frontage. An existing 30-foot driveway is the project's only access to Nebraska Avenue and also serves as the primary vehicular access for those businesses along Nebraska Avenue and Bundy Drive that flank either side of the driveway. Three vehicular access points are proposed: two along Bundy Drive, and one along Olympic Boulevard. The Bureau of Engineering is requiring a 15-foot wide dedication along Bundy Drive and sidewalk and other improvements along Olympic Boulevard. The proposed project is providing off-street parking spaces in conformance with the LAMC and the West Los Angeles Transportation Improvement and Mitigation Specific Plan (West LA TIMP), which imposes specific regulations and fees associated with transportation infrastructure improvements, parking, and investment in the area and is condition as such. Any improvements will assure compliance with this Element of the General Plan and with the City's street improvement standards pursuant to Municipal Code Section 17.05.
4. **Charter Findings - City Charter Sections 556 and 558 (General Plan Amendment).** The proposed General Plan Amendment complies with Sections 556 and 558 in that the plan amendment promotes an intensity and pattern of development that is consistent with the area's General Plan Framework designation and that encourages transit use; reduces automobile dependency; improves air quality; encourages the development of multiple-family housing and community-serving commercial uses; and enhances the pedestrian environment. The project will be an in-fill development, appropriately transitioning the single- and multi-family residences to the north and the light-industrial uses to the east and south. The General Plan Amendment from Light Industrial to General Commercial would allow for the project to replace under-utilized light industrial land, provide new employment opportunities, and increase homeownership options in the West Los Angeles community that would not only accommodate the growing population of the surrounding area, but

likewise balance the jobs-to-housing ratio. Finally, the proposed project would include 62 units for Moderate Income households that is lacking in the West Los Angeles area.

5. Zone Change Findings (Parcel 'A').

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

The proposed project has two components: mixed-use residential and retail development with associated parking on Parcel 'A', which fronts Bundy Drive, and medical offices and associated parking on Parcel 'B', which fronts Olympic Boulevard. The development on Parcel 'A' is proposed to meet the LEED-Certified green building requirements of the City's Green Building program, while that of Parcel 'B' will be LEED Silver.

Parcel 'A' includes the development of a total of 385 residential condominium units amongst three structures, comprised of 146 market-rate units for seniors, 62 affordable units for Moderate Income seniors (Density Bonus), and 177 unrestricted market-rate units, as well as 119,838 square-feet of retail and commercial space on the ground-and mezzanine-level floors. Approximately 737 parking spaces would be provided for the proposed residences and 682 parking spaces for the retail/commercial component for a total of 1,419 spaces. The associated Zone Change and General Plan Amendment request (CPC-2007-1486-GPA-ZC-CU-DB-SPR) is associated with Parcel 'A' only where the applicant seeks a change from M2-1 to RAS3-1 and from Light Industrial to General Commercial land use, respectively. Parcel 'A' also includes a Density Bonus request to allow a 25% Density Bonus increase to allow 77 additional units for a 20% set aside (or 62 units) for moderate-income households.

Parcel 'B' will remain zoned M2-1 and is composed of 384,735 square feet of new medical office floor area amongst two structures and one parking structure with 1,875 parking spaces.

Public Necessity. Granting the requested zone change, as recommended, will be deemed consistent with public necessity. Data from the Los Angeles General Plan Framework Housing Element (Housing Element) indicates a housing growth increase of 34,813 units (or 2.60 percent) from 2000 to 2006 within the City. This increase results in approximately 5,802 housing units on average annually. The City population was estimated at 4.0 million in 2007 and is expected to climb to approximately 4.26 million by 2010. The City of Los Angeles data indicate a growth (population) increase of 279,180 persons (or 7.56 percent) from 2000 to 2006 within the City. The increase results in approximately 46,530 persons on average annually.

Based on this demand, there is a public need to locate new housing on parcels that do not first require demolition of existing housing stock. To satisfy the public necessity for more housing, the West Los Angeles Community Plan encourages multiple-family residential and mixed-use developments and pedestrian-oriented design. The project site is currently developed with four single- and two-story manufacturing structures originally constructed in the 1950's and a large expanse of asphalt surface parking, and minimal landscaping or open space. The development of no more than 385 dwelling units above 119,838 square feet of ground- and second floor retail and commercial space would accomplish West Los Angeles Community Plan goals to provide the City with a mixed-use project including much

needed infill housing without displacing current residents. Moreover, the West Los Angeles Community plan specifically calls for the inclusion of senior housing in the community plan area and to insure that it be located near public transportation, services, and health and community facilities. The development on Parcel 'A' includes a total of 146 residential condominium units for seniors.

Convenience. Granting the requested zone change, as recommended, will be deemed consistent with public convenience. The proposed project contributes to the public convenience as it locates much needed housing, creates new business ownership, and job-producing opportunities in an established community that is served by several public transit options. The Community Plan calls to locate mixed-use developments near transit and commercial corridors, which encourage pedestrian activity, and include a housing option. The project site is served by extensive public transit options, including the City of Santa Monica's Big Blue Bus Lines 1, 5, 10, and 14, and Metro Bus Lines 4 and 704, and is within walking distance of the proposed MTA Exposition Line that would connect Santa Monica with Downtown Los Angeles

The combination of housing and retail uses reduces reliance on the automobile by locating housing near job centers and shopping destinations. The subject site is located near many office, light industrial, and retail on Olympic Boulevard, Bundy Drive, Nebraska Avenue, and Exposition Boulevard, providing future residents the opportunity to walk to their places of employment, and shopping and dining destinations, thereby increasing pedestrian activity and promoting local businesses.

General Welfare. Granting the requested zone change, as recommended, will be deemed consistent with the general welfare, in that, the project will replace a surface parking lot and underutilized and out-dated manufacturing buildings with active, modern, and viable uses that will engage neighborhood activity with new retail options, homeownership, and a pedestrian-oriented development that invests in the immediate community. Nevertheless, the West Los Angeles community as a whole is severely impacted by traffic congestion and off-street parking opportunities. Despite the significant traffic generated by this development, the developer has committed to mitigate a majority of the traffic impacts above and beyond those for which it is given credit for by the Department of Transportation, and is committing \$2,000,000 in excess of the mandated fees to the West Los Angeles Transportation Improvement and Mitigation (WLA TIMP) fund to provide for additional transportation-related improvements in the project area beyond those assignable to the West Los Angeles TIMP fees. Furthermore, the site's proximity to several transit opportunities, including the proposed Exposition Line expansion, will help alleviate congestion, vehicle dependency, and commute times to improve the general welfare. With or without the proposed development, traffic congestion is unlikely to improve significantly. However, the developer has made a pro-active effort in meeting with the community, and has hired traffic consultants to meet with Caltrans and the Department of Transportation to find ways to mitigate existing and potential traffic impacts to a less than significant level.

Good Zoning Practices. Granting the requested zone change, as recommended, will be deemed consistent with good zoning practice. The proposed Zone Change from M2-1 to (T)(Q)RAS3-1, in conjunction with the General Plan Amendment to General Commercial for Light industrial will bring the development in conformance with the purposes, intent and provisions of the General Plan as reflected by the land use

designations in the adopted West Los Angeles Community Plan. The Zone Change together with the General Plan Amendment would permit a land use that is more compatible for that portion of the project area identified as Parcel 'A', which is adjacent to an established single- and multi-family neighborhood to the north across Nebraska Avenue and to the northeast across Bundy Drive. There are small parcels immediately to the north of the subject property also zoned M2-1, which are improved with office and retail businesses as opposed to light industrial uses.

The City's recent Industrial Land Use Survey identified the subject site as Industrial Mixed Use District (IMU), with a directive that it should remain predominantly as an industrial/employment district, but that may also support a limited amount of residential uses if it contains a job-producing component. In this case, the development of the 119,838 square feet of retail and commercial uses in conjunction with the 385 dwelling units accomplishes this task. Moreover, the development includes the community benefit of providing 62 units of affordable, moderate-income housing.

The proposed project with a zone change for 246,722 square feet of the 503,206 square-foot site (before dedications), in an area adjacent to an existing residential neighborhood provides in-fill development that would further the objectives, policies and programs of the Plan by reducing vehicular trips by the provision of new housing in close proximity to jobs, services, and an established transit corridor.

The proposed zoning is appropriate in consideration of adjacent uses and intensities. It would provide a pattern of transitional land uses that is more respectful of the residential neighborhood, while maintaining a job-producing component that would compliment the industrial, commercial, and retail uses to the south of Parcel 'A'. Additionally, the requested General Plan Amendment, in conjunction with the requested Zone Change, would reflect good zoning practices with the proposed development as it will allow for a more practical and efficient use of underutilized land. Moreover, the LEED-Certified design will introduce promote a distinctive neighborhood-serving commercial district and pedestrian-oriented area in a neighborhood that would benefit from retail and commercial services and amenities within walking distance.

