LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

CORRECTED LETTER OF DETERMINATION

MAILING DATE: MAR 29 2022

Case No. VTT-80315-1A Council District: 1 – Cedillo
CEQA: ENV-2018-177-EIR; SCH No. 2018051043
Plan Area: Central City North
Related Case: CPC-2018-176-DB-BL-VCU-CU-MCUP-DD-SPR

Project Site: 1111 – 1115 West Sunset Boulevard

Applicant: Brian Falls, 1111 Sunset Blvd., LLC
Representative: Jim Ries, Craig Lawson & Co., LLC

Appellant: Supporters Alliance for Environmental Responsibility
Representative: Rebecca Davis, Lozeau Drury LLP

At its meeting of **February 24, 2022**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

Merger and resubdivision of an approximately six-acre site into one master lot and 17 airspace lots, including merging portions of Beaudry Street (3,290 square feet) and the Beaudry pedestrian triangle (3,808 square feet); and a Haul Route for the export of up to 472,000 cubic yards of soil.

1. **Found** that the City Planning Commission has reviewed and considered the information contained in the Environmental Impact Report No. ENV-2018-177-EIR (SCH No. 2018051043), dated March 2021, the Final EIR, dated November 2021, and the Erratum dated December 2021 and January 2022 (1111 Sunset Project EIR), as well as the whole of the administrative record;
   CERTIFIED the following:
   a. The 1111 Sunset Project EIR has been completed in compliance with the California Environmental Quality Act (CEQA);
   b. The 1111 Sunset Project EIR was presented to the Advisory Agency as a decision-making body of the lead agency; and
   c. The 1111 Sunset Project EIR reflects the independent judgement and analysis of the lead agency;
   ADOPTED the following:
   a. The related and prepared 1111 Sunset Project modified EIR Environmental Findings;
   b. The Statement of Overriding Considerations; and
   c. The Mitigation Monitoring Program prepared for the 1111 Sunset Project EIR;
2. **Denied** the **appeal** and **sustained** the decision of the Advisory Agency dated January 7, 2022;
3. **Approved** with **Conditions**, pursuant to Sections 17.03 and 17.15 of the Los Angeles Municipal Code, a Vesting Tentative Tract Map No. 80315, (stamped map, dated January 31, 2022) for the merger and resubdivision of an approximately six-acre site into one master lot and 17 airspace lots, including merging portions of Beaudry Street (3,290 square feet) and the Beaudry pedestrian triangle (3,808 square feet); and a Haul Route for the export of up to 472,000 cubic yards of soil.
4. **Adopted** the attached Conditions of Approval;

*5. **Adopted** the attached Amended Findings.

The vote proceeded as follows:

Moved:	Millman
Second:	Dake Wilson
Ayes:	Campbell, Choe, Leung, López-Ledesma, Mack, Perlman
Absent:	Hornstock

Vote: **8 – 0**

Cecilia Lamas, Commission Executive Assistant
Los Angeles City Planning Commission

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

*[1]**Effective Date/Appeals:** The decision of the Los Angeles City Planning Commission is further appealable to the Los Angeles City Council within 10 days after the mailing date of this determination letter. Any appeal not filed within the 10-day period shall not be considered by the Council and the decision of the City Planning Commission will become final and effective upon the close of the 10-day appeal period. All appeals shall be filed on forms provided at the Planning Department's Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: APR 08 2022

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

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

*Attachments: Conditions of Approval, Amended Findings, VTT-80315-Map Stamped January 31, 2022, Interim Appeal Filing Procedures

c: Milena Zasadzien, Senior City Planner
Kathleen King, City Planner

[1] Attachments reflect a correction. Therefore, the appeal period is re-opened for 10 days after the mailing date of this corrected determination letter.

CONDITIONS OF APPROVAL

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

(Additional BOE Improvement Conditions are listed in "Standard Condition" section)

1. That the City Department of Transportation in a letter to City Engineer shall determine that the proposed merger areas of Beaudry Avenue and the traffic island at the intersection of Beaudry Avenue and Sunset Boulevard are not necessary for current future Public Street.

2. That Department of the City Planning in a letter to the City Engineer shall also determine that the proposed merger areas of Beaudry Avenue and the traffic island at the intersection of Beaudry Avenue and Sunset Boulevard are consistent with all applicable General Plan Elements of Highway and Circulation Elements for the LA Mobility Plan.

3. In the event that Department of Transportation and Department of City Planning have no objections to the proposed street merger areas of Beaudry Avenue and the traffic island at the intersection of Beaudry Avenue and Sunset Boulevard, then the portion of excess right of way 13-foot measured from existing curb face of Beaudry Avenue and the portion of excess right of way 13-foot measure from the proposed new curb face along Beaudry Avenue created by the removal of the traffic island and realignment of the curb line at the intersection of Beaudry Avenue and Sunset Boulevard, approved per LADOT conceptual plan dated November 18, 2021, adjoining the tract be permitted to be merged with the remainder of the tract map, pursuant to Section 66499.20.2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:

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

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

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

4. That any surcharge fee in conjunction with the street merger requests be paid.

5. That a revised map shall be submitted for final map checking process showing the location of existing curb face and new curb face establishing the proposed new tract boundary after the Beaudry Avenue merger areas.

6. That a suitable cut corner or a suitable radius property line return be dedicated at the intersection of Beaudry Avenue and Sunset Boulevard satisfactory to the City Engineer and Department of Transportation.

7. That a 5-foot wide public sidewalk easement be provided along White Knoll Drive adjoining the subdivision to allow for a construction of full-width concrete sidewalk except at portions of proposed Airspace Lot 2 and 3.

8. That a 3-foot wide public sidewalk easement be provided along Sunset Boulevard adjoining the tract to complete a 15-foot wide sidewalk area.

9. That a 5-foot wide public sidewalk easement be provided along Alpine Street adjoining the tract to complete a 13-foot wide sidewalk area.

10. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.

11. That, if necessary, public sanitary sewer easements be dedicated on the final map based on an alignment approved by the Central District Office of the Bureau of Engineering.

12. That a set of drawings for airspace lots be submitted to the City Engineer showing the followings:

    a. Plan view at different elevations.
    b. Isometric views.
    c. Elevation views.
    d. Section cuts at all locations where air space lot boundaries change.

13. That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary private easements for ingress and egress purposes to serve proposed airspace lots to use upon the sale of the respective lots and they will maintain the private easements free and clear of obstructions and in safe conditions for use at all times.

14. That no portion of the proposed development shall encroach within the public right-of-way, this includes any encroachments above or below the grade.

15. A complete Hydrology and Hydraulic calculations shall be submitted including drainage plans to the Central District Office prior to recordation of the final map.

16. That the following requirements in connection with grading and construction in and adjacent to public right-of-way be complied with:

    a. Cut or fill slopes in artificial fill and residual soils shall be no steeper than 2:1 (H:V). Cut slopes shall be no steeper than 1.5:1 (H:V) in competent bedrock.

    b. The toes and crests of all cut and fill slopes shall be located on private property and shall be set back 2 and 3 feet, respectively, from the property line.

    c. Where fill overlies a cut slope, the fill shall be keyed horizontally into bedrock a minimum of 12 feet or the slope shall be over-excavated a minimum of 12 feet and replaced as a compacted fill slope.

    d. All streets shall be founded upon firm natural materials or properly compacted fill. Any existing loose fill, loose soil, or organic material shall be removed prior to the placement of engineered fill.

    e. Fill material shall be compacted to a minimum of 90 percent relative compaction as defined in the Bureau of Engineering Standard Plan S-610. Fill shall be benched into competent material.

f. All slopes shall be planted and an irrigation system installed as soon as possible after grading to alleviate erosion.

g. Adequate perforated pipe and gravel sub-drain systems approved by the City Engineer shall be placed beneath canyon fills and behind retaining walls.

h. Slopes that daylight adversely oriented bedrock and are not demonstrated per grading code to have strength characteristics sufficient to produce a stable slope shall be supported be either a retaining wall or a designed buttress fill.

Where not in conflict with the above, the recommendations contained in the Geotechnologies, Inc. geotechnical report dated October 10, 2017 and revised November 6, 2020 by the consulting geotechnical engineer and certified engineering geologist Reinard T. Knur (GE 2755, CEG 1547) shall be implemented.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

17. That prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Letter dated November 6, 2020, Log No. 101530-04 and attached to the case file for Vesting Tentative Tract No. 80315.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

18. Prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:

a. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.

b. Provide a copy of D condition(s). Show compliance with the above condition(s) as applicable or Department of City Planning approval is required.

c. Provide a copy of affidavit PKG-2339 and PKG-3539. Show compliance with all the conditions/requirements of the above affidavit(s) as applicable. Termination of above affidavit(s) may be required after the Map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.

d. Provide a copy of CPC case CPC-2018-176-DB-BL-VCU-CU-MCUP-DD-SPR. Show compliance with all the conditions/requirements of the CPC case as applicable.

e. Obtain Bureau of Engineering approval for the proposed street merger.

f. Show all street dedication as required by Bureau of Engineering and provide net lot area after all dedication. “Area” requirements shall be re-checked as per net lot area after street dedication. Front yard requirements shall be required to

comply with current code as measured from new property lines after dedication.

g. Hotel uses within 500 feet of any A or R Zone are not allowed in the C2-2D Zone without a Conditional Use. Revise the Map to show compliance with the above requirement or obtain Conditional Use approval from the Department of City Planning and City Council.

h. Submit a revised Map to identify the ground/master lot(s) and the air space lots in the tract map.

i. Submit a revised Map that dimensions each air space lot with a finite width, length, and upper and lower elevations of the "Not A Part" to match the case AA-1999-3180-PMLA or to revise the map to include the "Not A Part" as part of the Map. The final Map shall be based upon a site plan which accurately describes the location of such lots.

j. Record a Covenant and Agreement to treat the buildings and structures located in an Air Space Subdivision as if they were within a single lot.

Notes:

Proposed Map subject to an entitlement request for density bonus increase and to be verified during Plan Check.

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

There is a Building Line along Beaudry Avenue on this Subdivision.

This property is located in a Methane Zone.

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

The submitted Map may not comply with the number of guest parking spaces required by the Advisory Agency.

The existing or proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. With the exception of revised health or safety standards, the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect at the time the subdivision application was deemed complete. Plan check will be required before any construction, occupancy or change of use.

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

Backup space for parking space with less than 26'-8" shall provide sufficient parking stall width and garage door opening width to comply with the current Zoning Code requirement.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Eric Wong at (213) 482-6876 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

19. A minimum of a 20-foot reservoir space be provided between any security gate(s) and the property line when a driveway is serving less than 100 parking spaces. Reservoir space will increase to 40-feet and 60-feet when a driveway is serving more than 100 and 300 parking spaces respectively or as shall be determined to the satisfaction of the Department of Transportation.

20. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk, LAMC 12.21 A.

21. Driveway(s) and vehicular access for a residential component of any development should be limited to the street with the lowest classification or as shall be determined to the satisfaction of the Department of Transportation.

22. The Project shall comply with the requirements of the Department of Transportation's attached assessment report (DOT Case No. CEN20-49596) dated, November 2, 2020 to the attention of Milena Zasadzien, Senior City Planner, Department of City Planning.

23. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation 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, Room 550. For an appointment, call (213) 482-07024.

24. That a fee in the amount of $205 be paid for the Department of Transportation as required per Ordinance No. 180542 and LAMC Section 19.15 prior to recordation of the final map. Note: The Applicant may be required to comply with any other applicable fees per this ordinance.

FIRE DEPARTMENT

25. Access for Fire Department apparatus and personnel to and into all structures shall be required.

26. One or more Knox Boxes will be required to be installed for LAFD access to project, location and number to be determined by LAFD Field inspector. (Refer to FPB Req # 75).

27. 505.1 Address identification: New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.

28. Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual units.

29. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

30. 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.

31. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.

32. 2014 CITY OF LOS ANGELES FIRE CODE, SECTION 503.1.4 (EXCEPTION)

    a. When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.

    b. It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term “horizontal travel” refers to the actual path of travel to be taken by a person responding to an emergency in the building.

    c. This policy does not apply to single-family dwellings or to non-residential buildings.

33. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150 feet horizontal travel distance from the edge of the public street, private street or Fire Lane. This stairwell shall extend onto the roof.

34. Entrance to the main lobby shall be located off the address side of the building.

35. 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.

36. 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.

37. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.

38. 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.

39. Submit plot plans indicating access road and turning area for Fire Department approval.

40. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.

41. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.

42. Plans showing areas to be posted and/or painted, “FIRE LANE NO PARKING” shall be submitted and approved by the Fire Department prior to building permit application sign-off.

43. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.

44. Standard cut-corners will be used on all turns.

45. The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.

46. 5101.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

47. Recently, the Los Angeles Fire Department (LAFD) modified Fire Prevention Bureau (FPB) Requirement 10. Helicopter landing facilities are still required on all High-Rise buildings in the City. However, FPB’s Requirement 10 has been revised to provide two new alternatives to a full FAA-approved helicopter landing facilities.

48. Each standpipe in a new high-rise building shall be provided with two remotely located FDC’s for each zone in compliance with NFPA 14-2013, Section 7.12.2.

49. During demolition, the Fire Department access will remain clear and unobstructed.

50. That in order to provide assurance that the proposed common fire lane and fire protection facilities, for the project, not maintained by the City, are properly and adequately maintained, the sub-divider shall record with the County Recorder, prior to the recordation of the final map, a covenant and agreement (Planning Department General Form CP-6770) to assure the following:

    a. The establishment of a property owners association, which shall cause a yearly inspection to be, made by a registered civil engineer of all common fire lanes and fire protection facilities. The association will undertake any necessary maintenance and corrective measures. Each future property owner shall automatically become a member of the association or organization required above and is automatically subject to a proportionate share of the cost.

    b. The future owners of affected lots with common fire lanes and fire protection facilities shall be informed or their responsibility for the maintenance of the devices on their lots. The future owner and all successors will be presented with a copy of the maintenance program for their lot. Any amendment or modification that would defeat the obligation of said association as the Advisory Agency must approve required hereinabove in writing after consultation with the Fire Department.

    c. In the event that the property owners association fails to maintain the common property and easements as required by the CC and R's, the individual property owners shall be responsible for their proportional share of the maintenance.

d. Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.

e. That the Common Fire Lanes and Fire Protection facilities be shown on the Final Map.

51. The plot plans shall be approved by the Fire Department showing fire hydrants and access for each phase of the project prior to the recording of the final map for that phase. Each phase shall comply independently with code requirements.

Note: The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting please call **(213) 482-6509**. You should advise any consultant representing you of this requirement as well.

DEPARTMENT OF WATER AND POWER

52. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering: (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1(c)):

a. Prior to receiving water service the developer must arrange for the Department to install fire hydrants.

b. Condition under which water service will be rendered: Pressure regulators will be required in accordance with the Los Angeles City Plumbing Code for the following lot(s) where pressure exceeds 80 psi at the building pad elevation: Maximum 110 psi, Minimum 67 psi.

c. Existing water mains are located in or adjacent to this tract as follows: 8 inch main in Sunset Boulevard, 8 inch in White Knoll Drive, 8 inch main in Beaudry Avenue, 8 inch main in Alpine Street.

d. New fire hydrants and/or top upgrades to existing fire hydrants are required in accordance with the Los Angeles Fire Code: Install one (1) 2-1/2 inch by 4 inch D.F.H. at N side of Sunset Boulevard, approximately 190 feet EE White Knoll Drive.

BUREAU OF STREET LIGHTING

53. Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District. See Condition S-3(c) for Street Lighting Improvement conditions.

BUREAU OF STREET SERVICES

54. Please see Department of City Planning Condition No. 66 for the approved haul route.

55. Haul Route Required permit fee and bond. Permit fee must be paid before the Department of Building and Safety will issue a Grading Permit.

    a. Under the provisions of Section 62.201 of the Los Angeles Municipal Code, the following permit fee shall be required:

        i. The Minimum permit fee of $150.00 is required for the (import/export).

    b. The required permit fee shall be paid at the Street Services Investigation and Enforcement Division office, 1149 South Broadway, Suite 350, Los Angeles, CA 90015, telephone (213) 847-6000.

    c. Under the provisions of Section 62.202 of the Los Angeles Municipal Code, a cash bond or surety bond in the amount of $50,000.00 shall be required from the property owner to cover any road damage and/or street cleaning costs resulting from the hauling activity.

    d. Forms for the bond will be issued by Bond Control, Bureau of Engineering Valley District Office, 6262 Van Nuys Boulevard, Suite 251, Van Nuys, CA 91401, telephone (818) 374-5090.

BUREAU OF SANITATION

56. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found no potential problems to their structure or potential maintenance problem, as stated in the memo dated March 21, 2017. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

    Note: This Approval is for the Tract Map only and represents the office of LA Sanitation/CWCDs. The applicant may be required to obtain other necessary Clearances/Permits from LA Sanitation and appropriate District office of Bureau of Engineering.

    If you have any questions, please contact Rafael Yanez at (323) 342-1563.

DEPARTMENT OF RECREATION AND PARKS

57. That the Project dedicate land to the City, provide a combination of land dedication and in-lieu fee payment, or pay in-lieu fees, in order to fulfill the Project's requirements under provisions of LAMC Section 12.33

URBAN FORESTRY DIVISION

58. Native Protected Trees

    a. All tree and shrub preservation measures shall be considered to retain all protected native species whenever possible. The Project should include feasible

alternatives in project design to retain native trees and shrubs. A permit is required for the removal of any native protected tree and shrub. Removal of any on-site native tree or shrub shall be replace in kind at a 4:1 ratio as approved by the Board of Public Works and Urban Forestry Division. The tree replacement plan shall include all retained native trees and shrubs. All on-site tree and shrub replacements shall be planted in locations favorable to the long term survival of the species.

b. The applicant shall submit a Protected Tree Report (PTR) with an acceptable tree and shrub replacement plan prepared by a reputable Tree Expert, as required by Ordinance No. 186,873 for approval by the Advisory Agency and the Bureau of Street Services, Urban Forestry Division. The PTR shall contain the Tree Expert's recommendations for the preservation of as many protected trees as possible and shall provide their species, health, size, and condition. The PTR shall include a topographical map (construction drawing) identifying tree and shrub location, drip line, and correctly numbered and plotted.