- b. The current action, as recommended, has been made contingent upon compliance with new "T" and "Q" conditions of approval imposed herein for the proposed project. Such limitations are necessary to protect the best interests of and to assure a development more compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

6. Conditional Use Permit Findings - Major Development Projects (Parcel 'B'). In order for the City Planning Commission Determination to be granted, all of the legally mandated findings delineated in Section 12.24-U,14(b) of the Los Angeles Municipal Code must be made in the affirmative.

- a. *The Major Development Project conforms with any applicable specific and/or redevelopment plan.*

The project is located in the West Los Angeles Transportation Improvement and Mitigation Specific Plan (West LA TIMP) area. The objective of the West LA TIMP is to: (1) provide a

mechanism to fund specific transportation improvements as a result of transportation impacts generated by new development; (2) establish a Transportation Impact Assessment fee process for new development in the C, M, and P Zones; (3) require mitigation of significant transportation impacts cause by new development; (4) regulate the phased development of land uses where transportation infrastructure can accommodate such uses; (5) establish a West LA TIMP area infrastructure implementation process; (6) promote transit enhancement through additional transit lines, shuttles, transit centers and facilities that expedite transit flow; (7) promote or increase work-related ridesharing and bicycling to reduce peak-hour trips and keep critical intersections from overload; (8) prevent the deterioration of the level of service (LOS) on streets and intersections; (9) promote neighborhood protection programs to minimize intrusion of commuter traffic through residential neighborhoods; (10) promote the development of coordinated and comprehensive transportation plans and programs with other jurisdictions and public agencies; (11) ensure that public transportation facilities will be constructed with funds generated by the West LA TIMP; and, (12) encourage Caltrans to widen the San Diego Freeway for high occupancy vehicle (HOV) lanes.

The developer of the project, in conjunction with the Department of Transportation and Caltrans, have identified several mitigation measures to address the significant traffic impacts associated with the proposed phased development (See Transportation Conditions). While several intersections were found to be significantly impacted to the extent that mitigation would not alleviate the additional impacts, the developer has committed an additional \$2,000,000 in excess of the required WLA TIMP fees to provide for additional transportation-related improvements in the project area beyond those assignable to the West Los Angeles TIMP fees. The development of the entire project will occur in two phases, beginning with the construction of the medical office and parking structures on Parcel 'B', and has been conditioned to prevent construction trucks from parking, idling, or otherwise queuing along adjacent streets. The project has been required to provide dedications and/or improvements along Bundy Drive and Olympic Boulevard to meet existing street standards, including a 15-foot wide strip of land be dedicated along Bundy Drive adjoining the subdivision to complete a 45-foot wide half street dedication in accordance with Secondary Highway Standards, a new 12-foot full width concrete sidewalk with tree wells and 2-foot wide concrete gutter and curb if necessary together with any necessary removal and construction of existing improvements along Olympic Boulevard, and a new concrete curb, gutter, and a 10-foot full-width concrete sidewalk with tree wells, suitable surfacing to join the existing pavement and to complete a 35-foot half roadway, any necessary removal and reconstruction of the existing improvements, and any necessary transitions to join the existing improvements along Bundy Drive. Moreover, the developer has continued to meet with Caltrans and DOT to design an expansion of the I-10 Freeway on-ramp at Olympic Boulevard that would increase capacity and reduce congestion along Olympic Boulevard and Bundy Drive. As such, the project meets the intent of the West Los Angeles Transportation Improvement and Mitigation Specific Plan.

- b. *The Major Development Project provides a compatible arrangement of uses, buildings, structures, and improvements in relation to neighboring properties.*

Parcel 'B' is zoned M2-1 with 255,778 square feet of buildable floor area. It permits the development of medical office use with a Floor Area Ratio (FAR) of 1.5:1 (384,735 square feet total), permits zero-foot setbacks, and has no height limit. The proposed project is not seeking deviations from the development standards of the zone. Adjacent land uses include office and light manufacturing uses immediately to the east, south, and west,

which are compatible with medical office uses. All required parking will be provided on site in a separate parking structure. The medical park will revitalize the existing site by replacing an outdated industrial structure built in 1950 with a new modern facility offering medical services and high quality, high-paying jobs in the West Los Angeles area.

The development on Parcel 'B' is characterized by an arrangement of three new structures, two exclusively serving the medical office uses and one structure housing the 1,976 parking stalls. Building D is located at the Olympic Boulevard frontage and consists of 209,190 square feet with six levels of medical office over one basement level. The building height will be 89-feet and one inch (96 feet, four inches to the top of rooftop mechanical equipment). Building D, at six stories will be adjacent to an existing three-story office building immediately to the east. Building E is located just west of the Building D, and includes eight stories and 175,545 square feet of medical office floor area. The height for Building E is 116 feet and two inches to the top of the parapet (123 feet, four inches to the top of the rooftop mechanical equipment), and is situated northeast of the DWP's 33-foot driveway which leads to the Department of Water and Power Substation, immediately north of Building E. Building F includes the 1,976 parking spaces within two basement levels, one ground level, five above-ground levels, and one rooftop level of parking and is located east of property occupied by a Department of Water and Power Substation and generally south of an existing one-story office building, which fronts Nebraska Avenue.

The general layout of the site improvements has been designed to harmonize with existing and potential new uses and development in the surrounding community. Moreover, the placement of buildings D, E, and F, have been arranged to serve the needs of employees, patients and visitors who are expected to include seniors and other clients with special medical issues and require specific access needs. Buildings D and E flank both sides of the access driveway to allow for the immediate drop-off and pick-up of visitors unable to walk to the parking structure (Building F). The driveway access to Parcel 'B' is 50 feet wide at Olympic Boulevard and includes a total of four lanes to allow for easier vehicle flow. The driveway (a circulation easement granted by DWP), opens up to 110 feet wide once inside the project site. It is landscaped with several shading and flowering trees, which help separate ingress and egress for vehicles and to provide a safe environment for employees and visitors walking to the parking structure. Additionally, this intersection between Olympic Boulevard, the project driveway, and Centinela Avenue, is conditioned to accommodate the project's anticipated traffic flows by reducing the existing sidewalk width along the west side of Centinela Avenue south of Olympic Boulevard to eight feet and widening the roadway by approximately four feet, and restriping the northbound approach of Centinela Avenue to provide dual left turn lanes plus one shared through/right turn lane. In addition to these improvements, the applicant will install new left-turn signal phasing for the north-south, and westbound approaches at this intersection.

- c. *The Major Development Project complies with the height and area regulations of the zone in which it is located.*

The project site is comprised of a large, under-utilized parcel of land that is currently improved with an out-dated industrial building originally constructed in the 1950's. Moreover, the property also includes a large asphalt parking area with minimal landscaping. The development of the Parcel 'B' would include the construction of 384,735 square feet of new medical office floor area amongst two structures and one structure dedicated to parking. Located in the M2-1 Zone, the project proposed on Parcel 'B' meets the use, height, area, and setback provisions of the zone and, as mentioned previously, is

not seeking deviations to accommodate the development. The project is located adjacent to other light industrial uses, including office and light manufacturing uses, as well as a Department of Water and Power substation to the east, south, and west, all of which are compatible with medical office uses. As proposed, the buildings meet the height, FAR, and setback requirements of the M2-1 Zone and are proper in relation to other structures and uses, and do not significantly impact any adjacent industrial uses.

- d. *The Major Development Project is consistent with the general requirements adopted by the City Planning Commission as design guidelines for Major Development Projects, if any.*

The City Planning Commission presently does not have an adopted design guidelines program for Major Development Projects. However, the Commission's "Do Real Planning" initiative outlines several objectives which seek to reduce vehicular dependency, encourage density, green building, housing, and public transportation, amongst others. As it pertains to developments, "Do Real Planning" specifically calls for:

Demand a walkable city. That a pedestrian-oriented project actively engage users and neighbors, including the use of broad sidewalks, attractive lighting and landscaping, and inviting storefronts.

Offer basic design standards. Eliminate box structures, blank walls, street front parking lots, and un-inviting streetscapes.

Require density around transit. Foster the City's need for more jobs and housing by congregating density at rapid bus lines, and discourage new density where no mass transit relief is anticipated.

Advance homes for every income. With every up-zoning, encourage the provision of on-site units or a monetary contribution towards housing for the poor and middle class.

Locate jobs near housing. Include both jobs and housing in traditionally commercial-only locations reduce longer commute times.

Produce green buildings. Encourage green building with benefits to developers who commit to building LEED-certified projects.

Arrest visual blight. Seek phased elimination of above-ground wires, controlled limitation of signage to appropriate districts, numbers, and sizes, and preserve historic resources.

Landscape in abundance. Modify the landscaping requirements to increase the number of trees required of new developments, but to also include shrubs, vines, and other drought-tolerant plants.

Neutralize mansionization. Preserve single-family neighborhoods by blocking the construction of out of scale residences.

Identify smart parking requirements. Replace suburban parking standards with project- and location specific parking tools including parking maximums, pooled parking, automated stacked parking, and other emerging techniques.

Narrow road widenings. Reject road widening requirements where doing so would not alleviate increased car congestion for new projects.

The proposed medical office development on Parcel 'B' meets the intent of "Do Real Planning", by designing a pedestrian-oriented design, with extensive landscaping, trees, greenways, water features, and internal sidewalks. The project orients parking towards

the rear of the parcel and away from the streetscape, and replaces out-dated industrial structures and a large expanse of surface parking with a LEED-Silver design. Moreover, the medical office development adds janitorial, administrative, technical, and professional level jobs to an area already serviced by public transit, including the City of Santa Monica's Big Blue Bus Lines 1, 5, 10, and 14, and Metro Bus Lines 4 and 704, and is within walking distance of the proposed MTA Exposition Line that would connect Santa Monica with Downtown Los Angeles.

- e. *The Major Development Project would have no material adverse impact on properties, improvements or uses, including commercial uses, in the surrounding neighborhood.*

The EIR prepared for this project identified that some impacts associated with Air Quality, Noise, and Traffic, irrespective of mitigation measures, were unable to be mitigated to a less than significant level. However, the conditional use request in this instance will provide much needed economic revitalization and jobs in a community presently served by public transit and located near existing and proposed housing. The subject site has been under-utilized as a light manufacturing use. Based on the M2-1 Zone, the total allowable floor area (1.5:1) is 384,735 square feet, whereas the existing improvements on Parcel 'B' only have approximately 155,115 square feet. Despite traffic concerns identified by the applicant and the community, the proposed medical office center would benefit the surrounding neighborhood aesthetically and economically, by providing temporary construction jobs as well as permanent jobs for the area residents. The West Los Angeles area is significantly affected by vehicular traffic, stemming from both an extensive amount of commuters residing and working in the community as well as inadequate transportation infrastructure. However, it results that development in any form is likely to further impact these existing conditions. Nevertheless, the tract has been condition with numerous traffic mitigation measures to minimize impacts, and the applicant has made a financial commitment in excess of the minimum required by the West Los Angeles Transportation Improvement and Mitigation Specific Plan.

7. **Zoning Administrator Adjustment Findings (Parcel 'A')**. In order for a Zoning Administrator's Adjustment to be granted, all of the legally mandated findings delineated in Section 12.28 of the Los Angeles Municipal Code must be made in the affirmative.

- a. *The granting of an adjustment will not result in development compatible and consistent with surrounding uses.*

In conjunction with the proposed Zone Change from M2-1 to RAS3-1, and development of Parcel 'A', the applicant is seeking a zero-foot side yard setback for the residential component on Building C. Building C is a 12-story structure occupying airspace lots 6, 9, and 10, and abuts the rear property line of Parcel 'A' (Master Lot 1). The ground and mezzanine levels of Building C include retail and commercial uses, three subsequent levels include above-ground parking, and the eight subsequent levels include the 224 residential condominium units. The RAS3 Zone permits a zero-foot setback for commercial uses, but requires a 5-foot setback for residential uses. Building C abuts a parking structure (Building F) on Parcel 'B' in the M2-1 Zone, which has zero-foot setback requirements. Building F will have six levels of above-ground parking and one roof-top level. The zero-foot rear yard setback in lieu of five feet for the residential component is sought to eliminate the five feet of dead space that would be created between structures C and F, on Parcels 'A' and 'B', respectively. This zero-foot setback does not affect an adjacent residential use, and would not impede pedestrian activity at this site, since the

M2-1 Zone does not account for pedestrian activity. Also, since the ground floor is already developed with a zero-foot setback, the remainder of the development of Building C should remain largely unaffected. Moreover, the development of Building C includes three landscaped courtyards with a total of 7,714 square feet of open space at the podium level (5th Floor) of the 12-story structure. As such, the granting of an adjustment will not result in development compatible and consistent with surrounding uses.

- b. *The granting of an adjustment will be in conformance with the intent and purpose of the General Plan.*

The reduced side yard setback for Building C will not be in direct conflict with the goals and objectives of the West Los Angeles Community Plan. With respect to mixed-use development, the plan calls for pedestrian oriented design with well articulated buildings that enhance visual interest and provide an attractive streetscape while avoiding opportunities for graffiti and avoiding large sterile expanses of building walls. Moreover, the subject property is located in an area where single- and multi-family residences abut industrial zones. To that end, the community plan calls for specific design considerations when building in Industrial/Residential Interface Areas. These include:

Walls/Landscaping:

On any other interior property line which separates an industrial use from an abutting residential zone, a minimum 5-foot-9 inch to 8-foot solid decorative masonry wall should be provided.

Architectural Guidelines:

New industrial development adjacent to residentially zoned areas should be designed with no window openings facing residential properties and the construction of a 5-foot 9-inch to 8-foot high solid decorative masonry wall adjacent to these properties if no such wall exists. There should be no window openings higher than the adjacent wall.

Building C has two levels of retail/commercial uses (ground & mezzanine levels) and three above-ground levels of parking. As such, no usable windows, doorways, or entrances will be available at this particular side yard, which abuts the zero-foot side yard of the parking lot at Building F (on Parcel 'B'). Allowing a zero-foot side yard setback will eliminate five feet of space for the length of the building, which would be devoid of landscaping or function. Instead, the three podium-level courtyards proposed on the 5th level will provide more accessible and attractive communal space while enhancing visual entrance and architectural articulation. As such, the request for a zero-foot side yard in lieu of a five-foot side yard will not conflict with, and in fact, will be in conformance with the intent and purpose of the West Los Angeles Community Plan.

- c. *The granting of an adjustment is in conformance with the spirit and intent of the Planning and Zoning Code of the City.*

The purpose of the side yard is to insure that residences in multi-family and commercial neighborhoods have sufficient and unobstructed access to light and air. The proposed RAS3 Zone requires a minimum five-foot front yard (or the average of adjoining buildings), zero foot side yards for ground floor commercial and five foot side yards for residential uses, and a 15-foot rear yard. In this case, the applicant is seeking an adjustment to permit a zero-foot side yard for the residential component of Building C in lieu of the five feet required. The residences in Building C begin at the 6th floor and a height of 52 feet while the adjacent parking structure reaches a height of 56 feet (to the parapet). As such,

the residences sharing this side yard would already have unobstructed access to light and air. Moreover, the provision of a five-foot side yard would create a space that is inadequate to accommodate pedestrian activity or functional open space. Instead, Building C includes two courtyard areas that are internal to the structure, each approximately 58 feet in width and depth, and one at the east elevation with an approximate width of 27 feet and 148-10" in depth. These courtyards are unobstructed, landscaped, and of sufficient size to accommodate pedestrian activity and functionality while simultaneously providing residences additional access to air and light. As such, the granting of the adjustment will be in conformance with the spirit and intent of the Planning and Zoning Code.

- d. *There are no adverse impacts from the proposed adjustment or any adverse impacts have been mitigated.*

The request for a reduced side yard setback is for that portion of Building C which abuts the proposed parking structure in the M2-1 Zone, which is to be constructed to the property line. The proposed RAS3-1 Zone permits a zero-foot side yard for ground-floor commercial uses and requires a five-foot side yard for residential uses. As previously mentioned the zero-foot side yard would not affect residents' access to light and air and incorporates design features that more appropriately address functional open space. As such, the reduced setback would not adversely impact residents at the site or adjacent uses and improvements.

- e. *The site and/or existing improvements makes strict adherence to zoning regulations impractical or infeasible.*

The Applicant is proposing a mixed use development consisting of 385 residential units and 119,838 square feet of retail on a 238,392 net square foot site in the proposed RAS3-1 Zone on Parcel 'A', and 384,735 square feet of medical office floor area on a 255,778 net square foot site in the adjoining M2-1 Zone. The property is located in an area improved with single- and multi-family and industrial uses, characterized in the West Los Angeles Community Plan as an Industrial/Residential Interface Area. While the plan identifies features for industrial development adjacent to residential zones, it does not recommend similar features for residential developments near industrial zones. Nevertheless, the request for a reduced side yard setback to zero feet from the required five feet is not entirely inconsistent with the RAS3 zone as it does permit zero-foot side yards for commercial uses. However, given its location adjacent to a parking lot in an industrial zone, it would not be conducive to include a five foot setback at this location without creating an inaccessible and unusable space.