Note: Removal of Native Protected trees and shrubs requires approval from the Board of Public Works. All projects must have environmental (CEQA) documents that appropriately address any removal and replacement of native protected trees and shrubs. Contact Urban Forestry Division at (213) 847-3077 for tree removal permit information.

59. Street Trees

a. The Project shall preserve all healthy mature street trees whenever possible. All feasible alternatives in project design should be considered and implemented to retain healthy mature street trees. A permit is required for the removal of ay street tree and shall be replaced at a 2:1 ratio as approved by the Board of Public Works and Urban Forestry Division.

b. Plant street trees at feasible planting locations within dedicated streets as directed and required by the Bureau of Street Services, Urban Forestry Division. All tree plantings shall be installed to current tree planting standards when the City has previously been paid for tree plantings. The subdivider or contractor shall notify the Urban Forestry Division at (213) 847-3077 upon completion of construction for tree planting direction and instructions.

Note: Removal of street trees requires approval from the Board of Public Works. All project must have environmental (CEQA) documents that appropriately address any removal and replacement of street trees. Contact Urban Forestry Division at (213) 847-3077 for tree removal permit information.

INFORMATION TECHNOLOGY AGENCY

60. To assure that cable television facilities will be installed in the same manner as other required improvements, please email cabletv.ita@lacity.org that provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of three people in case the applicant/owner has any additional questions.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

61. Prior to the issuance of a grading permit, the applicant shall submit a tree report and

landscape plan prepared by a Municipal Code-designated tree expert as designated by LAMC Ordinance No. 186,873, for approval by the City Planning Department and the Urban Forestry Division of the Bureau of Street Services. All trees in the public right-of -way shall be provided per the current Urban Forestry standards.

62. A minimum of 4 trees (a minimum of 48 inch box in size if available) shall be planted for each protected tree that is removed. The canopy of the oak trees planted shall be in proportion to the canopies of the oak trees removed per Ordinance No. 186,873, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the Advisory Agency.

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

    a. Limit the proposed development to one (1) ground lot with 17 airspace lots;

    b. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit; and

    c. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.

64. Prior to the issuance of the building permit or the recordation of the final map, a copy of CPC-2018-176-DB-BL-VCU-CU-MCUP-DD-SPR and ZA-2021-9399-ZAI shall be submitted to the satisfaction of the Advisory Agency. In the event CPC-2018-176-DB-BL-VCU-CU-MCUP-DD-SPR and ZA-2021-9399-ZAI are not approved, the subdivider shall submit a tract modification.

65. Haul Route Staging: Trucks shall be staged on the job site only. No staging of trucks on city streets at any time.

    Note: no interference to traffic; access to driveways must be maintained at all times.

66. Haul Route Conditions.

    a. The approved haul routes are as follows:

        Route 1:

        i. Loaded: Exit jobsite on North Beaudry Avenue (Southbound); Right turn onto Sunset Boulevard (Westbound); Left turn onto Alvarado Street (Southbound); Right turn onto Northbound Hollywood Freeway US-101 on-ramp; Continue straight onto Northbound Hollywood Freeway CA-170; Exit towards Sheldon Street (Eastbound) off-ramp; Left tum onto Sheldon Street (Eastbound); Right tum onto Glenoaks Boulevard (Southbound); Left tum onto Peoria Street (Eastbound) to the Vulcan Irwindale Landfill.

        ii. Unloaded: Exit dumpsite on Peoria Street (Westbound); Left turn onto Glenoaks Boulevard (Southbound); Right turn onto Roscoe Boulevard (Westbound); Right turn onto Southbound Hollywood Freeway SR-

170 on-ramp; Transition to Southbound Hollywood Freeway US-101; Exit Alvarado Street; Left tum onto Alvarado Street (Northbound); Right turn on Sunset Boulevard (Eastbound); Left turn onto North Beaudry Avenue (Northbound) to jobsite.

Route 2:

i. Loaded: Exit jobsite on North Beaudry Avenue (Southbound); Left turn onto Sunset Boulevard (Eastbound); Right turn onto Mission Road (Southbound); Left turn onto Eastbound San Bernardino Freeway I-10 on-ramp; proceed to the Vulcan Irwindale Landfill.

ii. Unloaded: Northbound Hollywood Freeway US-101; Exit towards Grand Avenue (Northbound); Left tum onto Cesar E Chavez A venue (Westbound); Keep straight onto Sunset Boulevard (Westbound); Right tum onto North Beaudry Avenue (Northbound) to jobsite.

b. The hauling operations are restricted to the hours between 9:00 a.m. and 3:30 p.m. on Mondays through Fridays, and Saturdays from 8:00 a.m. to 6:00 p.m. No hauling shall be performed on Sundays, and holidays.

c. The vehicles used for hauling shall be Bottom Dump trucks.

d. All trucks are to be cleaned of loose earth at the export site to prevent spilling. The contractor shall remove any material spilled onto the public street.

e. All trucks are to be watered at the export site to prevent excessive blowing of dirt.

f. The applicant shall comply with the State of California, Department of Transportation policy regarding movement of reducible loads.

g. Total amount of dirt to be hauled shall not exceed 472,000 cubic yards.

h. "Truck Crossing" warning signs shall be placed 300 feet in advance of the exit in each direction.

i. Flagpersons shall be required at the job site to assist the trucks in and out of the project area. Flagpersons and warning signs shall be in compliance with Part II of the latest Edition of "Work Area Traffic Control Handbook." Flagger control shall be provided during the hauling operations to assist with ingress and egress of truck traffic on N Beaudry Avenue.

i. The permittee shall comply with all regulations set forth by the State of California, Department of Motor Vehicles pertaining to the hauling of earth.

ii. The City of Los Angeles, Department of Transportation, telephone (213) 485-2298, shall be notified at least four business days prior to beginning operations in order to have temporary "No Parking" signs posted along along N Beaudry Avenue, adjacent to jobsite for hauling if needed.

iii. A copy of the approval letter from the City, the approved haul route and the approved grading plans shall be available on the job site at all times.

iv. Any change to the prescribed routes, staging and/or hours of operation must be approved by the concerned governmental agencies. Contact the Street Services Investigation and Enforcement Division at (213) 847-6000 prior to effecting any change.

v. The permittee shall notify the Street Services Investigation and Enforcement Division at (213) 847-6000 at least 72 hours prior to the beginning of hauling operations and shall notify the Division immediately upon completion of hauling operations.

vi. The application shall expire eighteen months after the date of the Board of Building and Safety Commission and/or the Department of City Planning approval. The permit fee shall be paid to the Street Services Investigation and Enforcement Division prior to the commencement of hauling operations.

Note: Condition 2 of Case No. AA-1999-3180-PMLA dated June 16, 2000 shall be superseded by this Vesting Tract Map Tract (No. 80315).

67. In order to expedite portions of the development, the applicant may apply for any permits necessary to construct parking and non-residential uses, which are otherwise compliant with the existing zoning and lot area, prior to recordation of the tract map. However, prior to issuance of a building permit for the aforementioned uses, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such a letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

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

a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the applicant and requesting a deposit.

The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than $50,000. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph ii.

d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph ii.

e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

g. The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

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

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

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

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES.

69. <u>Implementation</u>. The Mitigation Monitoring Program (MMP), that is part of the case file and attached as Exhibit B, shall be enforced throughout all phases of the Project. The Applicant shall be responsible for implementing each Mitigation Measure (MM) and shall be obligated to provide certification, as identified below, to the appropriate monitoring and enforcement agencies that each MM has been implemented. The Applicant shall maintain records demonstrating compliance with each MM. Such records shall be made available to the City upon request.

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

71. The Construction Monitor shall also prepare documentation of the Applicant's compliance with the MM during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be included as part of the Applicant's Compliance Report. The Construction Monitor shall be obligated to immediately report to the Enforcement Agency any non-compliance with the MMs within two businesses days if the Applicant does not correct the non-compliance within a reasonable time of notification to the Applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

72. Substantial Conformance and Modification. After review and approval of the final MMP by the Lead Agency, minor changes and modifications to the MMP are permitted, but can only be made subject to City approval. The Lead Agency, in conjunction with any appropriate agencies or departments, will determine the adequacy of any proposed change or modification. This flexibility is necessary in light of the nature of the MMP and the need to protect the environment. No changes will be permitted unless the MMP continues to satisfy the requirements of CEQA, as determined by the Lead Agency.

The Project shall be in substantial conformance with the MMs and PDFs contained in the MMP. The enforcing departments or agencies may determine substantial conformance with PDFs and MMs in the MMP in their reasonable discretion. If the department or agency cannot find substantial conformance, a PDF and/or MM may be modified or deleted as follows: the enforcing department or agency, or the decision maker for a subsequent discretionary project related approval finds that the modification or deletion complies with CEQA, including CEQA Guidelines Sections 15162 and 15164, which could include the preparation of an addendum or subsequent environmental clearance, if necessary, to analyze the impacts from the modifications to or deletion of the MMs. Any addendum or subsequent CEQA clearance shall explain why the MM is no longer needed, not feasible, or the other basis for modifying or deleting the MM, and that the modification will not result in a new significant impact consistent with the requirements of CEQA. Under this process, the modification or deletion of a MM shall not, in and of itself, require a modification to any Project discretionary approval unless the Director of Planning also finds that the change to the MM results in a substantial change to the Project or the non-environmental conditions of approval.

BUREAU OF ENGINEERING - STANDARD CONDITIONS

S-1.

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

b. That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.

c. That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.

d. That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.

e. That drainage matters be taken care of satisfactory to the City Engineer.

f. That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.

g. That any required slope easements be dedicated by the final map.

h. That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.

i. That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.

j. That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.

k. That no public street grade exceeds 15 percent.

l. That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 2010.

S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:

a. Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.

b. Make satisfactory arrangements with the Department of Transportation with respect to street name, warning, regulatory and guide signs.

c. All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.

d. All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.

e. Any required bonded sewer fees shall be paid prior to recordation of the final map.

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

a. Construct on-site sewers to serve the tract as determined by the City.

b. Construct any necessary drainage facilities.

c. No street lighting improvements if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street lights; four (4) on Sunset Bl., three (3) on White Knoll Dr., two (2) on Alpine St., and three (3) on Beaudry Ave.

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

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

d. Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division (213) 485-5675 upon completion of construction to expedite tree planting.

e. Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.

f. Construct access ramps for the handicapped as required by the City Engineer.

g. Close any unused driveways satisfactory to the City Engineer.

h. Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 2010.

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

i. Improve White Knoll Drive adjoining the subdivision by the removal of existing sidewalk and construction of a new 13-foot wide full-width concrete sidewalk with tree wells including any necessary removal and reconstruction of existing improvements.

ii. Improve Alpine Street adjoining the subdivision by the removal of existing sidewalks and construction of new 13-foot full width concrete sidewalks with tree wells including any necessary removal and reconstruction of existing improvements.

iii. Improve Sunset Boulevard adjoining the subdivision by the removal of

existing sidewalk and construction of a new 15-foot full with concrete sidewalk with tree wells including any necessary removal and reconstruction of existing improvements.

iv. Improve Beaudry Avenue adjoining the subdivision with construction of the following:

1. A new 13-foot wide full-width concrete sidewalk with tree wells.

2. Construct curb ramp(s) at the intersection of Beaudry Avenue and Sunset Boulevard satisfactory to the City Engineer.

3. Additional curb ramps may be required per Bureau of Engineering Special Order No. 01-1020, satisfactory to the City Engineer.

4. Suitable surfacing to join the existing pavement to provide a variable width roadway per conceptual design plan approved by LADOT dated October 18, 2021 and October 24, 2021 including a right-turn lane satisfactory to the Department of Transportation and City Engineer.

5. The necessary removal and reconstruction of existing improvements.

6. The necessary transitions to join the existing improvements satisfactory to the City Engineer.

7. Construct the necessary on-site mainline and house connection sewers satisfactory to the City Engineer.

j. That the Board of Public Works approval be obtained, prior to the recordation of the final map, for the removal of any trees in the public right-of-way. The Bureau of Street Services, Urban Forestry Division is the lead agency for obtaining Board of Public Works approval for the removal of such trees.

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

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

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

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

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject

development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

FINDINGS

(As amended by the City Planning Commission at its meeting on February 24, 2022)

FINDINGS OF FACT (CEQA)

I. INTRODUCTION

This Environmental Impact Report (EIR), consisting of the Draft EIR, the Final EIR and Errata, is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and components of the 1111 Sunset Project (Project), a new mixed-use development on an approximately six-acre site (Project Site). The Project proposes two development scenarios the Mixed Use Development Scenario and the No-Hotel Development Scenario. Under the Mixed Use Development Scenario, up to 737 residential units (including up to 76 restricted affordable housing units), up to 180 hotel rooms, up to 48,000 square feet of office space, and up to 95,000 square feet of general commercial floor area are proposed. Under the No-Hotel Development Scenario, a maximum of up to 827 residential units (including up to 76 restricted affordable housing units) would be constructed along with up to 48,000 square feet of office space, and up to 95,000 square feet of general commercial floor area. The additional residential units (under the No-Hotel Development Scenario) would be located in the same building as the hotel (Sunset Building) and would replace the 180 hotel rooms proposed by the Mixed Use Development Scenario. Regardless of the removal of the hotel, the Project design would remain as proposed and as described herein and would comprise a maximum of 994,982 square feet of habitable floor area. Under either development scenario, implementation of the Project would require removal of the four existing vacant buildings within the Project Site. The existing occupied Elysian apartment building, located on the Project Site would remain.

The City of Los Angeles (the City), as Lead Agency, has evaluated the environmental impacts of implementation of the Project by preparing an EIR (Case Number ENV-2018-177-EIR/State Clearinghouse No. 2018051043). The EIR was prepared in compliance with the California Environmental Quality Act of 1970, Public Resources Code (PRC) Section 21000 et seq. (CEQA) and the California Code of Regulations Title 15, Chapter 6 (the CEQA Guidelines). The findings discussed in this document are made relative to the conclusions of the EIR.

CEQA Section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” The procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” CEQA Section 21002 goes on to state that “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mandate and principles announced in CEQA Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See CEQA Section 21081[a]; CEQA Guidelines Section 15091[a].) For each significant environmental impact identified in an EIR for a proposed project, the approving agency must issue a written finding, based on substantial evidence in light of the whole record, reaching one or more of the three possible findings, as follows:

1) Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant impacts as identified in the EIR.

2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been, or can or should be, adopted by that other agency.

3) Specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

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

The findings provided below include the following:

- Description of Significant Effects – A description of the environmental effects identified in the EIR.

- Project Design Features – A list of the project design features or actions that are included as part of the Project.

- Mitigation Measures – A list of the mitigation measures that are required as part of the Project to reduce identified significant impacts.

- Finding – One or more of the three possible findings set forth above for each of the significant impacts.

- Rationale for Finding – A summary of the rationale for the finding(s).

- Reference – A reference of the specific section of the EIR which includes the evidence and discussion of the identified impact.

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or feasible environmentally superior alternatives, a public agency, after adopting proper findings based on substantial evidence, may nevertheless approve the project, if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's benefits rendered acceptable its unavoidable adverse environmental effects. (CEQA Guidelines §15093, 15043[b]; see also CEQA § 21081[b].)

II. ENVIRONMENTAL REVIEW PROCESS

For purposes of CEQA and these Findings, the Record of Proceedings for the Project includes, but is not limited to, the following documents:

Initial Study. The Project was reviewed by the Los Angeles Department of City Planning (serving as Lead Agency) in accordance with the requirements of CEQA (PRC 21000 et seq.). The City prepared an Initial Study in accordance with CEQA Guidelines Section 15063(a).

Notice of Preparation. Pursuant to CEQA Guidelines Section 15082, the City then circulated a Notice of Preparation (NOP) to State, regional and local agencies, and members of the public for a 30-day period commencing on May 21, 2018. The purpose of the NOP was to formally

inform the public that the City was preparing a Draft EIR for the Project, and to solicit input regarding the scope and content of the environmental information to be included in the Draft EIR. In addition, a public scoping meeting was held regarding the Project on May 30, 2018. Written comment letters responding to the NOP were submitted to the City by various public agencies and interested organizations. The NOP, Initial Study, and comment letters are included in Appendix A of the Draft EIR.

Draft EIR. The Draft EIR evaluated in detail the potential effects of the Project. It also analyzed the effects of a reasonable range of six alternatives to the Project, including a "No Project" alternative. The Draft EIR for the Project (State Clearinghouse No. 2018051043), incorporated herein by reference in full, was prepared pursuant to CEQA and the CEQA Guidelines. The Draft EIR was circulated for a 46-day public comment period beginning on March 11, 2021, and ending on April 26, 2021. A Notice of Availability(NOA) was distributed on March 11, 2021 to all property owners within 500 feet of the Project Site and interested parties, which informed them of where they could view the document and how to provide a comment. A copy of the document was also posted online at https://planning.lacityorg and the NOA was filed with the County Clerk.

Copies of the written comments received are provided in the Final EIR. Pursuant to CEQA Guidelines Section 15088, the City, as Lead Agency, reviewed all comments received during the review period for the Draft EIR and responded to each comment in Section II of the Final EIR.

Notice of Completion. A Notice of Completion was sent with the Draft EIR to the Governor's Office of Planning and Research State Clearinghouse for distribution to State Agencies on March 11, 2021, and notice was provided in newspapers of general and/or regional circulation.

Final EIR. The City published a Final EIR for the Project on November 19, 2021, which is hereby incorporated by reference in full. The Final EIR is intended to serve as an informational document for public agency decision-makers and the general public regarding objectives and components of the Project. The Final EIR addresses the environmental effects associated with implementation of the Project, identifies feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts, and includes written responses to all comments received on the Draft EIR during the public review period. Responses were sent to all public agencies that made comments on the Draft EIR at least 10 days prior to certification of the Final EIR pursuant to CEQA Guidelines Section 15088(b). In addition, all individuals that commented on the Draft EIR also received a copy of the Final EIR. The Final EIR was also made available for review on the City's website. Notices regarding availability of the Final EIR were sent to those within a 500-foot radius of the Project Site, as well as individuals who commented on the Draft EIR, provided comments during the NOP comment period, or requested notice.