8. Density Bonus Findings.

- a. *The project substantially complies with the applicable regulations, standards and provisions of the State Density Bonus Program.*

Parcel 'A' of the subject site is a proposed 246,722 square-foot, irregular-shaped interior lot. The property is generally flat with approximately 555 linear feet of frontage along Bundy Drive, and 411 linear feet along Olympic Boulevard, and 30 linear feet of frontage along Nebraska Avenue (driveway). The project site is located in the West Los Angeles Community Plan area.

As conditioned by this approval, the subject project complies with all applicable provisions of the State Density Bonus Program and City Ordinance. The project qualifies for a 25% density bonus for the following reason: 20% of its units (62 units) are set aside for Moderate Income households for a period of 55 years. The set aside units automatically allow the applicant to qualify for an increase in density and reduced parking requirements. Per the ordinance, projects that set aside at least 20% of its units for Moderate Income households, qualify for two additional incentives from a specified menu of concessions, or can make a request for an incentive not specifically listed in the code. In this instance, the applicant has chosen to set aside 20% of its units, and is utilizing one on-menu and one off-menu incentive:

1. Density. The 246,722 square foot site allows a maximum of 308 units in the proposed RAS3 Zone. Through the City's Density Bonus provisions (LAMC Section 12.22-A,25(c)(4), the applicant is setting aside 20% of its units for Moderate Income households and requesting a density bonus of 25%, allowing for an additional 77 units for a total of 385 units.

2. Incentives/Concessions:

Lot Area (On-Menu): Per Section 12.22-A,25(f)(7) of the City's Density Bonus provisions, projects are allowed to calculate unit density on the lot area prior to dedications. In this case, the applicant is using the 246,722 square-foot site in lieu of the 238,392 square feet remaining after dedications to calculate density. As a result, the project may be permitted for a maximum of 308 units as opposed to 297 units as part of this incentive.

2nd Floor Retail (Off-Menu): The proposed RAS3 Zone (LAMC 12.10.5-A,2) restricts commercial uses to the ground floor only. This particular incentive allows the applicant to provide two levels of retail uses, including the ground floor and the mezzanine level as shown on the site plan (Exhibit A).

- b. *The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project to the extent physically feasible.*

In compliance with requirements of the California Environmental Quality Act (CEQA), The Department of City Planning reviewed Environmental Impact Report No. ENV-2006-3125-EIR (State Clearinghouse No. 2006111106), and issued a Notice of Completion of the Final EIR on October 6, 2009. Conditions are imposed as mitigation measures for environmental impacts pursuant to this grant and/or the project's Environmental Impact Report attached to the subject case file. The implementation of the Proposed Project will have significant and unavoidable effects (after all feasible mitigation) on the environment; specifically impacts on air quality (construction and operational), noise and vibration (construction), and traffic (operational). No further changes or alterations to the project to avoid or substantially lessen these particular environmental effects are feasible (i.e., no feasible mitigation measures or alternatives to the Project have been identified which will reduce the impacts listed above to less than significant levels).

9. **Site Plan Review Findings.** In order for the site plan review to be granted, all six of the legally mandated findings delineated in Section 16.05-F of the Los Angeles Municipal Code must be made in the affirmative.

- a. *The project complies with all applicable provisions of this Code and any applicable specific plan.*

The adopted West Los Angeles Community Plan designates the subject property for Light Industrial land uses with corresponding zones of MR2, M2, and P. The property is also located within the West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP), and has been identified as being located in an Industrial Mixed Use District (IMU) in the City's recent Industrial Land Use Policy Project (ILUP Project). The property contains approximately 11.34 net acres and is presently improved with four light-industrial structures and surface parking in the M2-1 Zone

The proposal involves a Zone Change for Parcel 'A' from the M2-1 Zone to the RAS3-1 Zone, and the development of medical office uses on Parcel 'B' in the existing M2-1 Zone. Parcel 'A' occupies the northeast portion of the subject property, which is adjacent to single and multi-family uses to the north and northeast in the R1-1 and R3-1 Zones, respectively. It is also adjacent to small business fronting Nebraska Avenue to the north and Bundy Drive to the northeast in the M2-1 Zone. These include a meditation center, a golf shop, a small market, and commercial offices. Parcel 'B', at the southern end of the property, will remain zoned as M2-1 and involves the development of 384,735 square feet of new medical office floor area.

Setbacks for all buildings generally comply with the setback requirements under applicable zoning. Pursuant to LAMC Section 12.28, the applicant has requested a Zoning Administrator's Adjustment to allow a reduced side yard setback of zero feet in lieu of five feet as required in the proposed RAS3-1 Zone. This adjustment would apply to side yard between the rear of Building C (Parcel A) and Building F (Parcel B) to reduce the amount of unusable space between these buildings.

Lot size requirements under the existing M2 zoning for Parcel B and proposed RAS3 zoning for Parcel A would be met. Applicable density, massing and height restrictions would also be met under the proposed zone change and general plan amendment on Parcel A and approval of the conditional use permit requested for Parcel B for commercial development in excess of 100,000 square feet of floor area. On Parcel A, the floor area ratio of the proposed mixed-use component is approximately 2.6:1, which would be within the maximum allowable FAR of 3:1 permitted for Height District 1 in the proposed RAS3 zone. The proposed density of 385 residential units is consistent with the proposed RAS3 zone (authorizing 308 "base" units) and LAMC Section 12.22-A,25(c)(4) authorizing a 25 percent density increase in residential units (77 units) in exchange for setting aside 20 percent of the proposed units (62 units) for Moderate Income affordable housing. On Parcel B, the Project would provide a total of approximately 384,735 square feet of floor area within the 256,490-square-foot Parcel B. This density is equal to an FAR of approximately 1.5:1, which is within the maximum allowable FAR permitted for Height District 1 in the existing M2 zone.

The provision of public open space at the project site would exceed that which is required in the Code. The Code requires approximately 57,750 square feet (1.33 acres) of open space. The Project would provide a total of approximately 134,619 square feet (3.09 acres) of open space throughout the Project site. This exceeds City requirements by approximately 76,869 square feet of open space areas and satisfies the City's Walkability Checklist for pedestrian oriented-development.

All parking is provided on-site for both the mixed-use residential component on Parcel A and medical office component on Parcel B. The Project would provide approximately 1,857 medical office spaces (1,976 spaces with valet); and 682 retail/commercial and restaurant spaces and 737 residential spaces on Parcel A. Total on-site parking is approximately 3,276 parking spaces (3,395 spaces with valet), which exceeds the number of spaces required by the LAMC and City Advisory Agency policies by 39 spaces (158 spaces with valet). The design of the proposed parking facilities would be as required by City Code.

The project is located in the West Los Angeles Transportation Improvement and Mitigation (WLA TIMP) Specific Plan, and has been reviewed by LADOT for compliance with the WLA TIMP. The WLA TIMP identifies traffic management and analysis strategies specifically tailored for the West Los Angeles area. Studies and analyses include the Traffic Analysis contained in the Final EIR prepared for the Project in compliance with CEQA, a supporting 2009 Traffic Impact Analysis Report (Traffic Report), and a Traffic Assessment prepared by the LADOT for Planning Case No. ENV-2006-3125-EIR.

Consistent with the TIMP, the applicant is required to pay all applicable trip fees required for the development. Also consistent with the TIMP, and as reviewed and approved by the LADOT, the applicant is required to provide traffic-related physical and traffic signal improvements to the extent feasible to mitigate Project impacts, and to provide more immediate relief for project-specific effects on the surrounding vicinity. In addition to required TIMP fee and physical improvement, the LADOT has approved a comprehensive Mitigation Monitoring and Reporting Program (MMRP) that further includes traffic signal coordination, a Sub-Regional/Regional Transportation Improvement Fund (\$2,000,000), a Project-Specific Transportation Demand Program, a Project-Area Transportation Management Organization, and a Local/Residential Traffic Intrusion Protection Program (\$200,000) in satisfaction of the policies and guidelines contained in the WLA TIMP Specific Plan.

b. *This project is consistent with the General Plan.*

The West Los Angeles Community Plan area is generally characterized by low-density single-family residential development intermixed with multi-family residential development. Commercial land uses occur primarily along the major arterials. The current Community Plan designates the Project site for Light Industrial land uses and is zoned M2-1.