Errata. Erratum No. 1 was completed in December 2021 to reflect minor changes to the Final EIR. The Erratum addressed the changes that arose from revisions to the proposed Sunset Boulevard and Beaudry Avenue intersection design, as approved by LADOT. Alterations to the Sunset Boulevard and Beaudry Avenue intersection, as requested by LADOT, resulted in the lot area being reduced by 379 square feet. Thus, the residential unit count under both development scenarios would be reduced by two units.

Erratum No. 2 was completed in January 2022 to address modifications related to the Project's ZAI and Density Bonus Entitlements. Based on the changes described in Erratum No. 2, the City terminated the ZAI entitlement request discussed in Erratum No. 1 and will now consider the modified Density Bonus Compliance Review to include two Off-Menu Incentives to allow for a portion of over-dedicated public-right-away areas along Sunset Boulevard and Beaudry Avenue (approximately 3,373 square feet) to be counted towards the Site's lot area and

permitted density and to permit an approximately 40 percent increase in the maximum allowable floor area ratio (FAR) from 3:1 to 4.19:1, for a total of 1,129,370 square feet, of which 110,336 square feet is allotted to the existing Elysian apartment building; as well as a Waiver of Development Standards to permit a zero-foot building separation between the Elysian Parking Garage building and the 1111 Sunset Project, in lieu of the 114 foot building separation as required by LAMC Section 12.21 C.2(a). These modifications do not result in any increases in the intensity or type of uses within the Project Site and aside from the decrease in lot area near Beaudry Avenue, the physical layout of the Project does not change. The unit count for both development scenarios would be consistent with the number analyzed in the EIR (737 residential units under the Mixed Use Development Scenario and 827 units under the No-Hotel Development Scenario) and the Project's maximum habitable floor area would be 994,982 square feet as analyzed in the EIR.

Thus the unit count and floor area would continue to be within the envelope of development and within the scope of analysis conducted in the Final EIR, and that this information does not represent significant new information that would affect the analysis or conclusions presented in the Final EIR. The Errata were made available on the City's website.

Public Hearing. A duly noticed joint public hearing for the Project was held by the Deputy Advisory Agency, Hearing Officer on behalf of the City Planning Commission and Zoning Administrator on December 15, 2021.

During the hearing, verbal comments were provided both in opposition and support of the Project. Additionally, a comment letter was submitted on December 15, 2021 by Lozeau Drury, LLP on behalf of Supporters Alliance for Environmental Responsibility (SAFER). SAFER states that the Project would have a significant impact on indoor air quality as a result of formaldehyde emissions associated with composite wood products being released into the air. The City reviewed the comment letter and provided a written response which is included as part of the City's administrative case file. The City determined that the comments do not result in any new significant environmental impacts or a substantial increase in any of the severity of significant impacts identified in the Draft EIR. As such, in accordance with CEQA Guidelines Section 15088.5, recirculation of the EIR is not required.

City Planning Commission. A City Planning Commission meeting was held on February 24, 2022 to consider an appeal of the Tract Map approval by Lozeau Drury, LLP on behalf of SAFER, as well as other project entitlements. It should be noted that a letter submitted by Lozeau Drury, LLP on behalf of SAFER dated February 14, 2022 urged the City to deny the appeal.

The documents and other materials that constitute the record of proceedings on which the City's CEQA findings are based are located at the Department of City Planning, Major Projects Section, 221 N. Figueroa Street, Room 1350, Los Angeles, California 90012. This information is proved in compliance with Public Resources Code Section 21081.6(a)(2).

III. RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the Record of Proceedings for the Project includes, but is not limited to, the following documents and other materials that constitute the administrative record upon which the City approved the Project. The following information is incorporated by reference and made part of the record supporting these Findings of Fact:

- All Project plans and application materials including supportive technical reports;
- The Draft EIR and Appendices, Final EIR and Appendices, the Errata and Appendices, and all documents relied upon or incorporated therein by reference;

- The Mitigation Monitoring Program (MMP) prepared for the Project;
- The City of Los Angeles General Plan and related EIR;
- The Southern California Association of Governments (SCAG)'s 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and related EIR (SCH No. 2015031035);
- Municipal Code of the City of Los Angeles, including, but not limited, to the Zoning Ordinance and Subdivision Ordinance;
- All records of decision, resolutions, staff reports, memoranda, maps, exhibits, letters, minutes of meetings, summaries, and other documents approved, reviewed, relied upon, or prepared by any City commissions, boards, officials, consultants, or staff relating to the Project;
- Any documents expressly cited in these Findings of Fact, in addition to those cited above; and
- Any and all other materials required for the record of proceedings by PRC Section 21167.6(e).

Pursuant to CEQA Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e), the documents and other materials that constitute the Record of Proceedings upon which the City has based its decision are located in and may be obtained from the Department of City Planning, as the custodian of such documents and other materials that constitute the record of proceedings, located at the City of Los Angeles, Figueroa Plaza, 221 North Figueroa Street, Suite 1350, Los Angeles, CA 90012.

In addition, copies of the Draft EIR and Final EIR and Errata are available on the Department of City Planning's website at http://planning.lacity.org (to locate the documents search for either the environmental case number or project title in the search box).

Copies were also available for in person review by appointment only at the Planning Department. Due to the Mayor's Safer At Home Order, issued March 19, 2020, copies were not made available at local libraries.

IV. DESCRIPTION OF THE PROJECT

The 1111 Sunset Project is a new mixed use development with up to 1,019,034 square feet of new floor area on an approximately six acre site, however only up to a maximum of 994,982 square feet would be habitable floor area as the Project design includes approximately 24,052 square feet of outdoor unenclosed floor area under the Project towers created by the pedestal design that will not be utilized as usable floor area. The Project proposes two development scenarios the Mixed Use Development Scenario and the No-Hotel Development Scenario. Under the Mixed Use Development Scenario, up to 737 residential units (including up to 76 restricted affordable housing units), up to 180 hotel rooms, up to 48,000 square feet of office space, and up to 95,000 square feet of general commercial floor area are proposed. Under the No Hotel Development Scenario, a maximum of up to 827 residential units (including up to 76 restricted affordable housing units) would be constructed along with up to 48,000 square feet of office space, and up to 95,000 square feet of general commercial floor area. The additional residential units (under the No-Hotel Development Scenario) would be located in the same building as the hotel Sunset Building and would replace the 180 hotel rooms proposed by the Mixed Use Development Scenario. Regardless of the removal of the hotel, the Project design would remain as proposed and as described herein and would comprise a maximum of 994,982

square feet of floor area. Under either development scenario, implementation of the Project would require removal of the four existing vacant buildings within the Project Site. The existing occupied Elysian apartment building, located on the Project Site would remain.

Under either development scenario, the proposed uses would be built above a screened six-level parking podium, which would be partially below grade (number of subterranean levels would vary from one to six levels based on topography) and partially above grade within four primary structures, including two residential towers (Tower A and Tower B), a hotel/residential tower (the Sunset Building), and a commercial building that could contain office, retail, restaurant, and parking uses (the Courtyard Building). Separate from four primary structures, three low-rise, non-residential structures would be oriented towards Sunset Boulevard and Beaudry Avenue. In addition, a portion of the proposed residential uses would be provided in low-rise residential buildings (not part of the residential towers) dispersed throughout the eastern and southern portions of the Project Site around the base of the two residential towers. Office and commercial uses could be provided in the lower floors of these low-rise residential buildings.

The proposed residential uses would be concentrated along the eastern and southern boundaries of the Project Site. Specifically, Tower A would be situated along the southern portion of the Project Site while Tower B would be located along the eastern portion of the Project Site. Tower A would include approximately 406 residential units and comprise approximately 421,000 square feet of habitable floor area (as conditioned), including amenities. Tower A would include 49 levels with an approximate height of 572 feet. Tower B would include approximately 246 residential units and comprise approximately 262,000 square feet of habitable floor area (as conditioned), including amenities. Tower B would comprise 30 levels with an approximate height of 408 feet. Individual low-rise residential buildings would be dispersed around the base of the two residential towers. The low-rise residential buildings could include two to eight units within each building and range from two to four stories up to 91 feet in height. The Project's residential density could move from building to building. However, the maximum overall density would remain constant and maximum floor areas would remain substantially the same.

The Sunset Building would be located at the southwestern corner of the Project Site, primarily fronting Sunset Boulevard. The Sunset Building would comprise approximately 105,000 square feet (as conditioned) and include either 180 hotel guest rooms (75,000 of floor area), approximately 20,000 square feet of commercial food and beverage uses, 5,800 square feet of lobby/service areas, and 4,200 square feet of meeting space, or 90 residential units, associated amenity space, and 20,000 square feet of commercial uses. The Sunset Building would comprise up to 17 levels and with an approximate height of 211 feet. Adjacent to the Sunset Building along Sunset Boulevard and Beaudry Avenue would be low-rise commercial and office structures that would be oriented towards Sunset Boulevard and Beaudry Avenue. The low-rise commercial and office structures would comprise one to three levels with an approximate height of 64 feet.

Behind the low-rise commercial structures fronting Sunset Boulevard would be the Courtyard Building. The Courtyard Building would comprise approximately 57,500 square feet and include approximately 48,000 square feet of office space and 9,500 square feet of commercial space. The Courtyard Building would include three levels with an approximate height of 91 feet.

The proposed uses under the Mixed Use Development Scenario would require and provide 933 parking spaces in accordance with the requirements of the Los Angeles Municipal Code (LAMC) and Assembly Bill (AB) 744. In addition, the No-Hotel Development scenario would require and provide 907 parking spaces in accordance with the LAMC and AB 744. The Project's parking requirement was calculated before AB 1245 amended AB 744. As such, parking for the Project

was designed to account for parking prior to the application of AB 744. Parking would be provided in a six-level parking podium, which would be partially below grade and partially above grade. The portions of the parking that would be above grade would be wrapped in active uses or landscaping. An additional 168 parking spaces for the existing Elysian apartment building would also be provided within a five-level, partially subterranean parking structure (Elysian Parking Facility) located within the northern portion of the footprint of the proposed Courtyard Building. The Elysian Parking Facility would be incorporated in the design of the Courtyard Building and include an approximately 12-foot setback from the Elysian apartment building. Residents, staff, and visitors of the Elysian apartment building would directly access the Elysian Parking Facility through up to five pedestrian bridges and through the 12-foot setback. The Elysian Parking Facility would also include a rooftop amenity deck for use by residents of the Elysian apartment building.

The Mixed Used Development Scenario would include a variety of open space totaling 82,925 square feet (excluding the Elysian Parking Facility roof deck), including approximately 70,175 square feet of exterior common open space; 7,800 square feet of interior common open space; and 4,950 square feet of private open space, pursuant to the requirements of the LAMC. The No-Hotel Development Scenario would include 93,050 square feet of open space, including approximately 77,075 square feet of exterior common open space; 9,075 square feet of interior common open space; and 6,900 square feet of private open space, pursuant to the requirements of the LAMC.

Implementation of the Project would require the removal of the existing vacant structures within the Project Site that together comprise approximately 114,600 square feet. The Project also includes the construction of a new electrical transformer yard with utility equipment located immediately west of the Elysian apartment building to serve the Elysian apartment building.

1. Project Site Zoning

The Project Site is located within the planning boundary of the Central City North Community Plan area. The Project Site is designated as General Commercial and zoned C2-2D (Commercial Zone, Height District 2 with Development Limitation). Height District 2 imposes no height limit and typically permits a floor area ratio of 6:1. However, the Project Site's floor area ratio is further restricted to 3:1 by a site-specific "D" limitation established by Ordinance 174,327 (effective January 5, 2002). Further, Footnote No. 4 of the Community Plan limits the Project Site's FAR to 3:1. The permitted density within the Project Site, regardless of the development scenario pursued, is one dwelling unit per 400 square feet of lot area or one guest room per 200 square feet of lot area. In addition, no front yard setbacks are required for commercial or residential uses.

2. Transit Priority Area

In September 2013, Governor Jerry Brown signed Senate Bill (SB) 743, which became effective on January 1, 2014. Among other provisions, SB 743 adds PRC Section 21099, which provides that "aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment." PRC Section 21099 defines a "transit priority area" as an area within one-half mile of a major transit stop that is "existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations." PRC Section 21064.3 defines "major transit stop" as "a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods." PRC Section 21099 defines

an infill site as a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses. This state law supersedes the aesthetic impact thresholds in the 2006 L.A. CEQA Thresholds Guide, including those established for aesthetics, obstruction of views, shading, and nighttime illumination.

The City has issued Zoning Information File 2452 (ZI 2452) regarding aesthetic and parking impacts for specified projects located in a transit priority area. ZI 2452 summarizes the provisions of SB 743 and specifies that visual resources, aesthetic character, shade and shadow, light and glare, and scenic vistas or any other aesthetic impacts as defined in the City's CEQA Thresholds Guide shall not be considered an impact for infill projects within transit priority areas. Under ZI 2452, a project shall be considered within a transit priority area if all parcels within the project site have no more than 25 percent of their area farther than one-half mile from a major transit stop and, if not more than 10 percent of the residential units or 100 units, whichever is less, in the project are farther than one-half mile from a major transit stop. ZI 2452 also includes a map showing the transit priority areas in the City.

The Project is a mixed use residential project that includes residential, office, and commercial uses. In addition, hotel uses are proposed under the Mixed Use Development Scenario. The Project is also considered an employment center project because it is located on property that is zoned for commercial uses and would include development of a hotel (under the Mixed Use Development Scenario), as well as office and commercial uses with a floor area ratio (FAR) no less than 0.75 and that is located within a transit priority area. In addition, the Project Site is located on an infill site within one-half mile from major transit stops. The Project Site is served by numerous Los Angeles County Metropolitan Transportation Authority (Metro) bus lines and Los Angeles Department of Transportation (LADOT) transit service, the majority of which provide a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. Therefore, pursuant to SB 743 and ZI 2452, the Project's aesthetic impacts shall not be considered a significant impact on the environment as a matter of law.

V. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT OR LESS THAN SIGNIFICANT WITHOUT MITIGATION IN THE INITIAL STUDY

The City Planning Department prepared an Initial Study dated May 21, 2018, which is located in Appendix A of the Draft EIR. The Initial Study found the following environmental impacts not to be significant or less than significant without mitigation:

I. Aesthetics
- a. Scenic Vista
- b. Scenic Resources
- c. Visual Character
- d. Light & Glare

II. Agricultural and Forest Resources
- a. Farmland
- b. Existing Zoning for Agricultural Use
- c. Forest Land or Timberland Zoning
- d. Loss or Conversion of Forest Land
- e. Other Changes in the Existing Environment

III. Air Quality
- e. Objectionable Odors

IV. Biological Resources
- a. Special Status Species
- b. Riparian Habitat and Wetlands
- c. Wetlands
- e. Local Preservation Policies
- f. Habitat Conservation Plans

V. Cultural Resources
- d. Human remains

VI. Geological Resources
- a(iv). Landslides
- b. Soil Erosion
- d. Expansive Soil
- e. Septic Tanks

VIII. Hazards and Hazardous Materials
- e. Airport Land Use Plans
- f. Private Airstrips
- h. Wildland Fires

IX. Hydrology and Water Quality
- g. Mapped 100-Year Flood Hazard Areas
- h. 100-Year Flood Hazard
- j. Seiche, Tsunami or Mudflow

X. Land Use and Planning
- a. Divide an Established Community
- c. Habitat or Natural Community Conservation Plans

XI. Mineral Resources
- a. Loss of Known Mineral Resources
- b. Loss of Mineral Resources Recovery Site

XII. Noise
- e. Airport Land Use Plans
- f. Private Airstrips

XIII. Population and Housing
- b. Displacement of Existing Housing
- c. Displacement of Existing Residents

XVI. Transportation/Traffic
- c. Air Traffic Patterns

XVII. Utilities
- a. Wastewater treatment
- b. Wastewater treatment facilities
- f. Landfill capacity
- g. Solid Waste Regulations

The City has reviewed the record and agrees with the conclusion that the above environmental issues would not be significantly affected by the Project and, therefore, no additional findings are needed. The City ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the Initial Study.

VI. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT OR LESS THAN SIGNIFICANT PRIOR TO MITIGATION

Impacts of the Project that were determined to have no impact or be less than significant in the EIR (including having a less than significant impact as a result of implementation of project design features and regulatory compliance measures) and that require no mitigation are identified below. The City has reviewed the record and agrees with the conclusion that the following environmental issues would not be significantly affected by the Project and, therefore, no additional findings are needed. The following information does not repeat the full discussions of environmental impacts contained in the EIR. The City ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the EIR.

1. Air Quality

(A) Consistency with Applicable Air Quality Management Plan

(1) Southern California Air Quality Management District's Air Quality Management Plan

As detailed in Section IV.A, Air Quality, of the Draft EIR, because the Project's resulting residential and employment growth would fall well within the growth forecasts for the City and similar projections form the basis of the 2016 AQMP, the Project would be consistent with the projections in the Southern California Air Quality Management District's (SCAQMD) Air Quality Management Plan (AQMP).

As shown in Appendix C of the Draft EIR, incorporation of California Air Pollution Control Officers Association (CAPCOA) reduction measures (calculated internal to CalEEMod) results in an approximately 38 percent reduction in the Project vehicular Vehicle Miles Traveled (VMT) as compared to a standard development within the Air Basin. This reduction in VMT is substantially better that the goals of the 2016–2040 RTP/SCS with an estimated 18 percent decrease in per capita GHG emissions from passenger vehicles by 2035 and 21 percent decrease in per capita GHG emissions from passenger vehicles by 2040. Implementation of these features would contribute to a reduction in air quality emissions via a reduction in VMT. Accordingly, as the Project would support SCAG's and SCAQMD's objectives of reducing VMT and the related vehicular air emissions, the Project would be consistent with the 2016–2040 RTP/SCS (control measures of the AQMP).

With regard to AQMP consistency, the Project would not increase the frequency or severity of an existing violation or cause or contribute to new violations for these pollutants. The Project would comply with SCAQMD Rule 403 and would implement measures for control of NO_X PM_{10}, and $PM_{2.5}$. Also, the Project would be consistent with the goals and policies of the AQMP for the control of fugitive dust. As the Project would not exceed any of the state and federal standards, the Project would also not delay timely attainment of air quality standards or interim emission reductions specified in the AQMP. In addition, because the Project includes similar growth projections that form the basis of the 2016 AQMP, it can be concluded that the Project would be consistent with the projections in the AQMP. Furthermore, the Project would comply with all applicable regulatory standards and would incorporate the Project Design Features in Section IV.E, Greenhouse Gas Emissions, of the Draft EIR, that would serve to reduce the criteria air pollutants discussed herein. Additionally, as the Project would support the City's and SCAQMD's objectives of reducing VMT and the related vehicular air emissions, the Project would be consistent with AQMP control measures. Thus, the Project would not conflict with or obstruct implementation of the AQMP.

(2) City of Los Angeles Policies

The Project would promote the Air Quality Element goals, objectives and policies, as stated above. Both the Mixed Use Development Scenario and No-Hotel Development Scenario would provide the LAMC required number of short and long-term bicycle parking spaces. The Project would provide opportunities for the use of alternative modes of transportation, including convenient access to public transit and opportunities for walking and biking, thereby facilitating a reduction in VMT. In addition, the Project would be consistent with the existing land use patterns in the vicinity of the Project Site that concentrates urban density along major arterials and near transit options. The Project also includes primary entrances for pedestrians and bicyclists that would be safe, easily accessible, and a short distance from transit stops. A more detailed analysis of the Project's consistency with the City's General Plan is presented in Table IV.A 4 of the Draft EIR which identifies specific goals and polices of the City's General Plan and demonstrates the Project's consistency with these goals.

(B) Construction Emissions

(i) Construction – Localized Emissions

The Project would not produce emissions exceeding SCAQMD's recommended localized standards of significance, as shown by Table IV.A-8 of the Draft EIR. As a result, construction of the Project would not produce any local violation of air quality standards or contribute substantially to an existing or projected air quality violation, and Project impacts would be less than significant.

(ii) Toxic Air Contaminants (TACs)

The greatest potential for TAC emissions during construction would be from diesel particulate emissions associated with heavy equipment operations. According to SCAQMD methodology, health effects from carcinogenic air toxics are usually described in terms of individual cancer risk. "Individual Cancer Risk" is the likelihood that a person continuously exposed to concentrations of TACs over a 70-year lifetime will contract cancer based on the use of standard risk assessment methodology. Given the short-term construction schedule of approximately four years, the Project would not result in a long-term (i.e., 70-year) source of TAC emissions. Additionally, the SCAQMD CEQA guidance does not require a health risk assessment (HRA) for short-term construction emissions. However, in response to Draft EIR comments, a combined construction and operation HRA was performed (Appendix FEIR-4 to the Final EIR). The HRA demonstrates that health risks from the Project (combined construction and operation) would be a maximum of 7.7 in one million for residences located northeast of the Project Site, across Alpine Street (for combined construction and operational emissions) which is below the applicable SCAQMD significance threshold of 10 in one million. Therefore, Project-related TAC impacts during construction would be less than significant.

(C) Operational Emissions

(i) Regional Emissions

As set forth in Tables IV.A-6 and IV.A-7 of the Draft EIR, the Project's operational emissions would not exceed SCAQMD's regional significance thresholds for VOC, NO_X, CO, PM_{10}, and $PM_{2.5}$ emissions. Therefore, Project impacts related to regional operational emissions would be less than significant.

(ii) Localized Emissions

Regarding on-site operational emissions, operation of the Project would not introduce any major new sources of air pollution within the Project Site. Emissions estimates for criteria air pollutants from on-site sources are presented in Table IV.A 9 of the Draft EIR for the Mixed Use

Development Scenario and Table IV.A 10 of the Draft EIR for the No-Hotel Development Scenario. The SCAQMD LST mass rate look-up tables were used to evaluate potential localized impacts. As shown in Tables IV.A 9 and IV.A 10 of the Draft EIR, on site operational emissions would not exceed any of the LSTs. The Project on-site operational activities, including generation of criteria pollutants, would not expose sensitive receptors to substantial pollutant concentrations. Therefore, localized operational emissions resulting from the Project would result in a less-than-significant air quality impact.

Regarding off-site operational emissions, at buildout of the Project under the Mixed Use Development Scenario, the highest average daily trips at an intersection would be approximately 53,300 trips at the Beaudry Avenue and Sunset Boulevard intersection, which is significantly below the daily traffic volumes that would be expected to generate CO exceedances as evaluated in the 2003 AQMP. Traffic volumes under the No-Hotel Development Scenario would be less than the Mixed Use Development Scenario. This daily trip estimate is based on the peak hour conditions of the intersection. There is no reason unique to the Air Basin meteorology to conclude that the CO concentrations at the Beaudry Avenue and Sunset Boulevard intersection would exceed the 1-hour CO standard, if modeled in detail, based on the studies undertaken for the 2003 AQMP. In addition, CO background concentrations within the vicinity of the modeled intersection have substantially decreased since preparation of the 2003 AQMP, primarily due to ongoing fleet turn-over of older on-road light duty vehicles and cleaner fuels. In 2003, the 1-hour background CO concentration was 5 ppm and has decreased to 1.9 ppm in 2017. Therefore, the Project does not trigger the need for a detailed CO hotspots model and would not cause any new or exacerbate any existing CO hotspots. The Project off-site operational activities, including the highest average daily trips, would not expose sensitive receptors to substantial CO concentrations. As a result, impacts related to localized mobile-source CO emissions are considered less than significant.

(iii) Toxic Air Contaminants

The primary sources of potential air toxics associated with Project operations include diesel particulate matter (DPM) from delivery trucks (e.g., truck traffic on local streets and idling on adjacent streets) and to a lesser extent facility operations (e.g., natural gas fired boilers). However, these activities, and the land uses associated with the Project, are not considered land uses that generate substantial TAC emissions and are not considered to be a substantial source of DPM warranting a refined HRA since daily truck trips to the Project Site would not exceed 100 trucks per day or more than 40 trucks with operating transport refrigeration units. In addition, the CARB-mandated ATCM limits diesel-fueled commercial vehicles (delivery trucks) to idle for no more than five minutes at any given time, which would further limit diesel particulate emissions. However, in response to Draft EIR comments, a combined construction and operation HRA was performed (Appendix FEIR-4 to the Final EIR). The HRA demonstrates that health risks from the Project (combined construction and operation) would be a maximum of 7.7 in one million for residences located northeast of the Project Site, across Alpine Street (for combined construction and operational emissions) which is below the applicable SCAQMD significance threshold of 10 in one million. Potential TAC impacts would be less than significant.

(iv) Cumulative Impacts

a. Construction

Based on SCAQMD guidance, individual construction projects that exceed the recommended daily thresholds for project-specific impacts would cause a cumulatively considerable increase in emissions for those pollutants for which the Air Basin is in non-attainment. As demonstrated in the Draft EIR, Section IV.A, the Project's construction localized emissions would be below the significance thresholds. Thus, during construction, the Project would have a less-than-

significant cumulative impact to localized and TAC emissions and impacts would not be cumulatively considerable.

b. Operation

According to SCAQMD, if an individual project results in air emissions of criteria pollutants that exceed SCAQMD's recommended daily thresholds for project-specific impacts, then the project would also result in a cumulatively considerable net increase of these criteria pollutants. As operational emissions would not exceed any of SCAQMD's regional or localized significance thresholds, the emissions of non-attainment pollutants and precursors generated by Project operations would not be cumulatively considerable. In addition, the Project would not result in any substantial sources of TACs and, thus, would not contribute to a cumulative impact. Thus, during operation, the Project would not result in a cumulative impact to air quality, as the Project's contributions to regional, localized, and TAC emissions would not be cumulatively considerable.

2. Cultural Resources – Historic Resources

As discussed in Section IV.B of the Draft EIR, the Project Site is located within the Central City North Community Plan area, in a neighborhood called Victor Heights, which is roughly bounded by Sunset Boulevard to the south, the 110 Freeway to the east, and Elysian Park to the north and west. The neighborhood was named for Victor Beaudry, the younger brother of Prudent Beaudry.

The Project Site occupies the site of the former Beaudry Park developed as a private park by Victor Beaudry. Located at the center of the Victor Heights Tract, Beaudry Park was sold in 1883 to the Daughters of Charity of St. Vincent de Paul, who constructed St. Vincent's Sanitarium. St. Vincent's Sanitarium was demolished, and the site remained generally vacant, with the exception of a 36-unit apartment building at the east side of the site, until the Project Site was acquired by the Metropolitan Water District (MWD) for development of its headquarters.

MWD's headquarters ultimately included four structures, as identified in Figure II 2 in Section II, Project Description, of the Draft EIR. These four structures included the MWD Courtyard Building (Building 1), the MWD Bridge (Building 2), the MWD Admin Building (Building 3), and the MWD Annex (Building 4). All four buildings were designed by William Pereira and Associates. MWD occupied the Project Site until 1993 and, in 1994, the property was transferred to Holy Hill Community Church.

Holy Hill Community Church used Buildings 1, 2, and 3, while Building 4 remained vacant, and constructed the last of the existing on-site buildings (Building 5), which appears as an extension of Building 2 and is situated between Buildings 1 and 3 and used as the church's new sanctuary. The four existing buildings within Parcel B at 1111 Sunset Boulevard (Buildings 1, 2, 3, and 5) are currently vacant and comprise the Project Site. Building 4 at 1115 Sunset Boulevard, known as the Elysian apartment building, which began conversion to a residential use in 2007, is currently occupied by 96-unit residential apartments above a ground floor restaurant. While the Elysian apartment building is part of the Project Site, it is not included as part of the Project work scope due the existing air space parcels and the creation of new airspace parcels as part of the VTTM.

A nomination as an Historical Cultural Monument (HCM) for the Project Site that included Building 4 was considered by the Cultural Heritage Commission (CHC) in September 2015. However, the CHC did not achieve a majority vote for designation. The Project Site was, therefore, not declared an HCM. The Project Site is not listed in the National Register or the California Register.

SurveyLA published findings for the Central City North Community Plan Area in September 2016. The Project Site was considered a potential historic district, including the existing Elysian apartment building at 1115 Sunset Boulevard and the parking garage located at 1040 Alpine Street. While identifying the complex, SurveyLA did not evaluate it, remarking, "The property has undergone substantial modifications over time. Due to these alterations, more research is needed to determine if the property retains sufficient integrity to convey its significance. … Therefore, the evaluation could not be completed." The Historic Report prepared for the Project, included in Appendix E.1 of the Draft EIR, provides such additional research and analysis and concludes that the Project Site is not a historical resource.

The Project would require the demolition of the existing vacant buildings on the Project Site. The Project would not remove the existing Elysian apartment building. As determined in the Historic Report, the existing on-site buildings do not qualify as historical resources. Therefore, the potential for direct impacts to historical resources, as a result of removing existing on-site vacant buildings, would be less than significant.

The Project would not indirectly impact adjacent and nearby historic resources.

3. Energy Use

As demonstrated in the Energy Section of the Draft EIR, Section IV.C, the Project would not result in potentially significant environmental impact due to wasteful, inefficient, and unnecessary consumption of energy during construction or operation and consistent with the energy conservation policies and plans relevant to the Project, which include the California Title 24 energy standards, the 2019 CALGreen building code, and the City of Los Angeles Green Building Code. Therefore, Project impacts related to energy use would be less than significant during construction and operation. In addition, based on the analysis in Draft EIR Section IV.C, the Project's impacts would not be cumulatively considerable and cumulative energy use impacts are concluded to be less than significant.

4. Geology and Soils

As demonstrated in Section IV-D, Geology and Soils, with adherence to applicable regulations and any site-specific recommendations set forth in a site-specific geotechnical evaluation, the Project would not result in significant impacts related to geological and soil conditions including from surface ground rupture, strong seismic ground shaking, liquefaction, and/or unstable soil.

5. Greenhouse Gas Emissions

The significance of the Project's GHG emissions is evaluated consistent with CEQA Guidelines Section 15064.4(b) by considering whether the Project complies with applicable plans, policies, regulations, and requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. For this Project, as a land use development project, the most directly applicable adopted regulatory plan to reduce GHG emissions is the 2016–2040 RTP/SCS, which is designed to achieve regional GHG reductions from the land use and transportation sectors as required by SB 375 and the State's long-term climate goals. The analysis also considers consistency with regulations or requirements adopted by the AB 32 2008 Climate Change Scoping Plan and subsequent updates, AB 900, and the Sustainable City pLAn/L.A.'s Green New Deal.

As shown in Table IV.E-9 of the Draft EIR, when taking into consideration implementation of relevant Project design features, as well as the requirements set forth in the City of Los Angeles Green Building Code and full implementation of current state mandates, the Project's GHG emissions in 2028 would be 406 MTCO2e per year (amortized over 30 years) during construction and 10,562 MTCO2e per year during operation under the Mixed Use Development

Scenario and 10,013 MTCO2e per year during operation under the No-Hotel Development Scenario. The Mixed Use Development Scenario and the No-Hotel Development Scenario would result in a combined total of 10,968 MTCO2e per year and 10,419 MTCO2e per year respectively.

As provided in Table IV.E-5 of the Draft EIR, the Project would not conflict with the Climate Change Scoping Plan which is intended to reduce GHG emissions.

The Project is the type of land use development that is encouraged by the RTP/SCS to reduce VMT and expand multi-modal transportation options, in order for the region to achieve the GHG reductions from the land use and transportation sectors required by SB 375, which, in turn, advances the State's long-term climate policies. By furthering implementation of SB 375, the Project would support regional land use and transportation GHG reductions consistent with state regulatory requirements. The Project would not conflict with the GHG reduction-related actions and strategies contained in the 2016 RTP/SCS. As such, impacts related to consistency with the 2016 RTP/SCS would be less than significant.

The Project represents an infill development within an existing urbanized area that would concentrate new residential, office, and commercial retail uses within a High Quality Transit Area (HQTA), which is defined by the 2016–2040 RTP/SCS as a generally walkable transit village or corridor that is within one-half mile of a well-serviced transit stop or a transit corridor with 15-minute or less service frequency during peak commute hours. There are various local, limited stop and rapid bus routes in the immediate vicinity of the Project site. In particular, a total of 37 local bus routes, including 11 Metro and 26 bus routes from various agencies such as LADOT Commuter Express, DASH, and Foothill Transit, which have stops and run within a quarter mile of the Project Site. The Project would also provide required short- and long-term bicycle parking spaces in compliance with the requirements of the LAMC. Furthermore, the Project Site was designed to encourage walkability through a mix of uses combined with a landscaped plaza and pedestrian paseo. These and other measures would further promote a reduction in VMT and subsequent reduction in GHG emissions, which would be consistent with the goals of SCAG's 2016–2040 RTP/SCS.

Table IV.E-7 of the Draft EIR provides a discussion of the Project's consistency with applicable GHG-reducing actions from the City of LA's Green New Deal. As discussed therein, the Project would be consistent with the applicable goals and actions of the City of LA Green New Deal.

For the reasons discussed in Draft EIR Section IV.E and Final EIR Section III, the Project's post-2030 emissions trajectory is expected to follow a declining trend, consistent with the 2030 and 2050 targets and Executive Orders S-3-05 and B-30-15.

As determined in Draft EIR Section IV.E (as well as Final EIR Section III), given the Project's consistency with statewide, regional, and local plans adopted for the purpose of reducing GHG emissions, it is concluded that the Project's incremental contribution to GHG emissions and their effects on climate change would not be cumulatively considerable. For these reasons, the Project's cumulative contribution to global climate change is less than significant.

(A) Project Design Features

The City finds that Project Design Feature GHG-PDF-1, which is incorporated into the Project and is incorporated into these Findings as though fully set forth herein, would reduce the potential greenhouse gas emissions of the Project. This Project Design Feature was considered in the analysis of potential impacts.

6. Hazards and Hazardous Materials

(A) Construction and Operation – Routine Transport, Use, or Disposal of Hazardous Materials

As discussed in Section IV.F, Hazards and Hazardous Materials on pages 32 through 33, construction of the Project would not involve the routine transport of hazardous materials to and from the Site and while some hazardous materials used during construction would require off-site disposal, such activity would cease once construction is complete. Regarding operational activities, the Project would involve the routine use of small quantities of potentially hazardous materials typical of those used in residential and commercial uses, including cleaning products, paints, and those used for maintenance of landscaping and pools. With implementation of appropriate hazardous materials management protocols at the Site and continued compliance with all local, state, and federal laws and regulations relating to environmental protection and the management of hazardous materials, impacts related to the routine transport, use, and disposal of hazardous materials during construction and operation would be less than significant.

(B) Construction – Underground and Aboveground Storage Tanks; Asbestos-Containing Materials; Lead Based Paint; Polychlorinated Biphenyls

As demonstrated in Section IV.F, Hazards and Hazardous Materials, construction of the Project would require compliance with all applicable local, state, and federal laws, rules and regulations, as well as implementation of site-specific recommendations for Project. As such, construction impacts related to hazards and hazardous materials regarding underground and aboveground storage tanks; asbestos-containing materials; lead based paint; and polychlorinated biphenyls would not occur.

(C) Operation – Underground and Aboveground Storage Tanks; Asbestos-Containing Materials; Lead Based Paint; Polychlorinated Biphenyls; Oil Wells

As demonstrated in Section IV.F, Hazards and Hazardous Materials, operation of the Project would require compliance with all applicable local, state, and federal laws, rules and regulations, as well as implementation of site-specific recommendations for Project. As such, operational impacts related to hazards and hazardous materials would not occur.

(D) Hazardous Emissions within 0.25-miles of a School

As discussed in Section IV.F, Hazards and Hazardous Materials on page 45, the Site is located within 0.25 miles of the Downtown Magnets High School and Betty Plasencia Elementary School. Compliance with relevant regulations and requirements would ensure the Project construction and operational activities would not create a significant hazard to nearby schools and impacts would be less than significant.