The project area has been identified as being located in an Industrial Mixed Use (IMU) District under the City's recent Industrial Land Use Policy Project (ILUPP) for the West Los Angeles survey area. The proposed project on Parcel 'A', where the applicant is seeking a Zone Change from M2-1 to RAS3-1 and a General Plan Amendment from Light Industrial to General Commercial, meets the intent and satisfies the 'Community Benefits' of projects in IMU Districts by complimenting the provision of mixed-income housing with new jobs created by the 119,838 square feet of new retail and commercial space proposed on Parcel 'A' as well as the range of entry- and professional-level jobs created by the 384,735 square feet on Parcel 'B'. Moreover, the existing industrial tenants have already expressed their intent to vacate their businesses (and jobs) from the site, thus rendering the existing improvements underutilized. Furthermore, the applicant is meeting two other pertinent benefits by: (1) providing two stories of Job-Producing Space for retail and commercial uses in excess of the one-story of ground-level commercial permitted in the proposed RAS3-1 Zone, and (2) setting aside 20% (62 units) of the 308 base units for Moderate Income households in exchange for a 25% Density Bonus (77 additional units).

The project site is currently developed with four single- and two-story manufacturing structures originally constructed in the 1950's and a large expanse of asphalt surface parking, and has minimal landscaping. It is one of the few under-improved properties in the vicinity, in which surface parking dominates a majority of the property. Development of this site is an infill of an otherwise mixed-use neighborhood. By enabling the construction of a supply of housing and new retail opportunities in close proximity to existing residences, jobs and services, the proposed General Plan Amendment, Zone Change would be consistent with goals and policies of the Framework Element. The Land Use chapter of the Framework Element identifies objectives and supporting policies relevant to the project site. Those objectives and policies seek, in part, to provide for the stability of single-family residences, enhancement of multi-family residential neighborhoods, and the provision of high quality commercial opportunities.

c. *The project is consistent with any applicable adopted redevelopment plan.*

The project site is not located within an adopted Community Redevelopment Plan Area.

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

Parcel 'A' consists of approximately 5.6 acres and proposes three mixed-use residential and retail/commercial buildings identified on the site plan as Buildings A, B, and C, with below grade, ground-level, and above ground parking on site. Buildings A and B are each up to five stories in height, with ground- and mezzanine-level retail and commercial uses fronting Bundy Drive. Building C is situated behind Buildings A and B, set back from Bundy Drive. Building C is 12 levels and similarly configured with ground- and mezzanine-level retail and commercial uses. A total of approximately 119,838 square feet will be provided within the retail component on Parcel 'A', which is slated to include a food market, a book store, a restaurant, and comparable uses. The gross lot area of Parcel 'A' is 246,715 square feet with a base density of 308 units under the proposed RAS3-1 Zone, which permits 800 square feet per unit. In exchange for a set-aside of 20% of the units (62 units) for Moderate Income households, the development is granted a 25% Density Bonus which allows an additional 77 units for a total of 385 units.

A total of 1,419 on-site parking will be provided above and below grade, including 737 parking stalls for residential use and 682 stalls for the commercial component, which exceeds the 1,313 required by code. With the exception of the Zoning Administrator's Adjustment for a zero-foot side yard for Building C and the Density Bonus incentive to allow a second level of retail use in addition to the ground floor retail requirement of proposed RAS3-1 Zone, the development of Parcel 'A' meets all other development standards of the RAS3 Zone. General public access to the site is provided from both Bundy Drive and Olympic Boulevard, with primary access to Parcel 'A' being provided from Bundy Drive (near the Missouri intersection). An existing driveway connecting the site to Nebraska Avenue will be maintained but will be restricted to use for emergency purposes only.

The medical office development on Parcel 'B' consists of two new structures (Buildings D and E) serving the medical office uses and one structure (Building F) housing the 1,976 parking stalls on a 5.9 acre site. Building D is located at the Olympic Boulevard frontage

and consists of 209,190 square feet with six levels of medical office over one basement level. Building E is located just west of the Building D, and includes eight stories and 175,545 square feet of medical office floor area. Building F includes the 1,976 parking spaces within two basement levels, six above-ground levels, including one rooftop level of parking and is located east of property occupied by a Department of Water and Power Substation and generally south of an existing one-story office building, which fronts Nebraska Avenue. Access to Parcel 'B' occurs from Olympic Boulevard where a 50-foot driveway will lead to a vehicular courtyard flanked by Buildings D and E. These buildings are designed with a separate vehicular drop-off/pick-up area aimed to serve patients and visitors with limited mobility.

Additionally, the following street dedications and improvements have been hereby required to ensure that Bundy Drive and Olympic Boulevard meet existing street standards, including a 15-foot wide strip of land be dedicated along Bundy Drive adjoining the subdivision to complete a 45-foot wide half street dedication in accordance with Secondary Highway Standards, as well as a concrete curb, gutter, and a 10-foot full width concrete sidewalk with tree wells, suitable surfacing, and any necessary removal and reconstruction to join with the existing improvements and transitions along Bundy Drive. A new 12-foot full width concrete sidewalk with tree wells, a 2-foot wide concrete gutter and curb together with any necessary removal and construction of existing improvements along Olympic Boulevard. The project includes a public vehicular access easement for Parcel 'B' on property owned by the Department of Water and Power in the [Q]PF-1XL Zone along Olympic Boulevard. This project is subject to the West Los Angeles Transportation Improvement and Mitigation Specific Plan and has been conditioned to make the improvements recommended by the Bureau of Engineering and the Department of Transportation, and is required to pay fees associated with the West LA TIMP to meet the provisions of the specific plan requirements. The proposed project will provide 1,419 parking spaces for Parcel 'A' and 1,976 parking spaces for Parcel 'B', which exceed to the 1,313 parking spaces required for Parcel 'A' and the 1,924 parking spaces required for Parcel 'B'. As conditioned the design and improvements of the proposed project are consistent with the applicable General and Specific Plans.

Loading and unloading of goods on Parcel 'A' is proposed to occur within the project site via two separate loading docks along the western property line, one at Building A and the other at Building C. These loading docks are accessible from one of two vehicular driveways proposed on Bundy Drive and are separate from the driveway ramps leading to the parking garage. Loading and unloading of goods on Parcel 'B' is proposed to occur within the vehicular courtyard area, which is internal to the project site.

Trash storage, recycling rooms and bicycle facilities are all designed internal to the site. All exterior lighting will be directed onto the site so that no floodlighting will be located as to be seen directly by the adjacent residential areas. Landscape and/or architectural screening elements will be incorporated into project design so as to minimize off-site glare impacts associated with vehicles.

Therefore, as conditioned, the project will be designed and arranged, so that it will be compatible with existing and future development on neighboring properties.

- e. *The project incorporates feasible mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review that would substantially lessen the significant environmental effects of the project, and/or any additional findings as may be required by CEQA.*

In compliance with requirements of the California Environmental Quality Act (CEQA), the Department of City Planning reviewed Environmental Impact Report No. ENV-2006-3125-EIR (State Clearinghouse No. 2006111106), and issued a Notice of Completion of the Final EIR on October 6, 2009. Conditions are imposed as mitigation measures for environmental impacts pursuant to this grant and/or the project's Environmental Impact Report attached to the subject case file. The EIR identifies that some impacts associated with Air Quality, Noise, and Traffic, irrespective of mitigation measures, were unable to be mitigated to a less than significant level.

- f. *Any project containing residential uses provides its residents with appropriate type and placement of recreational facilities and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties where appropriate.*

Parcel 'A' of the proposed project is a mixed-use development consisting of 385 residential condominium units over 119,838 square feet of retail. The project offers a substantial amount of both common and private open space to its residents. Each unit will enjoy a private balcony or patio area and residents have access to extensive common open space amenities. The project provides residents with appropriate types and placement of open space amenities, including a total of 21,350 square feet of podium-level courtyard open space and 41,170 square feet of rooftop level open space (62,520 square feet). When combined with the pedestrian promenade and plaza areas located throughout the ground level of Parcel 'A', the project provides approximately 134,619 square feet (3.09 acres) of open space. The project, therefore, exceeds the common public open space requirements of the Code, or 57,750 square feet. Moreover, the development on Parcel 'A' alone includes the placement of over 150 trees throughout the site.

All parking is provided on-site for both the residential and retail components on Parcel 'A', including 682 retail/commercial and restaurant parking spaces and 737 residential parking spaces. The on-site parking satisfies the parking provisions of the LAMC and Advisory Agency's parking policy for parking congested areas, for senior units, non-senior market-rate units, as well as for restricted affordable units. The loading and unloading of trucks and other large vehicles is to occur within the project site, which will minimize disruption to traffic and pedestrian activity along Bundy Drive.

In conclusion, the 4,770 square feet of open space in excess of that required by Code, as well as the additional 72,099 square feet of open space along the promenade, are elements of the project which will improve habitability for the residents and minimize impacts on neighboring properties.