(E) Adopted Emergency Response Plan

As discussed in Section IV.F, Hazards and Hazardous Materials on pages 47 through 48, adherence to regulatory requirements, construction and operation of the Project would not

significantly impair implementation of, or physically interfere with any adopted or on-site emergency response or evacuation plans and impacts would be less than significant.

(F) Cumulative Impacts

As discussed in Section IV.F, Hazards and Hazardous Materials on page 49 there are 89 related projects within the vicinity of the Project Site. Development of the Project in conjunction with development of the related projects has the potential to increase risk for an accidental release of hazardous materials. Each of the related projects would require evaluation for potential threats to public safety, including those associated with the use, storage, and disposal of hazardous materials. The disposal of ACMs, LBP, PCBs, and oil and gas would be required to comply with all local, state, and federal regulations and because environmental safety issues are largely site specific, evaluations would occur on a project-by-project basis. With compliance of all applicable regulations, cumulative impacts related to hazards and hazardous materials would be less than significant.

7. Land Use and Planning

(A) Consistency with Local Plans and Applicable Policies

(i) Los Angeles General Plan Framework Element

As set forth in detail in Table 1 of Appendix J.1 (the Mixed Use Development Scenario) and Table 1 of Appendix J.2 (the No-Hotel Development Scenario) and summarized in Draft EIR Section IV.H, Land Use, pages IV.H-19 through IV.H-22, the Project would be substantially consistent with the applicable goals, objectives, and policies of the General Plan Framework Element, including the Land Use Chapter, Housing Chapter, Open Space and Conservation Chapter, Economic Development Chapter, and the Infrastructure and Public Services Chapter.

(ii) City of Los Angeles General Plan Housing Element

As set forth in detail in Draft EIR Section IV.H, Land Use, at page IV.H-22 and Table 2 of Appendix J.1 (the Mixed Use Development Scenario) and Table 2 of Appendix J.2 (the No-Hotel Development Scenario) , the Project would be substantially consistent with the applicable objectives and policies set forth in the Housing Element.

(iii) Los Angeles General Plan Conservation Element

As set forth in detail in detail in the Draft EIR section IV.H, Land Use, at pages IV.H-22 through 23, the Project would be fully consistent with multiple conservation objectives and policies and would, therefore, be substantially consistent with the Conservation Element.

(iv) Central City North Community Plan

As set forth in detail in Table 3 of Appendix J.1 (the Mixed Use Development Scenario) and Table 3 of Appendix J.2 (the No-Hotel Development Scenario) and summarized in Draft EIR Section IV.H, Land Use, pages IV.H-23 through IV.H.24, the Project would be generally consistent with the objectives and policies that support the goals of the Community Plan. The Project under both scenarios would be generally consistent with the objectives and policies that support the goals of the Community Plan. Specifically, the Project would not conflict with Objective 1-1 of the Community Plan 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 City. The existing Elysian apartments would remain onsite while the existing vacant buildings would be removed to allow for development of the Project, which would include 737 units (76 of which would be affordable housing units) under the Mixed Use Development Scenario and 827 units

(76 of which would be affordable housing units) under the No-Hotel Development Scenario. The Project also would not conflict with Objective 1-2 to locate new housing in a manner which reduces vehicular trips as the mixed use nature of the Project would provide the opportunity for people to live, work, and play within one site that is well-served by public transportation. Therefore, the Project would not conflict with the goals, objectives, and policies set forth in the Community Plan.

(v) Los Angeles Municipal Code

As set forth in detail in Draft EIR Section IV.F, Land Use, pages IV.H-24 through IV.H-26, with approval of the requested discretionary actions outlined in Section II, Project Description, of this Draft EIR, the Project would be generally consistent with all applicable provisions of the LAMC.

(vi) Citywide Design Guidelines

As set forth in detail in Draft EIR Section IV.H, Land Use, pages IV.H-26 through IV-H.29, the Project would not conflict with the applicable Citywide Design Guidelines.

(vii) City of Los Angeles Walkability Checklist

As set forth in detail in Draft EIR Section IV.H, Land Use, pages IV.H-29 through IV-H.32, the Project would support the applicable Walkability Checklist objectives and implement relevant strategies. As such, the Project would not conflict with the relevant aspects of the Walkability Checklist.

(viii) 2016–2040 and 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy

As set forth in detail in Table 4 of Appendix J.1 of the Draft EIR (the Mixed Use Development Scenario) and Table 4 of Appendix J.2 of the Draft EIR (The No-Hotel Development Scenario), and summarized in Draft EIR pages IV.H-32 through IV.H-33, the Project would be generally consistent with the whole of applicable goals, objectives, and policies set forth in the 2016–2040 RTP/SCS adopted for the purpose of avoiding or mitigating an environmental effect. As set forth in detail in Table 5 of Appendix J.1 of the Draft EIR (the Mixed Use Development Scenario) and Table 5 of Appendix J.2 of the Draft EIR (The No-Hotel Development Scenario) (included in Section III, Revisions, Clarifications and Corrections, of the Final EIR, and summarized in Final EIR page III-19, and included for informational purposes only, the Project would be generally consistent with the whole of applicable goals, objectives, and policies set forth in the 2020–2045 RTP/SCS adopted for the purpose of avoiding or mitigating an environmental effect.

(B) Cumulative Impacts

(i) Conflict with Applicable Goals, Objectives, and Policies Adopted for the Purpose of Avoiding or Mitigating an Environmental Effect

As set forth in Draft EIR Section IV.H, Land Use, page IV.H-34, as with the Project, the related projects would be required to comply with relevant land use policies and regulations. Therefore, as with the Project, the related projects would not conflict with applicable land use plans. Overall, cumulative impacts related to conflict with land use plans would be less than significant.

8. Noise

(A) Construction

a. On-site Vibration (Building Damage)

As set forth in Draft EIR Section IV.I, Noise, pages IV.I-49 through IV.I-51, and as indicated in Table IV.I-21 on page IV.I-50, the estimated vibration levels from the construction equipment would be well below the 0.2 PPV building damage significance criteria for the existing buildings surrounding the Project Site and the 0.5 PPV building damage significance criteria for the on-site Elysian apartment building. Therefore, the on-site vibration impacts during construction of the Project, pursuant to the significance criteria for building damage, would be less than significant.

b. Off-Site Vibration (Building Damage)

As set forth in Draft EIR Section IV.I, Noise, pages IV.I-52 through IV.I-53, according to the FTA "[i]t is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads." Nonetheless, there are existing buildings along the Project's anticipated haul route that are situated approximately 20 feet from the right-of-way and would be exposed to ground-borne vibration levels of approximately 0.022 PPV. This estimated vibration generated by construction trucks traveling along the anticipated haul route(s) would be well below the most stringent building damage criteria of 0.12 PPV for buildings extremely susceptible to vibration. Therefore, vibration impacts (pursuant to the significance criteria for building damage) from off-site construction activities (i.e., construction trucks traveling on public roadways) would be less than significant.

c. Cumulative On-Site Construction Vibration (Human Annoyance)

Potential vibration impacts associated with Project-related on-site construction activities would be significant with respect to human annoyance at receptor locations R1 and R2. Related Project No. 29 is approximately 960 feet and 635 feet from receptor locations R1 and R2, respectively. Due to the rapid attenuation characteristics of ground-borne vibration, Related Project No. 29 would not contribute to the cumulative construction vibration impact with respect to human annoyance at the uses represented by receptor locations R1 and R2. In addition, Related Project No. 29 is approximately 200 feet from receptor location R4. However, the estimated ground-borne vibration at receptor location R4 is estimated at 60 VdB, which would be well below the 72 VdB significance criteria. In addition, due to the rapid attenuation characteristics of ground-borne vibration, the Project would not contribute to the cumulative construction vibration impacts at the uses represented by receptor location R4. Therefore, potential cumulative construction vibration impact with respect to human annoyance associated with on-site construction would be less than significant.

d. Cumulative Off-Site Construction Vibration (Building Damage)

Based on FTA data, the vibration generated by a typical heavy truck would be approximately 63 VdB (0.00566 PPV) at a distance of 50 feet from the truck. In addition, according to the FTA "[i]t is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads." As discussed above, there are existing buildings that are approximately 20 feet from the right-of-way of the anticipated truck route(s) for the Project (i.e., Alvarado Street, Mission Road, Sunset Boulevard, Cesar Chavez Avenue, Figueroa Terrace, Alpine Street, Beaudry Avenue, Temple Street, Grand Avenue, Figueroa Street, Figueroa Terrace, College Avenue, and Main Street). These buildings are anticipated to be exposed to ground-borne vibration levels of approximately 0.022 PPV. Trucks from the related projects are expected to generate similar ground-borne vibration levels. Therefore, the vibration levels

generated from off-site construction trucks associated with the Project and other related projects along the anticipated truck route(s) would be below the most stringent building damage significance criteria of 0.12 PPV for buildings extremely susceptible to vibration. Therefore, potential cumulative vibration impacts with respect to building damage from off-site construction would be less than significant.

(B) Operations

(I) On-Site Stationary Noise Sources

As set forth in Draft EIR Section IV.I, Noise, pages IV.I-31 through IV.I-38, and the Tables therein, on-site stationary noise impacts from mechanical equipment, outdoor spaces, parking facilities, loading dock and trash collection areas, would not result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Impacts would be less than significant.

(II) Off-Site Mobile Noise Sources

As set forth in Draft EIR Section IV.I, Noise, pages IV.I-38 through IV.I-45, and the Tables therein, off-site mobile noise impacts, in either the Future Plus Project or Existing Plus Project conditions, would not result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Impacts would be less than significant.

(III) Composite Noise Level Impacts from Project Operations

As set forth in Draft EIR Section IV.I, Noise, pages IV.I-46 through IV.I-47 and the Table contained therein, potential noise impacts from the combination of noise sources (e.g., mechanical equipment, outdoor areas, parking facilities, loading dock and trash compactor, and off-site traffic) at analyzed sensitive receptor locations would not result in the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

(IV) On-Site and Off-Site Vibration

As set forth in Draft EIR Section IV.I, Noise, page IV.I-55, operation of the Project under either development scenario would not increase the existing vibration levels in the immediate vicinity of the Project Site. As such, vibration impacts associated with operation of the Project would be less than significant.

(V) Cumulative Operational Noise

As detailed in Draft EIR Section IV.I, Noise, pages IV.I-58 through IV.I-61, and the Table therein, the Project and related projects would not result in the exposure of persons to or generation of noise levels in excess of the significance criteria established by the City or in a substantial permanent increase in ambient noise levels in the vicinity of the Project Site above levels existing without the Project and the related projects. Therefore, cumulative operational noise impacts from on-site and off-site sources would be less than significant.

(v) Cumulative Operational Vibration

As detailed in Draft EIR Section IV.1, Noise, pages IV.V-64, vibration levels from project operation are generally limited to building mechanical equipment and vehicle circulations and would be limited to immediate vicinity of the project sites. The related projects (mixed use and commercial developments) would generate similar vibration levels as the Project. As described

above, the nearest related projects are minimum 200 feet from the Project Site. Since ground-borne vibration decreases rapidly with distance, operation of the related projects would not contribute to cumulative vibration impacts due to distance between the Project and the related projects. The Project operation would not result in the generation of excessive ground-borne vibration levels that would be perceptible in the vicinity of the Project Site. Therefore, based on the distance of the related projects from the Project Site and the operational vibration levels associated with the Project, cumulative vibration impacts associated with operation of the Project and related projects would be less than significant.

(C) Project Design Features

The City finds that Project Design Features NOI-PDF-1 through NOI-PDF-6, which are incorporated into the Project and are incorporated into these Findings as though fully set forth herein, would reduce the potential noise impacts of the Project. These Project Design Features were considered in the analysis of potential impacts.

9. Population, Housing and Employment

(A) Construction

As detailed in Draft EIR Section IV.J, Population, Housing, and Employment, pages IV.J-12 through 13, due to the employment patterns of construction workers in Southern California, and the operation of the market for construction labor, construction workers are not likely, to any notable degree, to relocate their households as a consequence of the construction job opportunities presented by the Project. Thus, the Project would not induce substantial unplanned population growth in the area during construction. Therefore, construction-related impacts associated with population and housing would be less than significant.

(B) Operation

(i) Direct Population Impacts

As detailed in the Draft EIR Section IV.J, Population, Housing, and Employment, pages IV.J-12 through 15 and Table IV.J-2, while the Project has the potential to induce population growth, the growth is accounted for in the SCAG 2016–2040 RTP/SCS, including for the SCAG region and the Los Angeles Subregion. Additionally, the growth associated with the proposed Project would be distributed in a manner consistent with local planning efforts. Furthermore, as discussed in Section IV.N, Utilities and Service Systems, of the Draft EIR, the population growth would not require significant upgrades to water or wastewater infrastructure. As such, Project impacts related to population growth would be less than significant.

(ii) Direct Housing Impacts

As shown in Section IV.J, Population Housing, and Employment, on page IV.J-14 of the Draft EIR, up to 737 residential units, proposed under the Mixed Use Development Scenario, would represent approximately 0.14 percent of the projected household growth in the SCAG region between 2018 and 2028 and 0.57 percent of the projected household growth in the City of Los Angeles during the same period The Mixed Use Development Scenario's increase in housing would represent approximately 0.011 percent of the households forecasted for the SCAG region in 2028 and 0.05 percent of the households forecasted for the City of Los Angeles in 2028. Whereas up to 827 residential units proposed under the No-Hotel Development Scenario would represent approximately 0.15 percent of the projected household growth in the SCAG region between 2018 and 2028 and 0.63 percent of the projected household growth in the City of Los Angeles during the same period. The No-Hotel Development Scenario's increase in housing would represent approximately 0.012 percent of the households forecasted for the SCAG Region in 2028

and 0.05 percent of the households forecasted for the City in 2028. Accordingly, both the Mixed Use Development Scenario and the No-Hotel Development Scenario would not cause housing growth in an undeveloped area or exceed projected/planned levels for the Project's buildout year that would result in an adverse physical change in the environment. As such, the Project would bring additional housing growth to the City. Furthermore, the addition of housing units would help meet the City's fair share of the regional housing need. Therefore, Project impacts related to housing growth would be less than significant.

(iii) Indirect Housing and Population Impacts

The Mixed Used Development Scenario included up to 737 residential units, up to 180 hotel rooms, up to 48,000 square feet of office space, and up to 95,000 square feet of general commercial floor. Whereas the No-Hotel Development Scenario included up to 827 residential units, along with up to 48,000 square feet of office space, and up to 95,000 square feet of general commercial floor area.

Based on the generation rates provided by the City of Los Angeles VMT Calculator Documentation, the Mixed Use Development Scenario would generate approximately 582 employees. As shown in Section IV.J, Population, Housing, and Employment, Table IV.J-2 of the Draft EIR, the additional 582 employees generated by the Mixed Use Development Scenario would represent approximately 0.07 percent of the employment growth forecasted in the SCAG region between 2018 and 2028 and 0.34 percent of the employment growth forecasted in the City during the same period. The Mixed Use Development Scenario's increase in employees would represent approximately 0.006 percent of the employees forecasted for the SCAG Region in 2028 and 0.03 percent of the employees forecasted for the City in 2028. The No-Hotel Development Scenario would generate approximately 492 employees. As shown in Section IV.J, Population, Housing, and Employment, Table IV.J-2, of the Draft EIR, the additional 492 employees generated by the No-Hotel Development Scenario would represent approximately 0.06 percent of the employment growth forecasted in the SCAG region and 0.29 percent of the employment growth forecasted in the City between 2018 and 2028. The No-Hotel Development Scenario's increase in employees would represent approximately 0.005 percent of the employees forecasted for the SCAG Region in 2028 and 0.03 percent of the employees forecasted for the City in 2028. Therefore, Project-related employment generation would be consistent with SCAG's employment forecasts for the SCAG Region and the City of Los Angeles.

Both the uses proposed under the Mixed Use Development Scenario and the No-Hotel Development Scenario would include a range of permanent and part-time positions that may be filled, in part, by persons already residing in the vicinity of the workplace and who generally do not relocate their households due to such employment opportunities and other persons who would commute to the Project Site from other communities in and outside of the City. As such, the Project would not indirectly induce substantial population growth.

With regard to housing, any indirect demand for housing associated with the uses proposed under both scenarios would be fulfilled by a combination of the Project's new dwelling units, vacancies in the surrounding housing market, and from other new units in the vicinity of the Project Site. As such, the Project's indirect housing demand would not cause housing growth to exceed projected/planned levels for the Project's buildout year, and the Project's indirect impacts on housing would be less than significant.

With regard to infrastructure, all circulation improvements planned for the Project are intended to improve circulation flows and safety throughout the Project Site and vicinity. Utility and other infrastructure improvements planned for the Project are intended to connect the proposed uses to the existing main infrastructure system and would not require upgrades to the main system. Therefore, the Project would not result in significant adverse impacts in terms of the introduction

of unplanned infrastructure that was not previously evaluated in the Community Plan and the General Plan.

(iv) Cumulative Impacts

As discussed in Draft EIR Section IV.J, on pages IV.J-18 through 27, cumulative population, household, and employment growth would not represent a considerable percentage of the estimated growth for these three categories in the City. Thus, cumulative impacts related to population, household, and employment growth would be less than significant.

10. Public Services

Consistent with *City of Hayward v. Trustees of California State University* (2015) 242 Cal.App.4th 833, significant impacts under CEQA consist of adverse changes in any of the physical conditions within the area of a project, and potential impacts on public safety services are not an environmental impact that CEQA requires a project applicant to mitigate: "[T]he obligation to provide adequate fire and emergency medical services is the responsibility of the city. (Cal. Const., art. XIII, § 35, subd. (a)(2) ["The protection of the public safety is the first responsibility of local government and local officials have an obligation to give priority to the provision of adequate public safety services."]). The need for additional fire protection services is not an environmental impact that CEQA requires a project proponent to mitigate." Although that case specifically addressed fire services, its holding also applies to other public services.

(A) Public Services – Fire Protection

As set forth in Draft EIR Section IV.K.1, Public Services – Fire Protection, pages IV.K.1-18 through IV.K.1-27, Project construction, operation, and cumulative impacts would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities (i.e., fire stations), the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services. Therefore, impacts to fire protection services during Project construction, operation, and in the cumulative condition would be less than significant.