10. Environmental. In compliance with requirements of the California Environmental Quality Act (CEQA), the Department of City Planning reviewed Environmental Impact Report No. ENV-2006-3125-EIR (State Clearinghouse No. 2006111106) for the proposed project located at 1901, 1925, and 1933 South Bundy Drive, Los Angeles, CA 90025 (Parcel A); and 12333 West Olympic Boulevard, Los Angeles, CA 90064 (Parcel B). A Notice of Completion of the Final EIR was issued on October 6, 2009. The custodian of the documents or other material which constitute the record of proceedings upon which the Lead Agency's decision is based are located with the City of Los Angeles, Planning Department, 200 North Spring Street, Room 750, Los Angeles, CA 90012.

ENVIRONMENTAL DOCUMENTATION AND BACKGROUND

Pursuant the Section 15063 of the CEQA Guidelines, the Planning Department determined the proposed Project would not result in potentially significant impacts related to the following areas: Aesthetics (specific to scenic vistas and resources), Agricultural Resources, Air Quality (specific to odors), Biological Resources, Cultural Resources, Geology and Soils (specific to landslides, soil erosion and septic tanks), Hazards and Hazardous Materials (specific to airport land use plans, private airstrips, emergency response or evacuation plans, and wildfires), Hydrology and Water Quality, Land Use and Planning (specific to dividing an established community and habitat conservation plans), Mineral Resources, Noise (specific to airport land use plans and private airstrips), Population and Housing (specific to housing and population displacement), Transportation and Traffic (specific to air traffic patterns and emergency access). In compliance with Section 15128 of the State CEQA Guidelines, a discussion of these environmental issues is set forth in Section IV.A of the FEIR.

Based on a review of environmental issues by the Planning Department, the Draft EIR analyzed the following environmental impact areas: Aesthetics; Air Quality; Energy; Geology and Soils; Hazards and Hazardous Materials; Land Use and Planning; Noise; Population and Housing; Public Services; Transportation and Traffic; and Utilities. On April 30, 2009 the City issued a Notice of Completion and Availability for Draft Environmental Impact Report ENV-2006-3125-EIR (Draft EIR) and released the Draft EIR for review and comment by the public and all responsible and trustee agencies in compliance with Sections 15085, 15087 and 15105 of the State CEQA Guidelines. The 45-day comment period on the Draft EIR ended on June 15, 2009.

The Draft EIR evaluates in detail the potentially significant effects of the proposed project. It also analyzed the effects of a reasonable range of five alternatives to the project, including the potential effects of a "No Project" alternative. The Draft EIR for the project (State Clearinghouse No. 2006111106) was prepared pursuant to CEQA and State, Agency, and the City of Los Angeles CEQA guidelines.

Pursuant to Section 15088 of the CEQA Guidelines, the City of Los Angeles, as lead agency, reviewed all comments received during the review period for the Draft EIR and has responded to each comment in the Final EIR. The Final EIR also reflects further refinements to the project proposal made in response to public comments and community concerns, including Corrections and Additions as set forth in the Final EIR. The Department of City Planning reviewed Environmental Impact Report No. ENV-2006-3125-EIR (State Clearinghouse No. 2006111106) and issued a Notice of Completion of the Final EIR on October 6, 2009.

The environmental review discussed in the FEIR, its supporting documents and appendices, and the administrative record on the Project were prepared for and apply to all legislative, discretionary, and ministerial approvals and entitlements required to implement the Project, including but not limited to Vesting Tentative Tract Map No. 66732-CN-DB-GB and CPC-2007-1486-GPA-ZC-CU-DB-SPR.

The Lead Agency under the CEQA Guidelines is required to make findings as required by CEQA with respect to its approval of the proposed project. The Lead Agency reviewed and considered the information contained in the FEIR and other documents in the record with respect to the proposed Project, and certified that its decision on the project reflects its independent judgment. The Lead Agency further determined as follows:

- it has considered, pursuant to CEQA Guidelines Section 15096 all relevant evidence in the record, including but not limited to the FEIR, its appendices and supporting documents, comments and responses to comments, corrections and additions, and the mitigation monitoring and reporting program (MMRP) (collectively the “CEQA Documents”);
- based on substantial evidence in the record, no subsequent or supplemental EIR is required pursuant to Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 or 15163;
- it has considered the environmental effects of the Project as set forth in the CEQA Documents, pursuant to CEQA Guidelines Section 15096(f) and adopts the CEQA findings as set forth herein;
- it finds, pursuant to CEQA Guidelines Section 15091(a)(1) that changes and alterations, inclusive of mitigation measures, have been required by the City and incorporated into the Project which avoid or substantially lessen the significant environmental effects as identified in the CEQA Documents;
- it finds, pursuant to CEQA Guidelines Section 15093, that certain economic, legal, social, technological or other benefits of the Project, as set forth below, outweigh the unavoidable adverse environmental effects, all of which are identified in the CEQA Documents;
- it finds, pursuant to CEQA Guidelines Section 15096(g)(2), that there are no feasible alternatives or feasible mitigation measures (other than those already identified in the CEQA Documents) that would substantially lessen or avoid any significant environmental effect of the Project as identified in the CEQA Documents; and
- it hereby finds that the CEQA Documents are adequate under CEQA for approval of VTT-66732-CN-DB and CPC-2007-1486-GPA-ZC-CU-ZAA-DB-SPR.

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

- The first allowable finding is that “[c]hanges or alterations have been required in or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.” (State CEQA Guidelines Section 15091, subd. (a)(1)).
- The second allowable finding is that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.” (State CEQA Guidelines, Section 15091, subd. (a)(2)).
- The third allowable finding is that “[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the final environmental impact report.” (State CEQA Guidelines, Section 15091 (a)(3)).

Section 15126.6 of the State CEQA Guidelines require an EIR to identify and describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. The discussion of alternatives, however, need not be exhaustive, but rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives that are deemed "infeasible."

PROJECT ALTERNATIVES

In addition to the proposed project, the FEIR evaluated a reasonable range of five alternatives to the proposed project as identified by the City. These alternatives include the following:

- Alternative A: No Project
- Alternative B: Reduced Density
- Alternative C: Medical
- Alternative D: Industrial
- Alternative E: Reconfigured Mixed Use

In accordance with CEQA, these alternatives are fully described and analyzed in Section VI-5 of the FEIR. In addition, Table VI-13 (Alternatives Comparison) of the FEIR is further referenced and incorporated herein.

Alternative A: No Project Alternative (Final EIR page VI.A-5)

Under the No Project Alternative, no new development would occur on the project site as compared to existing conditions, and the existing improvements, consisting of four structures and a surface parking area, would remain. The current structures include a 166,283-square-foot office, manufacturing and distribution facility and three single-floor office buildings that occupy approximately 30,000, 20,000, and 34,000 square feet, respectively. The three single-floor buildings are located along Bundy Drive between La Grange Avenue and Missouri Avenue. The existing office, manufacturing and distribution facility is located west of these buildings and is separated by a surface parking area. This facility extends south in an L-shape configuration to Olympic Boulevard. The existing structures and land uses on the Project site are consistent with current plans and available infrastructure and community services. Therefore, it is expected that, if the proposed project were not approved, no new development or redevelopment would occur on the project site in the foreseeable future.

Alternative A would avoid all of the significant environmental impacts associated with the proposed project because no new development would occur on the Project site. However, this alternative would not contribute to any of the project benefits as described in Section VIII (Statement of Overriding Considerations). For these reasons, it is found pursuant to Public Resources Code section 21081(a)(3) that specific economic, legal, social, technological, or other considerations, including the considerations identified Section VIII

of this document (Statement of Overriding Considerations), make infeasible the No Project Alternative described in the FEIR.

Alternative B: Reduced Density Alternative (Final EIR page VI.B-17)

Under the Reduced Density Alternative, the density of development under the proposed Project would be reduced by approximately 30 percent to include 270 condominium units, approximately 269,314 square feet of medical office floor area, approximately 85,637 square feet of retail floor area (including 7,000 square feet of restaurant space), and 2,328 parking spaces within one to two subterranean levels of parking on Parcel A and within an above-grade five-floor parking structure (plus rooftop parking) situated within Parcel B near the medical office uses. This reduced alternative would require the same discretionary actions as the proposed Project.

The configuration and layout of the new buildings under Alternative B would be similar to the proposed Project. However, the massing and heights of the new buildings would proportionally decrease under this alternative as compared to the proposed Project. Specifically, the residential uses would be generally located within Parcel A and situated over retail/commercial uses on the first floor of the structures. These mixed-use buildings would be no taller than three floors (plus mezzanine) in height, as compared to the proposed Project's five-floor (plus mezzanine) mixed-use buildings. Situated near the center of the development would be a residential tower roughly eight floors (plus mezzanine) in height, rather than the proposed Project's 12-floor (plus mezzanine) residential structure. Similar to the proposed Project, Parcel B would maintain the current layout of structures, but would be smaller in size, ranging from four to six floors in overall height. Lastly, pedestrian and vehicular access to the project site under Alternative B would be similar to the existing configuration.