(B) Public Services – Police Protection

As set forth in Draft EIR Section IV.K.2, Public Services – Police Protection, pages IV.K.2-10 through IV.K.2-22, Project construction, operation, and cumulative impacts would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities (i.e., police stations), need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection services. Therefore, impacts to police protection services during Project construction, operation, and in the cumulative condition would be less than significant.

(i) Police Protection – Project Design Features

The City finds that Project Design Features POL-PDF-1 through POL-PDF-5, incorporated into the Project, reduces the potential police protection impacts of the Project. The Project Design Features were considered in the analysis of potential impacts.

(C) Public Services – Schools

As set forth in Draft EIR Section IV.K.3, Public Services – Schools, pages IV.K.3-15 through IV.K.3-30, Project construction, operation, and cumulative impacts would not result in substantial adverse physical impacts associated with the provision of new or physically altered

government facilities (i.e., schools), need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives for schools. Therefore, impacts to schools during Project construction, operation, and in the cumulative condition would be less than significant.

(D) Public Services – Parks and Recreation

As set forth in Draft EIR Section IV.K.4, Public Services – Parks and Recreation, pages IV.K.4-18 through IV.K.5-26, Project construction, operation, and cumulative impacts would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities (i.e., parks), need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives for parks and recreational facilities. Therefore, impacts to parks and recreational facilities during Project construction, operation, and in the cumulative condition would be less than significant.

(E) Public Services – Libraries

As set forth in Draft EIR Section IV.K.5, Public Services – Libraries, pages IV.K.5-10 through IV.K.5-25, Project construction, operation, and cumulative impacts would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities (i.e., libraries), the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives for libraries. Therefore, impacts to libraries during Project construction, operation, and in the cumulative condition would be less than significant.

11. Transportation

(A) Program, Plans, Ordinance or Policy

As set forth in Draft EIR Section IV.L, Transportation, pages IV.L-26 through IV.L-38, the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

(B) Hazardous Design

As set forth in Draft EIR Section IV.L, Transportation, pages IV.I-41 through IV.I-53, the Project would not include any hazardous design features.

(C) Emergency Access

As set forth in Draft EIR Section IV.I, Transportation, pages IV.I-53 through IV.I-54, the Project would not result in inadequate emergency access.

(D) Cumulative Impacts

As set forth in Draft EIR Section IV.I, Transportation, pages IV.I-54 through IV.I-56, the Project's contribution to impacts related to programs, plans, ordinances, or policies; or vehicle miles traveled; or hazardous design; or emergency access would not be cumulatively considerable and cumulative impacts would be less than significant.

(E) Project Design Features

The City finds that Project Design Feature TR-PDF-1, which is incorporated into the Project and incorporated into these findings as fully set forth herein, reduces the potential transportation impacts of the Project. This Project Design Feature was considered in the analysis of potential impacts.

12. Utilities and Service Systems – Water Supply and Infrastructure

As set forth in Draft EIR Section IV.N.1, Utilities and Service Systems – Water Supply and Infrastructure, pages IV.N.1-27 through IV.N.1-53, the Project, either during construction or operation would not require or result in the construction of new water facilities or expansion or expansion of existing facilities, the construction of which could cause significant environmental effects. In addition, sufficient water supply is available to serve the Project during construction and operation. Further, as concluded on pages IV.N.1-40 through IV.N.1-53, the Project and related projects would not result in a significant cumulative impact related to the expansion of existing or new infrastructure for water supply and/or water demand. As such, impacts related to water infrastructure and to water supply would be less than significant.

(A) Project Design Features

The City finds that Project Design Feature WAT-PDF-1, which is incorporated into the Project and incorporated into these findings as fully set forth herein, reduces the potential water supply impacts of the Project. This Project Design Feature was considered in the analysis of potential impacts.

13. Utilities and Service Systems – Wastewater

As set forth in Draft EIR Section IV.N.2, Utilities and Service Systems – Wastewater, pages IV.N.2-11 through IV.N.2-34, the Project, either during construction or operation would not require or result in the construction of new wastewater facilities or expansion or expansion of existing facilities, the construction of which could cause significant environmental effects. In addition, sufficient wastewater capacity is available to serve the Project's construction wastewater demand and operation wastewater demand. Further, as concluded on pages IV.N.2-20 through IV.N.2-34, the Project and related projects would not result in a significant cumulative impact related to the expansion of existing or new wastewater infrastructure and/or exceed the existing wastewater treatment facility's capacity. As such, impacts related to wastewater infrastructure and to wastewater treatment capacity would be less than significant.

14. Utilities and Service Systems – Energy Infrastructure

As set forth in Draft EIR Section IV.N.3, Utilities and Service Systems – Energy Infrastructure, pages IV.N.3-5 through IV.N.3-13, Project construction and operation would not require or result in an increase in demand for electricity or natural gas that exceeds available supply or distribution infrastructure capabilities that could result in the construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant effects. Further, as concluded on pages IV.N.3-11 through IV.N.3-13, the Project and related projects would not result in a significant cumulative impact related to the consumption and/or expansion

of existing or new infrastructure for electricity and/or natural gas. Therefore, Project impacts would be less than significant during construction and operation.

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

The EIR determined that the Project has potentially significant environmental impacts in the areas discussed below. The EIR identified feasible mitigation measures to avoid or substantially reduce the environmental impacts in these areas to a level of less than significant. Based on the information and analysis set forth in the EIR, the Project would not have any significant environmental impacts in these areas, as long as all identified feasible mitigation measures are incorporated into the Project. The City again ratifies, adopts, and incorporates the full analysis, explanation, findings, responses to comments, and conclusions of the EIR. Pursuant to PRC Section 21081, the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid each of the following significant effects on the environment.

1. Biological Resources – Migratory Birds

(A) Impact Summary

As discussed in Section VI, Other CEQA Considerations, of the Draft EIR, and evaluated in the Initial Study prepared for the Project, included in Appendix A of the Draft EIR, the Project Site includes ground cover, trees, and shrubs that have the potential to support nesting birds. Therefore, the Initial Study determined that the Project could potentially impact nesting birds and included Mitigation Measure BIO-MM-1 to ensure that raptors are protected if found nesting on-site at the time of Project construction activities. Implementation of Mitigation Measure BIO-MM-2 would ensure potential impacts to all other nesting birds would be less than significant.

(B) Project Design Features

No specific project design features are proposed with regard to biological resources.

(C) Mitigation Measures

Mitigation Measure BIO-MM-1: If feasible, the removal of vegetation shall occur outside of the raptor nesting season, generally recognized as February 1 to June 30. If vegetation removal must occur during the nesting season, then a qualified biologist shall conduct a nesting bird survey prior to any vegetation removal. If active nests are identified, the biologist shall flag vegetation containing active nests to be avoided until the nests are no longer active and the young have fledged. Buffers shall be based on the species identified, but generally will consist of 300 feet for raptors as determined by the Project Biologist. If for some reason, it is not possible to remove all vegetation during the non-nesting season, then vegetation to be removed during the nesting season must be surveyed by a qualified biologist no more than three days prior to removal. If no raptors are found, the vegetation can be removed. If nesting raptors are detected, then removal must be postponed until the fledglings have vacated the nest or the biologist has determined that the nest has failed. Furthermore, the biologist shall establish an appropriate buffer zone where construction activity may not occur until the fledglings have vacated the nest or the biologist has determined that the nest has failed. Similarly, for vegetation being preserved, if construction is to occur during the nesting season, preserved vegetation should be surveyed for the presence of nesting birds. If nesting raptors are detected, the biologist shall establish a 300-foot buffer zone where construction activity may not occur until the fledglings have vacated the nest or the biologist had determined that the nest has failed. If feasible, the demolition shall occur outside of the nesting season, generally recognized as February 1 to June 30 because of the potential for indirect impacts to nearby nests. If

demolition must occur during the raptors nesting season, then a qualified biologist shall conduct a nesting raptors survey prior to any demolition. If active nests are identified, the biologist shall flag active nests and establish appropriate buffers around active nests to be avoided until the nests are no longer active and the young have fledged. Buffers will consist of 300 feet for raptors.

Mitigation Measure BIO-MM-2: If feasible, the removal of vegetation should occur outside of the nesting season, generally recognized as March 15 to August 15. If vegetation removal must occur during the nesting season, then a qualified biologist shall conduct a nesting bird survey prior to any vegetation removal. If active nests are identified, the biologist shall flag vegetation containing active nests. The biologist shall establish appropriate buffers around active nests to be avoided until the nests are no longer active and the young have fledged. Buffers will be based on the species identified, but generally will consist of 50 feet as determined by the Project Biologist. If for some reason, it is not possible to remove all vegetation during the non-nesting season, then vegetation to be removed during the nesting season must be surveyed by a qualified biologist no more than three days prior to removal. If no nesting birds are found, the vegetation can be removed. If nesting birds are detected, then removal must be postponed until the fledglings have vacated the nest or the biologist has determined that the nest has failed. Furthermore the biologist shall establish an appropriate buffer zone where construction activity may not occur until the fledglings have vacated the nest or the biologist has determined that the nest has failed. Similarly, for vegetation being preserved, if construction is to occur during the nesting season, preserved vegetation shall be surveyed for the presence of nesting birds. If nesting birds are detected, the biologist shall establish an appropriate buffer zone where construction activity may not occur until the fledglings have vacated the nest or the biologist has determined that the nest has failed.

If feasible, building demolition should occur outside of the avian nesting season, generally recognized as March 15 to August 31 because of the potential for many urban-adapted birds to utilize cavities and other openings of the building. If demolition must occur during the nesting season, then a qualified biologist shall conduct a nesting bird survey prior to any demolition. If active nests are identified, the biologist shall flag active nests and establish appropriate buffers around active nests to be avoided until the nests are no longer active and the young have fledged. Buffers will be based on the species identified, but generally will extend of 50 feet from the nest site.

(B) Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment.

(C) Rationale for Finding

As set forth in Mitigation Measures BIO-MM-1, if feasible, the removal of vegetation shall occur outside of the raptor nesting season, generally recognized as February 1 to June 30. If vegetation removal must occur during the nesting season, then a qualified biologist shall conduct a nesting bird survey prior to any vegetation removal. If active nests are identified, the biologist shall flag vegetation containing active nests to be avoided until the nests are no longer active and the young have fledged. Buffers shall be based on the species identified, but generally will consist of 300 feet for raptors as determined by the Project Biologist. Similarly, for vegetation being preserved, if construction is to occur during the nesting season, preserved vegetation should be surveyed for the presence of nesting birds. If nesting raptors are detected, the biologist shall establish a 300-foot buffer zone where construction activity may not occur until the fledglings have vacated the nest or the biologist had determined that the nest has

failed. Therefore, implementation of Mitigation Measure BIO-MM-1 would ensure that any potential impacts related to nesting raptors would be less than significant.

As set forth in Mitigation Measures BIO-MM-2, If feasible, the removal of vegetation should occur outside of the nesting season, generally recognized as March 15 to August 15. If vegetation removal must occur during the nesting season, then a qualified biologist shall conduct a nesting bird survey prior to any vegetation removal. If active nests are identified, the biologist shall flag vegetation containing active nests. The biologist shall establish appropriate buffers around active nests to be avoided until the nests are no longer active and the young have fledged. Buffers will be based on the species identified, but generally will consist of 50 feet as determined by the Project Biologist. Therefore, implementation of Mitigation Measure BIO-MM-2 would ensure that any potential impacts related to nesting birds would be less than significant.

(D) Reference

Section IV, Biological Resources, of the Initial Study (Appendix A to the Draft EIR).

2. Cultural Resources – Archeological Resources

(E) Impact Summary

As discussed in Section VI, Other CEQA Considerations, of the Draft EIR, and evaluated in the Initial Study prepared for the Project, included in Appendix A of the Draft EIR, based on a records search conducted by the South Central Coastal Information Center (SCCIC), there are five cultural resources mapped by the SCCIC within a quarter mile of the Project Site. One of the five cultural resources includes the Holy Hill Community Church/MWD Complex located within the Project Site. According to the Archaeological Report (see Appendix E.2 of the Draft EIR), construction of the MWD Sunset Boulevard Headquarters Campus and the Holy Hill Community Church buildings likely destroyed subsurface remains of historical-period and prehistoric activities within the footprints of the buildings, particularly where basements were excavated. However, there is a potential for the presence of intact archaeological remnants outside the current building footprints and throughout the remainder of the Project Site.

Should intact, buried archaeological deposits related to the historical-period shrine remain extant within the Project area, they could provide important information related to our understanding of the expression of religion and spirituality in urban contexts, and in relation to healthcare facilities in particular. Any intact, buried archaeological deposits related to oil exploration and development in the Project area could provide important information related to the history of industrial development in the Los Angeles basin, particularly oil exploration and extraction. Intact, buried archaeological deposits related to the 1930s-1950s occupation of the apartment building in the northeast portion of the Project area could provide important information to elucidate our understanding of multi-family residences and their evolution following World War II.

Project construction plans call for excavations up to 64 feet (19.5 m) deep in some areas, which would likely destroy any cultural or archaeological resources which may be present within those depths. However, it is highly unlikely that there would be any cultural resources once bedrock is encountered. Based on the findings of the project geotechnical investigation (Geotechnologies, Inc. 2017, updated 2021), no archaeological resources are expected to be present below the point where bedrock exists, at depths ranging between one and 16 feet across the Project.

Therefore, the Initial Study determined that the Project could potentially cause a substantial adverse change in the significance of an archaeological resource and included Mitigation Measure CUL-MM-11 to address potential impacts to archaeological resources.

(F) Project Design Features

No specific project design features are proposed with regard to archeological resources.

(G) Mitigation Measures

CUL-MM-1: Prior to the start of Project ground disturbance, including demolition, digging, trenching, plowing, drilling, tunneling, grading, leveling, removing peat, clearing, augering, stripping topsoil or a similar activity ("Ground Disturbance Activities") at the Project Site, a qualified principal archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for Archaeology shall be retained to prepare a written Cultural Resource Monitoring and Treatment Plan in accordance with the Secretary of the Interior's Standards for Archaeological Documentation, to reduce potential Project effects on unanticipated archaeological resources unearthed during construction, with an emphasis on potential historical-period materials. The Cultural Resource Monitoring and Treatment Plan shall include the professional qualifications required of key staff, monitoring protocols relative to the varying archaeological sensitivity across the Project Site, provisions for evaluating and treating unanticipated cultural materials discovered during ground-disturbing activities, situations under which monitoring may be reduced or discontinued, and reporting requirements. The Cultural Resource Monitoring and Treatment Plan shall also include a section describing the protocol, in the event that unanticipated human remains are discovered during Project construction.

Prior to commencing any Ground Disturbance Activities at the Project Site, the Applicant, or its successor, shall retain archeological monitor(s) who are qualified to identify archaeological resources and who shall be approved by the Department of City Planning, Office of Historic Resources ("OHR").

Prior to the commencement of any Ground Disturbance Activities, the archaeological monitors shall provide Worker Environmental Awareness Program ("WEAP") training to construction crews involved in Ground Disturbance Activities that provides information on regulatory requirements for the protection of cultural resources. As part of the WEAP training, construction crews shall be briefed on proper procedures to follow should a crew member discover cultural resources during Ground Disturbance Activities. In addition, workers will be shown examples of the types of resources that would require notification of the archaeological monitor. The Applicant shall maintain on the Project Site, for City inspection, documentation establishing that the training was completed for all members of the construction crew involved in Ground Disturbance Activities.

The archeological monitor(s) shall observe all Ground Disturbance Activities on the Project Site at all times from the surface of native soil down until bedrock is encountered which is anticipated to be at depths ranging from 1 to 16 feet. If Ground Disturbance Activities are occurring simultaneously at multiple locations on the Project Site, the principal archaeologist shall determine if additional monitors are required for other locations where such simultaneous Ground Disturbance Activities are occurring. The on-site archaeological monitoring shall end when the Ground Disturbing Activities encounter bedrock in the Project area, or when the archaeological monitor determines that monitoring is no longer necessary.

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1 Mitigation Measure CUL-MM-1 was modified in the Draft EIR.

(H) Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment.

(I) Rationale for Finding

As set forth in Mitigation Measure CUL-MM-1, a qualified archeologist shall be retained to perform periodic inspections of excavation and grading activities of the Project Site. In the event archeological resources are encountered, the archeologist shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed material to facilitate evaluation and, if necessary, salvage. Therefore, implementation of Mitigation Measure CUL-MM-1 would ensure that any potential impacts related to archeological resources would be less than significant.

With regard to potential cumulative impacts related to archeological resources, the Project vicinity is urbanized and has been disturbed and developed over time. In the event that archeological resources are uncovered, all related projects and other future development within the Project vicinity area would be required to comply with applicable regulatory requirements. In addition, as part of the environmental review processes for the related projects, it is expected that mitigation measures would be established as necessary to address the potential for uncovering archeological resources. Therefore, cumulative impacts to archeological resources would be less than significant and would not be cumulatively considerable.

(J) Reference

Section IV.B, Cultural Resources, of the Draft EIR, as well as Appendix IS-4 (Cultural and Paleontological Report) in the Initial Study (Appendix A to the Draft EIR).

3. Geology and Soils – Paleontological Resources

(A) Impact Summary

As discussed in Section VI, Other CEQA Considerations, of the Draft EIR, and evaluated in the Initial Study prepared for the Project, included in Appendix A of the Draft EIR, according to a records search of the paleontological specimen and locality records held by the Vertebrate Paleontology Department of the Natural History Museum of Los Angeles (NHMLA), there are no previously encountered fossil vertebrate localities located within the Project Site. While no localities have been identified within the Project Site, the known significant fossil finds from the Puente Formation and the richness of nearby localities with similar depositional regimes and geologic ages are indicative of the high fossil sensitivity for this unit. Any excavation into the Puente Formation, therefore, has the potential to encounter significant vertebrate fossil remains. The Project would require excavation up to 64 feet below grade, which could potentially disturb previously undiscovered paleontological resources. Therefore, the Project could potentially destroy a unique paleontological resource. The Initial Study included Mitigation Measure CUL-MM-2 to address potential impacts associated with undiscovered paleontological resources. Mitigation Measure CUL-MM-2 was refined in the Draft EIR as Mitigation Measure GEO-MM-1. With implementation of Mitigation Measure GEO-MM-1 potential impacts to any previously undiscovered paleontological resources would be reduced to a less-than-significant level.

With regard to unique geologic features, there are no unique geologic features on the Project Site. Therefore, as determined in the Initial Study, the Project would not directly or indirectly destroy an unique geologic feature. No impact with respect to the destruction of an unique geologic feature would occur.

(B) Project Design Features

No specific project design features are proposed with regard to paleontological resources.

(C) Mitigation Measures

GEO-MM-1: The services of a Project paleontologist who meets professional standards (including a graduate degree in paleontology, geology, or related field, with demonstrated experience in the vertebrate, invertebrate, or botanical paleontology of California or related topical or geographic areas and at least one full year of supervisory experience), shall be retained prior to excavating, digging, trenching, plowing, drilling, tunneling, grading, leveling, removing peat, clearing, augering, stripping topsoil or a similar activity ("Ground Disturbance Activities") associated with the Project in order to develop a site-specific Paleontological Resource Mitigation and Treatment Plan. The Paleontological Resource Mitigation and Treatment Plan shall specify the levels and types of mitigation efforts based on the types and depths of Ground Disturbance Activities and the geologic and paleontological sensitivity of the Project Site. The Paleontological Resource Mitigation and Treatment Plan shall also include a description of the professional qualifications required of key staff, communication protocols during construction, fossil recovery protocols, sampling protocols for microfossils (if required), laboratory procedures, reporting requirements, and curation provisions for any collected fossil specimens.

This Project paleontologist shall supervise a qualified paleontologist, who may also be the archaeological monitor required by CUL-MM-1 if such monitor is qualified in both fields, to monitor Ground Disturbance Activities to identify potential paleontological remains. If artificial fill, significantly disturbed deposits, or younger deposits too recent to contain paleontological resources are encountered during construction, the Project paleontologist may reduce or curtail monitoring in the affected areas, after consultation with the Applicant and the City Office of Historic Resources.

(D) Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment.

(E) Rationale for Finding

As set forth in Mitigation Measure GEO-MM-1, a qualified paleontologist shall be retained to perform periodic inspections of excavation and grading activities of the Project Site. In the event paleontological materials are encountered, the paleontologist shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed material to facilitate evaluation and, if necessary, salvage. Therefore, implementation of Mitigation Measure GEO-MM-1 would ensure that any potential impacts related to paleontological resources would be less than significant.

With regard to potential cumulative impacts related to paleontological resources, the Project vicinity is urbanized and has been disturbed and developed over time. In the event that paleontological resources are uncovered, all related projects and other future development within the Project vicinity would be required to comply with applicable regulatory requirements. In addition, as part of the environmental review processes for the related projects, it is expected that mitigation measures would be established, as necessary, to address the potential for uncovering paleontological resources. Therefore, cumulative impacts to paleontological resources would be less than significant and would not be cumulatively considerable.

(F) Reference

Section IV.D, Geology and Soils – Paleontological Resources, of the Draft EIR, as well as paleontological records search results included in the Initial Study, Appendix IS-4 (Cultural and Paleontological Report) (Appendix A to the Draft EIR).

4. Hazards and Hazardous Materials – Construction Hazardous Waste Generation, Handling, and Disposal (Oil Wells and Methane Gas) and Operation (Methane Gas)

(A) Impact Summary

(i) Oil Wells

As detailed in Section IV-F, Hazards and Hazardous Materials, of the Draft EIR, according to CalGEM's Online Mapping System, there are six former oil and gas production wells located on, or adjacent to, the Project Site. An evaluation of the reported oil wells on the Project Site was conducted by Geosyntec Consultants in March 2018 and updated in February 2021. Based on the Project's Construction Site Well Review Letter and communication with CalGEM, the six buried wells are likely to not be abandoned in accordance with CalGEM's current abandonment standards. In addition, previous soil and soil vapor testing at the Project Site identified concentrations of petroleum hydrocarbons and methane, which may be indicative of historical oil production activities that occurred within the L.A. City Oil Field area. Field explorations that include extensive excavation to locate the potential oil wells are not currently feasible and/or practical due to the existing structures and development, including adjacent public infrastructure. Where construction is proposed in the area of potentially existing oil wells, applicable CalGEM requirements would be followed. A geophysical survey performed by GeoVision in October 2020 did not identify oil wells located at the Project Site. While the geophysical survey did not locate any oil wells, the Project would include implementation of Mitigation Measure HAZ-MM-1 and HAZ MM 2, provided below, to ensure potential impacts associated with the discovery of buried wells is less than significant. Specifically, Mitigation Measures HAZ-MM-1 may include an additional surface geophysical survey be conducted to attempt to locate the oil wells on the Project Site following demolition of existing structures (as the prior survey did not locate any existing oil wells and existing structures can potentially limit geophysical survey capabilities and/or access in some areas of the site). If located, as per HAZ-MM-2, the wells would be unearthed and inspected by a licensed Petroleum Engineer and would be reported to CalGEM to assess and prescribe abandonment procedures based on their observed condition, as well as the Petroleum Administrator, the Los Angeles City Certified Unified Program Agency (LACUPA), and Los Angeles Department of City Planning. Therefore, a soil and site management plan would be developed and implemented pursuant to Mitigation Measure HAZ-MM-3 to address the potential identification and abandonment of the oil wells, if encountered during earthwork activities.

In addition, as shown on Figure 3 to the Updated Oil Wells Investigation Report, the proposed structures (i.e., buildings) are located in a manner that, based on CalGEM's maps, would not place buildings over oil wells. Also, the proposed site development plan, as shown on Figure IV.F 1 on page IV.F-25 of the Draft EIR, does not significantly impede future access to the locations of the existing wells, as depicted in CalGEM's maps consistent with HAZ-PDF-1. Additionally, as shown in Figure IV.F 1, the proposed site development plan also includes sufficient setback to accommodate appropriate sized drill rig access allowing for future abandonment/re-abandonment, in the unlikely scenario that re-abandonment is necessary. As such, less than significant impacts are anticipated with respect to the proposed Project site plan and future access to abandoned oil wells within the Project vicinity.

As such, with compliance with existing regulatory requirements and implementation of Project Design Feature HAZ-PDF-1 and Mitigation Measures HAZ-MM-1 through HAZ-MM 3, the

Project would not exacerbate risk of upset and accident conditions associated with oil wells, impacts associated with previously installed oil wells would be less than significant with implementation of mitigation.

(ii) Methane Gas

a. Construction

As detailed in Section IV.F, Hazards and Hazardous Materials, of the Draft EIR, the Project Site is located within a City-designated Methane Zone as defined by the Los Angeles Department of Building and Safety. In addition, hydrogen sulfide is found across the L.A. City Oil Field, in which the Project Site is located. As evaluated in the Methane Report prepared for the Project and updated in February 2021, included in Appendix H.4 of the Draft EIR, excavation and construction activities within the Project Site that involve work in confined spaces on-site could pose a potential for methane and hydrogen sulfide build-up, resulting in a possible hazardous condition. Adherence to the construction safety measures, as well as compliance with California Occupational Safety and Health Act safety requirements, would serve to reduce the risk, in the event that elevated levels of these soil gases are encountered during grading and construction. In addition, as provided in the Updated Methane Report and Draft EIR, the Project, would include implementation of Mitigation Measures HAZ-MM-4 and HAZ-MM-5, to ensure potential impacts related to subsurface gases and associated potential impacts to soil and groundwater is less than significant. Specifically, Mitigation Measure HAZ-MM-4 would install controls during construction at the Project Site to mitigate the effects of subsurface gases on workers and the public. As such, with compliance with existing regulations and implementation of Mitigation Measure HAZ-MM-4 and HAZ-MM-5, the Project would not exacerbate risk of upset and accident conditions associated with methane gas, and impacts associated with methane gas and hydrogen sulfide would be less than significant with implementation of mitigation.

b. Operation

As discussed on page IV.F-41, all new buildings and paved areas located within a Methane Zone would comply with the City of Los Angeles' Methane Ordinance. Under this ordinance the Project Site would be categorized as Level V Site Design due to the presence of methane in soil vapor sampling and would be required to methane controls accordingly. As the permitting process would ensure that new development would comply with the City's Methane Ordinance, as well as implementation of Mitigation Measures HAZ-MM-4 and HAZ-MM-5, operational activities associated with the Project would not result in a significant impact.

(B) Project Design Features

Project Design Feature HAZ-PDF-1: Project buildings would be designed and placed in a manner so as to not significantly impede future access to the locations of the existing wells.

(C) Mitigation Measures

Mitigation Measure HAZ-MM-1: The Applicant is responsible for ensuring that all wells on the Project Site shall be abandoned and all construction in and around an abandoned well are consistent with current CalGEM regulations and recommendations (meeting the standards at the time of condition clearance). To ensure this requirement is met, the following shall be required:

- The Applicant shall engage a licensed Petroleum Engineer to monitor any and all grading or construction activities on, and in the vicinity of, oil well(s);

- The licensed Petroleum Engineer and/or his/her designee will visually inspect the excavation areas for signs of potential oil wells. If signs of potential oil well(s) cannot be visually identified or detected by the Petroleum Engineer and/or his/her designee, additional geophysical survey may also be performed during the excavation work to help locate potential oil wells, if present, within the Project Site;
- The City of Los Angeles Petroleum Administrator and/or his/her designee, in his or her reasonable discretion, shall monitor and inspect activities related to well abandonment, site preparation, zonal isolation, grading/shoring (CalOSHA), and other relevant activities on the Project Site to ensure public health and safety, regulatory consistency, and industry best practices;
- All well abandonment activities shall be consistent with CalGEM recommendations;
- The licensed Petroleum Engineer shall prepare a written report noting the exact location of the well (including latitude and longitude of each well in NAD 83 (to the sixth decimal place minimal) coordinate system), photos showing the condition of the well, and any other relevant documentation, evidencing compliance with CalGEM regulations and recommendations and shall submit said report to CalGEM (certified mail), the Petroleum Administrator, the Los Angeles City Certified Unified Program Agency (LACUPA), and to the Los Angeles Department of City Planning; and
- Prior to the issuance of building permits for the Project by the Los Angeles Department of Building and Safety (LADBS), the written report prepared by the licensed Petroleum Engineer must be approved by the City's Petroleum Administrator and LACUPA.

Mitigation Measure HAZ-MM-2: If any on-site oil wells are located, the licensed Petroleum Engineer shall survey and leak test all oil wells and shall equip the wells in general accordance with relevant CalGEM and City of Los Angeles Petroleum Administrator and/or his/her designee requirements as specified below.

A. Leak Tested: On-site oil wells will be leak tested for potential liquid and gas leakage. The top casing, if encountered, of oil wells within the boundary must be leak tested in the field for excessive methane levels, in coordination with CalGEM. Results of the leak test shall be documented by a Licensed Petroleum Engineer and included in the written report (see MM-HAZ-1 above);

B. Protection Measures: Appropriate protection measures shall be developed in accordance with relevant CalGEM and City of Los Angeles oil well requirements. Potential protection measures may include vent cones and related vent pipes and risers. Protection measures are typically implemented as a precautionary measure to help reduce and/or detect potential leak.

Mitigation Measure HAZ-MM-3: A Draft Soil and Site Management Plan, included in Appendix V of the Final EIR, will be implemented to ensure all on-site contaminated soil is properly disposed of at an appropriate, permitted disposal or treatment facility and to address the potential identification and abandonment of oil wells if encountered during earthwork activities.

- The Draft Soil and Site Management Plan shall be submitted to the City of Los Angeles Department of Building and Safety for review and approval prior to the commencement of excavation and grading activities.

- As part of the Draft Soil and Site Management Plan, a licensed Petroleum Engineer, and/or his/her designee, in his or her reasonable discretion, shall be present on the Project Site during grading and excavation activities in the suspected locations of the wells and shall be on call at other times to monitor compliance with the Draft Soil and Site Management Plan.

Mitigation Measure HAZ-MM-4: During construction activities at the Project Site, controls shall be in place to mitigate the effects of subsurface gases and impacted soil and groundwater on workers and the public. During construction, the following shall be implemented:

- Gas monitoring devices would be present to alert workers of elevated gas concentrations when basement or subsurface soil disturbing work is being performed;
- Contingency procedures would be in place if elevated gas concentrations are detected, such as the mandatory use of personal protective equipment, evacuating the area, and/or increasing ventilation within immediate work area where the elevated concentrations are detected;
- Workers would be trained to identify exposure symptoms and implement alarm response actions;
- If the groundwater elevation is lowered using dewatering wells prior to excavation below groundwater, groundwater would be collected, treated, and discharged in accordance with Los Angeles Regional Water Quality Control Board (LARWQCB) requirements;
- Soil and groundwater exposed during excavations would be minimized to reduce the surface area which could off-gas. This will be done by staggering exposed demolition areas;
- Soil removed as part of construction will be sampled and tested for off-site disposal in a timely manner. If soil is stockpiled prior to disposal, it would be managed in accordance with the Project's Storm Water Pollution Prevention Plan (SWPPP);
- Fencing would be established to limit public access and allow for gas dilution; and
- Health and Safety Plan (HASP) development, which would describe the work activities and hazards associated with each work activity. Hazard mitigation would be presented in the HASP to limit construction risks to workers. The HASP would have emergency contact numbers, maps to the nearest hospital, gas monitoring action levels, gas response actions, allowable worker exposure times, and mandatory PPE requirements. The HASP will be signed by all workers onsite to demonstrate their understanding of the construction risks.

Mitigation Measure HAZ-MM-5: The Applicant shall install a Passive System regardless of the design methane concentration or the design methane pressures. The Passive System for the Project shall include, at minimum:

A. A standard de-watering system or a reinforced concrete mat slab designed to accommodate the hydrostatic pressure;
B. A sub-slap vapor collection and ventilation system that includes:
    a. Perforated horizontal collection piping;

b. A permeable gravel blanket for soil gas migration of a minimum 2 inches thick;
c. Solid vent risers (amount and size are dependent on building size); and
d. A complete impervious membrane (barrier) system. Since there are known oil wells on-site, this barrier system will be a chemically compatible product that covers the entire footprint of the proposed structure.

C. If a concrete mat slab is used, the sub-slab vapor collection and ventilation system can be omitted, as approved by LADBS through submission of a Request for Modification of Building Ordinances form.

(D) Finding

(i) Oil Wells

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding Hazardous Substances – Oil Wells.

(ii) Methane Gas

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding Hazardous Substances – Methane Gas.

(E) Rationale for Findings

(i) Oil Wells

Based on the EDR database records search, the Project Site is listed on eight databases, including HAZNET, RCRA-SQG, UST, SWEEPS UST, CA FID UST, FINDS, ECHO, and EMI. As provided in the database records search, the HAZNET listing was due to the generation of asbestos waste, which was generated at the Project Site and disposed off-site in 1995 and 2008, as well as other unreported wastes that were generated and disposed off-site in 2012. The RCRA-SQG listing is associated with MWD's operation of the Project Site and the generation of small quantities of hazardous waste defined as the generation of more than 100 kilograms and less than 1,000 kilograms of hazardous waste during any calendar month. No violations were reported with MWD's generation of small quantities of hazardous wastes. The UST, SWEEPS UST, and CA FID UST listings are associated with the location of at least one UST within the Project Site. The FINDS listing refers to the EPA's Facility Index System, which is a central inventory of facilities monitored or regulated by the EPA. Similarly, the ECHO listing is the EPA's tool, which allows a user to search for facilities by address or name and review violations. The EMI listing refers to Emissions Inventory Data associated with the emissions of air pollutants in 1990 and 1995. Based on the listings associated with previous activities, the Project Site's status reporting no violations associated with these previous activities, and the proposed activities, the Project would not create a significant hazard to the public or the environment caused in whole or in part from the Project's exacerbation of existing environmental conditions. Rather, it is anticipated that with removal of existing potentially contaminated soil, as well as potential re-abandonment of buried oil wells in accordance with applicable standards, and Mitigation Measures HAZ-MM-1 through HAZ-MM-3, the Project would improve existing on site conditions. Therefore, impacts regarding this threshold would be less than significant.

(ii) Methane Gas

The Project, would include implementation of Mitigation Measures HAZ-MM-4 and HAZ-MM-5 to ensure potential impacts related to subsurface gases and associated potential impacts to soil and groundwater is less than significant. Specifically, Mitigation Measure HAZ-MM-4 would install controls during construction at the Project Site to mitigate the effects of subsurface gases on workers and the public. As such, with compliance with existing regulations and implementation of Mitigation Measure HAZ-MM-4 and HAZ-MM-5, the Project would not exacerbate risk of upset and accident conditions associated with methane gas, and impacts associated with methane gas and hydrogen sulfide would be less than significant with implementation of mitigation

(F) Reference

Section IV-F, Hazards and Hazardous Materials of the Draft EIR and Final EIR, Section III, Corrections and Additions, and Appendix FEIR-3 to the Final EIR (Draft Soil and Site Management Plan).

5. Transportation - CEQA Guidelines Section 15064.3(b) (Vehicle Miles Traveled [VMT])

(A) Impact Summary

As shown in Table IV.L-3 on page IV.L-40, the Mixed Use Development Scenario is estimated to generate 56,710 total daily VMT prior to incorporation of additional TDM measures. It would produce 8,309 home-based production VMT (used to calculate household VMT per capita) and 4,886 home-based work attraction VMT (used to calculate work VMT per employee). Based on the estimate of 1,728 residents, the Mixed Use Development Scenario would generate average household VMT per capita of 4.8, which is less than the Central APC impact threshold of 6.0 and, therefore, would not result in a significant VMT impact. Based on the estimate of 582 employees, the Mixed Use Development Scenario would generate average work VMT per employee of 8.4, which is greater than the Central APC impact threshold of 7.6 and, therefore, would result in a significant VMT impact without implementation of mitigation.