Other characteristics (e.g., lighting, landscaping, and utility connections) are assumed to be generally similar to those of the proposed project, for the purpose of analyzing this alternative. Alternative B would generally meet all of the Project objectives but to a lesser extent than the proposed Project, and would result in similar significant and unavoidable impacts with respect to Air Quality (Construction and Operation), Noise (Construction Noise/Vibration Levels), and Transportation/Traffic (Intersections). However, mitigation would still not substantially reduce these significant and unavoidable impacts to levels that are less than significant. For these reasons, it is found pursuant to Public Resources Code section 21081(a)(3) that specific economic, legal, social, technological, or other considerations, including the considerations identified Section VIII (Statement of Overriding Considerations) of this document, make infeasible the Reduced Density Alternative described in the FEIR.

Alternative C: Medical Alternative (Final EIR page VI.C-35)

Under Alternative C, the project site would be developed with strictly medical-related uses and structures. This would include the development of four medical office buildings with associated parking. Two of the four medical office buildings would be situated along Bundy Drive. Each of these buildings would be identical in architectural articulation to each other, would have a total floor area of approximately 200,000 square feet, and each would contain a total of six floors. Two vehicular entrances would be provided for each of the medical office buildings from Bundy Drive, while pedestrians would be able to enter through a landscaped park. The initial park landscaping elements would be created in the

space between the first two medical office buildings, similar to the promenade between the proposed project's mixed-use structures near Bundy Drive. An eight-floor parking structure would also be built at the northwest corner of the landscaped park, adjacent to the northernmost medical office building, with two levels of below-grade parking and six floors of above-grade parking. The ground floor of the parking structure would also include approximately 2,000 square feet of retail/commercial floor area that would consist of a snack shop/cafeteria, gift/card shop, and various other medical office-serving retail/commercial uses. Additional parking would be included in two below-ground levels for the two medical office buildings along Bundy Drive. This would yield a total of roughly 400,000 square feet of medical office and retail floor area and 2,320 parking spaces. The height of the proposed parking structures would be approximately 70 feet.

The third medical office building, which would be located near the center of the project site, would have a floor area of approximately 133,000 square feet. The landscaped park mentioned above would extend to this proposed building. This medical office building would be four floors in height and designed to be consistent with the other medical office buildings (e.g., similar setbacks and architectural articulation). This third medical office building would also include parking on two subterranean levels with 355 parking spaces.

The fourth building, which would be designed as a surgical hospital, and an additional parking structure would be located southwest of the three medical office buildings and would be located near Olympic Boulevard, west of Bundy Drive. The landscaped park would extend to include this area as well and would complete the open space park area. The associated parking structure would be located directly north of this hospital building. Consistent with the LAMC, this alternative proposes a specialty surgical hospital that would include 215,000 square feet of floor area, and provide a total of 200 beds. The hospital would be supported by 400 on-site parking spaces.

Alternative C proposes 750,000 square feet of surgical medical, medical office, and retail/commercial structures. Other characteristics, such as lighting, landscaping, and utility connections, are assumed to be generally similar to those of the proposed project, for the purpose of analyzing this alternative. Also, the grading operation would be similar in nature to the proposed Project, and would consist of similar excavation activities.

Alternative C would meet some of the Project objectives, as listed in Section II (Project Description) of the FEIR. However, this alternative would not meet the following Project objectives:

- Provide a balance of high-quality modern technical jobs and housing in a campus-like landscaped environment;
- Provide an opportunity for seniors and other residents to live, work, shop, and receive medical care without needing to drive; and
- Support pedestrian access by providing neighborhood-serving retail uses in close proximity to existing neighborhood uses, new on-site residents, employees, and visitors.

Alternative C would result in significant and unavoidable impacts with respect to Air Quality, Noise (Construction Noise/Vibration Levels), and Transportation/Traffic (Intersections). In addition, Alternative C would slightly increase environmental impacts, compared to the proposed project, with respect to Energy (Electricity), Hazardous Materials, Land Use (Compatibility), Transportation/Traffic (Construction), and Utilities (Wastewater, Water Supply, and Solid Waste). For these reasons, it is found pursuant to

Public Resources Code section 21081(a)(3) that specific economic, legal, social, technological, or other considerations, including the considerations identified Section VIII of this document (Statement of Overriding Considerations), make the Medical Alternative option infeasible as described in the FEIR.

Alternative D: Industrial Alternative (Final EIR page VI.D-53)

The Industrial Alternative assumes “by-right” development of the project site with roughly 754,810 square feet of industrial floor area, which is the maximum floor area that could be developed under the current M2-1 Zone and Light Industrial General Plan designation. Although medical office uses can potentially be developed in an M2 zone, this alternative assumes that a medical office building would not be developed because a new medical office building that is over 100,000 square feet in size in an M2 zone would require a Conditional Use Permit.

This alternative, similar to the proposed project, would result in the removal of the existing surface parking lots and all buildings on the site. Various industrial structures and related uses, similar in height to the proposed project, would be constructed with approximately 1,510 parking spaces in a subterranean parking structure. The configuration of these structures on the project site would be vastly different than the layout of the proposed project. Access would be similar to the proposed project, including from Bundy Drive and Olympic Boulevard. Lighting, landscaping, open space, and utility connections are assumed to be dissimilar to that of the proposed Project, as no mixed-use or medical structures would be constructed, which, among other things, requires the implementation of open space amenities. Also, the grading operation would be slightly less than the proposed Project, and would consist of lesser excavation activities due to a reduction in subterranean parking.

Alternative D was included as a by-right development under existing zoning. However, Alternative D would meet only two of the Project objectives, as listed in Section II, Project Description, of the FEIR, and to a lesser extent than the proposed Project. In addition, Alternative D would not meet the following Project objectives:

- Provide state-of-the-art medical office facilities in close proximity to seniors and other residents in West Los Angeles;
- Provide a mix of housing in fulfillment of City market-rate and affordable housing needs, particularly moderate income and senior housing;
- Develop a transitional use area compatible with adjacent industrial and commercial uses to the east, and residential neighborhoods to the north and northeast;
- Support pedestrian access by providing neighborhood-serving retail uses in close proximity to existing neighborhood uses, new on-site residents, employees, and visitors;
- Provide a balance of high-quality modern technical jobs and housing in a campus-like landscaped environment;
- Provide an opportunity for seniors and other residents to live, work, shop, and receive medical care without needing to drive; and
- Provide much needed housing along a major public transportation corridor in furtherance of City’s goals and policies.

Alternative D would result in significant and unavoidable impacts with respect to Air Quality, Noise (Construction Noise/Vibration Levels), and Transportation and Traffic

(Intersections). Also, Alternative D would increase environmental impacts associated with the proposed Project for Aesthetics (Visual Character), Energy (Natural Gas), Geology and Soils, Hazardous Materials, and Land Use and Planning (Compatibility), and Transportation/Traffic (Construction). For these reasons, it is found pursuant to Public Resources Code section 21081(a)(3) that specific economic, legal, social, technological, or other considerations, including the considerations identified Section VIII of this document (Statement of Overriding Considerations), make infeasible the Industrial Alternative described in the FEIR.

Alternative E: Reconfigured Mixed-Use Alternative (Final EIR page VI.E-71)

Alternative E would reconfigure the retail/commercial component on Parcel A, as compared to the proposed Project. The building footprints, orientation, and general design would be similar to the proposed project, including mixed-use structures with retail on the ground-floor, mezzanine, and second floor and residential units above as currently proposed for Parcel 'A'. However, this alternative proposes an additional 81,000 square feet of retail/commercial space within the mixed-use structures along Bundy Drive. In addition, the residential component in Parcel 'A' would be rental housing rather than the for-sale housing as currently proposed. In order to accommodate the additional retail/commercial space, one additional floor would be added to the mixed-use buildings fronting Bundy Drive, which would be roughly six floors (with mezzanine) in overall height under this alternative (85 feet to the top sheet of the roof). Approximately 1,718 parking spaces, 299 more spaces than would be provided under the proposed project, would be provided within a similar below-grade parking structure on Parcel 'A'. A similar promenade would be developed near Bundy Drive in between the two proposed mixed-use structures with a pedestrian courtyard connecting this area to the other parts of the project site.

Similarly, the medical office structures on Parcel 'B' would be positioned similar to that of the current proposal, with related parking inside an approximate six-floor (plus rooftop parking and two subterranean levels) parking structure. Internal circulation and entrances to the project site under this alternative would be similar to that of the proposed project. Other characteristics, including lighting, landscaping, and utility connections) would be generally similar. As would be the grading operation and excavation activities.

Alternative E would meet all of the Project objectives, as listed in Section II, Project Description, of this Draft EIR. However, Alternative E would result in similar significant and unavoidable impacts with respect to Air Quality (Construction and Operation), Noise (Construction Noise/Vibration Levels), and Transportation/Traffic (Intersections). Overall, Alternative E would incrementally increase environmental impacts associated with the proposed project proportionate to the slight increase in floor area for several environmental issue areas, including Aesthetics (Visual Character and Shading), Air Quality (Construction, Operation, and Localized CO Emissions), Energy (Electricity and Natural Gas), Noise (Construction Noise/Vibration Levels and Operational Noise), Population and Housing, Public Services (Schools), and Transportation/Traffic (Construction and Operation), Utilities (Wastewater, Water Supply, Solid Waste). However, because the additional 81,000 square feet of retail is minimal in light of the overall project, these increases are not considered to be substantial or incrementally significant. For these reasons, it is found that Alternative E is a potentially feasible alternative as described in the FEIR.

ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Based on the alternatives, Alternative A (No Project) is expected to result in the least amount of adverse impacts. However, pursuant to 15126.6(e)(2) of the State CEQA Guidelines another alternative is selected as the environmentally superior alternative. The Industrial Alternative (Alternative D) would reduce but not avoid the proposed project's impact on operational traffic, and would result in significant and unavoidable impacts on air quality and noise, similar to those of the proposed project. While no other alternative would avoid or substantially minimize the significantly reduce the effects of the proposed project, Alternative D would lessen the significant and unavoidable traffic impacts at six study intersections. However, Alternative D would not satisfy many of the objectives of the proposed project and is determined to be infeasible pursuant to Public Resources Code section 21081(a)(3).

STATEMENT OF OVERRIDING CONSIDERATIONS

The proposed project will result in significant unavoidable impacts, for which alternatives and mitigation measures to reduce the impacts to insignificant levels are not available or feasible for the reasons described in the Final EIR, in the following environmental impact or issue area(s): Air Quality, Noise, and Traffic and Transportation. Despite the existence of significant impacts which have not been mitigated to below a level of significance, the City Planning Commission must weigh the benefits of the project against the unavoidable significant environmental effects as described in the CEQA Documents and make the following Statement of Overriding Considerations that the Project will result in the following substantial community benefits, including economic, legal, social, technological, or other benefits, that outweigh and render acceptable the significant effects on the environment that cannot be mitigated to less than significant. Specifically such benefits include but are not limited to the following:

- Implementation of the project will create an integrated, neighborhood serving mixed-use and medical office facility that will add new housing opportunities to the City's housing stock, and will consist of up to 385 new dwelling units in an area identified as appropriate for mixed-use development and medical office use.
- Implementation of the project will add 62 units of moderate income affordable housing to the City's affordable housing stock.
- Implementation of the project will provide state-of-the art medical offices and research facilities in a currently underserved area of the City.
- Implementation of the project will further the City's recommendations for mixed-use development on transitional sites abutting residential and industrial zones.
- Implementation of the project will provide mixed-use development with neighborhood-serving retail on Parcel A and medical office uses on Parcel B that are compatible with the pure industrial uses to the south and east, and nearby residential uses to the north.
- Implementation of the project will provide important job resources for the community, while offering higher-income small business opportunities and higher paying medical office employment positions.
- Implementation of the project will provide full, on-site parking for all retail,

commercial, residential and medical office uses, traffic-related improvements and mitigation fees of benefit to the West Los Angeles community as a whole, and jobs and housing near existing transit. Combined, these improvements are anticipated to relieve ongoing area-related traffic congestion even with Project-related traffic uses.

- Implementation of the project will create new housing in conjunction with neighborhood-serving retail services that will reduce vehicular trips for Project residents as well as nearby residents, businesses and employees.
- Implementation of the project will promote additional housing choices in the West Los Angeles Community Plan area by providing additional moderate income housing options.
- Implementation of the project will promote a balanced community by providing a mix of land uses including retail, commercial residential, and open space.
- Implementation of the project promotes the rehabilitation and restoration of a large and currently underutilized 11.55-acre site with more compatible land uses for the neighborhood while retaining industrial lands on Parcel B.
- Implementation of the project improves the quality of the environment by constructing new development that meets the Leadership on Environment and Energy Design (LEED) Standards and promotes the City's green building policies.
- Implementation of the project provides temporary construction-related employment opportunities and local hiring opportunities.
- Implementation of the project supports current City policies of locating higher densities near commercial centers and major bus routes where public service facilities and infrastructure can support additional development.
- Implementation of the project will provide well-designed and up-scale, multi-family housing, retail, office and landscaped open-space uses for enhanced community aesthetics, and will create a distinctive commercial district and pedestrian-oriented development for the neighborhood.
- Implementation of the project will improve the aesthetic quality of nearby residential development, as opposed to development of a purely industrial site adjacent to residential uses or to the current build-out of general office uses and vacant land.
- Implementation of the project's medical office component is an authorized use that is consistent with the General Plan Light Industrial land use designation and does not exceed permissible height or density limitations.
- Implementation of the project will provide a comprehensive traffic mitigation program consisting of traffic mitigation fees under the WLA TIMP, physical and traffic signal related improvements, a \$2,000,000 developer contribution beyond the required TIMP fee amount to provide for additional transportation-related

improvements in the Project area, a Project-Specific Transportation Demand Program, a Project-Area Transportation Management Organization, and a Local/Residential Traffic Intrusion Protection Program. Combined, these improvements are anticipated to improve current area-wide traffic congestion conditions.

- Implementation of the project will revitalize the existing site with approximately 40 percent of additional open space and landscaped areas throughout the site.

MITIGATION MONITORING AND REPORTING PROGRAM

In accordance with CEQA Guideline 15091(d), the Lead Agency hereby concurs with and adopts the Mitigation Monitoring Program that is included as part of the FEIR. The FEIR identifies the Mitigation Measures, the entities responsible for implementing, enforcing, and monitoring of each of those measures. Those mitigations measures and the implementing and monitoring program has been made enforceable through conditions imposed by the Advisory Agency in the determination for the tract (VTT-66732-CN-DB).

PUBLIC HEARING AND COMMUNICATIONS

Hearing

A joint public hearing with the Advisory Agency and the Hearing Officer was held at the Los Angeles City Hall on Wednesday, November 18, 2009.

1. **Present:** The Applicant (Michael Lombardi), the Applicant's representative (Barbara Higgins), and members of the project team, including the architects, and traffic consultants. Barbara Higgins briefly summarized the proposed mixed-use development and its intent to obtain LEED-certification. The applicant, Michael Lombardi, discussed the history of the project site, beginning from its acquisition to the present, and shifting from its original intent of constructing a hospital, to developing only multi-family housing on Parcel 'A', and after subsequent meetings with the council office and the community, to its present proposed design. Approximately 20 members of the public attended the public hearing.
2. **Initial Indication and Testimony:** Of the 15 speakers at the public hearing, 5 speakers were in support of the application, 10 speakers in opposition, and one speaker with general comments.

The public comment portion of the hearing was characterized by residents (many from the Brentwood Community Council) and some business owners speaking in opposition to the project, in large measure due to the traffic impacts that would result from the proposed development. Moreover, several speakers contested the traffic analysis of the EIR, and sought additional clarification as to the specific mitigation measures proposed for mitigating the traffic impacts associated with a majority of the impacted intersections and in particular, the intersection of Bundy Drive, Olympic Avenue and the I-10 Freeway. Present traffic conditions at a majority of the impacted streets and intersections are already heavily trafficked and congested.

A representative from the Los Angeles Chamber of Commerce and a representative of the Building Trades Council spoke in favor of the project, citing investment in the community, new business and job creation opportunities, and the developer's commitment to build union and give employment priority to local residents. Additionally, a letter written by Jay Handal, Chair of the West Los Angeles Neighborhood Council, was read at the hearing and entered into the record in which he stated that the Neighborhood Council has given conditional support of the project in light of the community benefits, including much needed moderate income senior housing, a new medical center, which is lacking in the Council District, and the developer's voluntary traffic mitigation funds, \$2,000,000 beyond the required WLA TIMP fee amount, to provide for additional transportation-related improvements in the project area beyond those assignable to the TIMP fees.

The Planning Deputy from Council District No. 11 spoke in support of the proposed project provided the traffic mitigation measures outlined in the EIR were appropriately implemented.

Communications Received

Several emails, letters, a petition with over 100 signatures, and letters have been received from area residents, businesses, adjacent property owners, and community groups in opposition to the project, citing the additional burden to an area that is already heavily impacted by traffic. LA letter, dated December 21, 2009, was received from the City Manager (P. Lamont Ewell) of the

City of Santa Monica, stating that the mitigation measures proposed to address traffic are inadequate or inappropriate.

Since the public hearing approximately 15 emails have been received in support of the project citing employment benefits, the need for medical offices in the area, and the need for housing.