As shown in Table IV.L-3 of the Draft EIR, the No-Hotel Development Scenario is estimated to generate 53,035 total daily VMT prior to incorporation of additional TDM measures. It would produce 9,413 home-based production VMT (used to calculate household VMT per capita) and 4,095 home-based work attraction VMT (used to calculate work VMT per employee). Based on the estimate of 1,931 residents, the No-Hotel Development Scenario would generate average household VMT per capita of 4.9, which is less than the Central APC impact threshold of 6.0 and, therefore, would not result in a significant VMT impact. Based on the estimate of 492 employees, the No-Hotel Development Scenario would generate average work VMT per employee of 8.3, which is greater than the Central APC impact threshold of 7.6 and, therefore, would also result in a significant VMT impact without implementation of mitigation.

Therefore, the Project (under both development scenarios) would result in significant Work VMT impacts.

(B) Project Design Features

No specific project design features are proposed with regard to Transportation - VMT.

(C) Mitigation Measures

Mitigation Measure TR-MM-1: The Project shall include the following TDM measures to further reduce VMT:

- Unbundled Parking/Parking Cash-Out: The Project would provide unbundled parking, which requires residents and tenants to specifically opt-in to a parking lease (unbundled parking) and requires companies to refund the cost of parking to employees who opt-out (parking cash-out).
- Promotions and Marketing: The Project shall include a transportation management coordinator (TMC) on the building management staff to promote the benefits of TDM. The TMC will provide information on public transit and any related incentives, flexible work schedules and telecommuting programs, pedestrian and bicycle amenities provided, rideshare/carpool/vanpool programs, and parking incentives.
- Ride-Share Program: The Project shall participate in the Downtown Transportation Management Organization (TMO), which would help to match employees with similar commutes into ride-share programs.
- First-Mile/Last-Mile Options: The Transportation Center at the Project Site shall support services that address first-mile/last-mile connectivity issues with public transit.
- Pedestrian Network Improvements: The Project shall widen sidewalks on all sides of the Project Site to meet Mobility Plan standards. The Project shall install a new pedestrian crosswalk with continental crosswalk markings across Sunset Boulevard at White Knoll Drive with the installation of a traffic signal at that location. The Project shall also install all-way stop-control at the intersection of Beaudry Avenue & Alpine Street, where there is currently an uncontrolled crosswalk across Beaudry Avenue.

(D) Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding Transportation - CEQA Guidelines Section 15064.3(b) (VMT).

(E) Rationale for Finding

Implementation of Mitigation Measure TRA-MM-1 would ensure that the Project (under both development scenarios) would result in less than significant Work VMT impacts. Household VMT is less than significant without mitigation.

(F) Reference

Section IV.L, Transportation, of the Draft EIR, as well as Appendix Q.1 (CEQA Thresholds Analysis For The 1111 Sunset Boulevard Mixed Use Project) and Appendix Q.2 (November 2, 2020 LADOT; Final EIR Section III, Corrections and Additions as well as Final EIR Appendix FEIR-5 (Transportation Assessment Memo).

6. Tribal Cultural Resources

(A) Impact Summary

While no tribal cultural resources, as defined by PRC Section 21074, were initially identified within the Project Site or in the immediate vicinity, a second Sacred Lands File search with the NAHC, conducted in December 2018, revealed that, "The results were positive" (Confidential Appendix A of the Tribal Cultural Resources Report, Appendix R.1 of the Draft EIR). In addition, government-to-government tribal consultation, pursuant to PRC Section 21080.3.1(d), between Department of City Planning staff and one California Native American tribe, the Gabrieleño Band of Mission Indians-Kizh Nation, identified what could be the same tribal cultural resource within the Project Site. Specific information concerning the nature and location of the identified tribal cultural resource is confidential and contained in Confidential Appendix B of the Tribal Cultural Resources Report, under separate cover. In addition to the Kizh Nation, two additional tribes—the Gabrielino Tongva Indians of California Tribal Council and the Gabrieleño/Tongva San Gabriel Band of Mission Indians—responded to correspondence requesting information regarding potential sacred sites in the vicinity of the Project Site. While both showed interest in the Project, neither offered specific information regarding potential tribal cultural resources within the Project Site.

The Kizh Nation has also provided information for public view concerning their ancestral tribal territory, the sensitivity of the Project Site and vicinity, and recommended tribal cultural resources mitigation measures. That non-confidential information is provided in Appendix C of the Tribal Cultural Resources Report.

As discussed in the Tribal Cultural Resources Report, the likelihood that buried, intact cultural deposits of Native American origin are preserved within the Project Site is low considering the significant landscape modification and construction that has occurred within the Project Site from the 1870s forward. Nonetheless, based on the substantial (and confidential) evidence provided by the Kizh Nation, the possibility exists that intact cultural deposits related to a tribal cultural resource may be preserved within the Project Site. Therefore, the Project could potentially cause a substantial adverse change in the significance of a tribal cultural resource listed or eligible for listing in the California Register or in a local register or a resource determined by the City to be significant pursuant to PRC Section 5024.1. As such, impacts to tribal cultural resources would be potentially significant.

(B) Project Design Features

No specific project design features are proposed with regard to paleontological resources.

(C) Mitigation Measures

Mitigation Measure TCR-MM-1: In coordination with CUL-MM-1, prior to commencing any ground disturbance activities, including demolition, excavating, digging, trenching, plowing, drilling, tunneling, grading, leveling, removing peat, clearing, augering, stripping topsoil or a similar activity ("Ground Disturbance Activities") at the Project Site, the Applicant, or its successor, shall retain a tribal monitor that is qualified to identify subsurface tribal cultural resources to monitor Ground Disturbance Activities. Any qualified tribal monitor shall be approved by the Gabrieleño Band of Mission Indians-Kizh Nation.

The tribal monitor shall observe all Ground Disturbance Activities on the Project site from the surface of native soil down until bedrock is encountered which is anticipated to be at depths ranging from 1 to 16 feet. If Ground Disturbance Activities are occurring simultaneously at multiple locations on the Project site, the principal archaeologist shall determine if additional tribal monitors are required for other locations where such simultaneous Ground Disturbance

Activities are occurring. The on-site tribal monitoring shall end when the Ground Disturbance Activities encounter bedrock, or when the archaeological and tribal monitors both indicate that the monitoring for tribal cultural resources is no longer necessary.

In coordination with CUL-MM-1, prior to commencing any Ground Disturbance Activities, the archaeological monitor, in consultation with the tribal monitor, shall provide Worker Environmental Awareness Program ("WEAP") training to construction crews involved in Ground Disturbance Activities that provides information on regulatory requirements for the protection of tribal cultural resources. As part of the WEAP training, construction crews shall be briefed on proper procedures to follow should a crew member discover tribal cultural resources during Ground Disturbance Activities. In addition, workers will be shown examples of the types of resources that would require notification of the archaeological monitor and tribal monitor. The Applicant shall maintain on the Project Site, for City inspection, documentation establishing the training was completed for all members of the construction crew involved in Ground Disturbance Activities.

In the event that any subsurface objects or artifacts that may be tribal cultural resources are encountered during the course of any Ground Disturbance Activities, all such activities shall temporarily cease within the area of discovery, the radius of which shall be determined by a qualified archeologist, in consultation with the tribal monitor, until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

1. Upon a discovery of a potential tribal cultural resource, the Applicant, or its successor, shall immediately stop all Ground Disturbance Activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project2; and (2) OHR.

2. If OHR determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be a tribal cultural resource, in its discretion and supported by substantial evidence, the City shall provide any affected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Applicant, or its successor, and the City regarding the monitoring of future Ground Disturbance Activities, as well as the treatment and disposition of any discovered tribal cultural resources.

3. The Applicant, or its successor, shall implement the tribe's recommendations if the qualified archaeologist retained by the City and paid for by the Applicant, in consultation with the tribal monitor, reasonably concludes that the tribe's recommendations are reasonable and feasible.

4. In addition to any recommendations from the applicable tribe(s), the qualified archeologist shall develop a list of actions that shall be taken to avoid or minimize impacts to the identified tribal cultural resources substantially consistent with best practices identified by the Native American Heritage Commission and in compliance with any applicable federal, state or local law, rule or regulation.

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2 It should be noted that in the event that any human remains affiliated with the Gabrielino Indians are encountered during Project construction, Mr. Robert Dorame (chair of the Gabrielino Tongva Indians of California Tribal Council) or current chair would be notified. Additionally, the chair of tribe would be notified if any cultural remains, deposits, or artifacts pertaining to the Gabrielino or Tongva were to be found during construction even if a Most Likely Descendant has been designated from another tribe.

5. If the Applicant, or its successor, does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist or qualified tribal monitor, the Applicant, or its successor, may request mediation by a mediator agreed to by the Applicant, or its successor, and the City. The mediator must have the requisite professional qualifications and experience to mediate such a dispute. The City shall make the determination as to whether the mediator is at least minimally qualified to mediate the dispute. After making a reasonable effort to mediate this particular dispute, the City may: (1) require the recommendation be implemented as originally proposed by the archaeologist or tribal monitor; (2) require the recommendation, as modified by the City, be implemented as it is at least as equally effective to mitigate a potentially significant impact; (3) require a substitute recommendation be implemented that is at least as equally effective to mitigate a potentially significant impact to a tribal cultural resource; or (4) not require the recommendation be implemented because it is not necessary to mitigate an significant impacts to tribal cultural resources. The Applicant, or its successor, shall pay all costs and fees associated with the mediation.

6. The Applicant, or its successor, may recommence Ground Disturbance Activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by both the qualified archaeologist and tribal monitor and determined to be reasonable and appropriate.

7. The Applicant, or its successor, may recommence Ground Disturbance Activities inside of the specified radius of the discovery site only after it has complied with all of the recommendations developed and approved pursuant to the process set forth in paragraphs 2 through 5 above.

8. Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to OHR, the South Central Coastal Information Center ("SCCIC") at California State University, Fullerton, and to the Native American Heritage Commission for inclusion in its Sacred Lands File.

9. Notwithstanding paragraph 8 above, any information that the Department of City Planning, in consultation with the City Attorney's Office, determines to be confidential in nature shall be excluded from submission to the SCCIC or provided to the public under the applicable provisions of the California Public Records Act, California Public Resources Code, section 6254(r), and handled in compliance with the City's AB 52 Confidentiality Protocols.

(D) Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding Tribal Cultural Resources.

(E) Rationale For Findings

Mitigation Measure TCR-MM-1 is included to provide for Native American monitoring. As set forth in Mitigation Measure TCR-MM-1, a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards and a qualified tribal monitor that is approved by the Gabrieleño Band of Mission Indians-Kizh Nation, would oversee and adjust monitoring

efforts as needed (increase, decrease, or discontinue monitoring frequency) based on the observed potential for construction activities to encounter tribal cultural deposits or related materials and as approved by the City. Following completion of construction, the qualified archaeologist would provide an archaeological monitoring report to the City and SCCIC with the results of the cultural monitoring program. Project-level impacts related to tribal cultural resources would be less than significant with the implementation of Mitigation Measure TCR-MM-1.

(F) References

Section IV.M, Tribal Cultural Resources, of the Draft EIR as well as Appendix R, and Final EIR, Section III, Revisions, Clarifications, and Corrections to the Draft EIR.

VIII. ENVIRONMENTAL IMPACTS FOUND TO BE SIGNIFICANT EVEN AFTER MITIGATION

The Final EIR determined that the environmental impacts set forth below are significant and unavoidable. In order to approve the Project with significant unmitigated impacts, the City is required to adopt a Statement of Overriding Considerations, which is set forth in Section XIII below. No additional environmental impacts other than those identified below will have a significant effect or result in a substantial or potentially substantial adverse effect on the environment as a result of the construction or operation of the Project. The City finds and determines that:

a. All significant environmental impacts that can be feasibly avoided have been eliminated, or substantially lessened through implementation of the project design features and/or mitigation measures; and

b. Based on the Final EIR, the Statement of Overriding Considerations set forth below, and other documents and information in the record with respect to the construction and operation of the project, all remaining unavoidable significant impacts, as set forth in these findings, are overridden by the benefits of the project as described in the Statement of Overriding Considerations for the construction and operation of the project and implementing actions.

1. Air Quality – Project and Cumulative Construction Regional Emissions

(A) Impact Summary

As detailed in Draft EIR Section IV.A, Air Quality, at pages IV.A-50 – IV.A-52 and IV.A-65, the emissions levels shown in Table IV.A-5 of the Draft EIR construction-related daily maximum regional construction emissions (i.e., combined on-site and off-site emissions) would not exceed the SCAQMD daily significance thresholds for VOC, CO, SOx, PM10, or PM2.5. Maximum unmitigated construction emissions would exceed the SCAQMD daily significance threshold for NOx, as a result of overlapping phases (i.e., combined demolition and grading/excavation, combined grading/excavation and concrete foundation, and combined grading/excavation and concrete mat foundation) over an approximate 12-month duration. Therefore, regional construction emissions resulting from the Project would result in a significant short-term impact.

According to the SCAQMD, individual construction projects that exceed the SCAQMD's recommended daily thresholds for project-specific impacts would cause a cumulatively considerable increase in emissions for those pollutants and precursors for which the Air Basin is in non-attainment. As presented in Table IV.A-5 on page IV.A-52, construction-related daily maximum regional construction emissions (i.e., combined on- and off-site emissions) without mitigation would exceed the SCAQMD daily significance thresholds for NOx, which is an ozone precursor, during the first year of construction, primarily as a result of grading/excavation and

the installation of the mat foundation. With incorporation of Mitigation Measures AIR-MM-1 and AIR-MM 2, maximum regional NOx emissions would be reduced by 56 percent during the first year of construction, but emissions would remain above the significance thresholds. While Mitigation Measures AIR-MM-3 through AIR-MM-6 would serve to reduce construction emissions, the measures are not readily quantifiable and were conservatively not included in the construction emissions inventory. Consequently, the Project would result in a significant cumulative impact due to construction-related regional NOX emissions.

(B) Project Design Features

No specific project design features are proposed with regard to air quality.

(C) Mitigation Measures

Mitigation Measure AIR-MM-1: All off-road diesel-powered equipment greater than 50 hp used during Project demolition, grading/excavation, and concrete foundation activities shall meet USEPA Tier 4 final emissions standards.

Mitigation Measure AIR-MM-2: The Project representative shall require operator(s)/construction contractor(s) to commit to using 2010 model year or newer engines that meet CARB's 2010 engine emission standards of 0.01 g/bhp-hr for particulate matter (PM) and 0.20 g/bhp-hr of NOX emissions or newer, cleaner trucks for: (1) haul trucks associated with demolition and grading activities; and (2) concrete delivery trucks during concrete mat foundation pours. To monitor and ensure 2010 model year or newer trucks are used at the Project Site, the Lead Agency shall require that truck operator(s)/construction contractor(s) maintain records of trucks during the applicable construction activities associated with the Project and make these records available to the Lead Agency upon request.

Mitigation Measure AIR-MM-3: All construction equipment shall be properly tuned and maintained in accordance with the manufacturer's specifications. Prior to the commencement of any construction activities, contractors must submit documentation to demonstrate the ability to maintain all construction equipment properly tuned and maintained. The contractor shall keep documentation on-site demonstrating that the equipment has been maintained in accordance with the manufacturer's specifications.

Mitigation Measure AIR-MM-4: Contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. During construction, regardless of their weight, trucks and vehicles in loading and unloading queues shall have their engines turned off after five minutes when not in use, to reduce vehicle emissions.

Mitigation Measure AIR-MM-5: To the extent possible, petroleum-powered construction activity shall utilize electricity from power poles rather than temporary diesel power generators and/or gasoline power generators. If stationary petroleum-powered construction equipment, such as generators, must be operated continuously, such equipment shall be located at least 100 feet from sensitive land uses, whenever possible.

Mitigation Measure AIR-MM-6: The Project would include the use of solar-powered generators, to the extent commercially available and feasible, should generators be required during construction.

(D) Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding Project Air Quality Construction Regional Emissions. However,

these effects have not been reduced to less than significant. Pursuant to Public Resources Code, section 21081(a)(3), the City finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(E) Rationale For Finding

Mitigation Measure AIR-MM-1, which requires the use of EPA Tier 4 final emissions compliant equipment, would reduce peak daily construction NOx emissions. Mitigation Measure AIR-MM-2, which requires use of Model Year 2010 and newer trucks during demolition, grading and concrete pouring activities would also reduce Project construction NOx emissions. With implementation of Mitigation Measures AIR-MM-1 and AIR-MM-2, daily construction NOx emissions would be reduced from 239 pounds per day to 106 pounds per day. However, the Project's short-term construction activities would still exceed the SCAQMD significance threshold of 100 pounds per day of NOx. Mitigation Measures AIR-MM-3 through AIR-MM-6, would also reduce criteria pollutant emissions (including NOx) during Project construction activities. However, quantification of these mitigation measures is not feasible due to factors such as the number of construction equipment manufacturers that each have their own specifications regarding engine tuning and the extent of the use of solar generators. Although Mitigation Measures AIR-MM-3 through AIR-MM-6 are included as part of the Project, the level of emissions after mitigation does not fully account for these measures. Therefore, Project construction NOx emissions would still exceed the SCAQMD's significance threshold of 100 pounds per day, resulting in significant and unavoidable Project-level and cumulative regional impacts. Project construction emissions for VOC, CO, SOX, PM10, and PM2.5 would remain below SCAQMD significance thresholds.

With incorporation of Mitigation Measures AIR-MM-1 and AIR-MM-2, maximum regional NOX emissions would be reduced by 56 percent during the first year of construction, but emissions would remain above the significance thresholds. As discussed above, while Mitigation Measures AIR-MM-3 through AIR MM-6 would serve to reduce construction emissions, the measures are not readily quantifiable and were conservatively not included in the construction emissions inventory. Consequently, the Project would result in a significant impact due to construction-related regional NOx emissions.

(F) Reference

Section IV.A, Air Quality, and Appendices C.1 (Air Quality and Greenhouse Gas Emissions Methodology), C.2 (Air Quality Worksheet and Modeling Output Files) and D (Air Quality and Health Effects) of the Draft EIR; Final EIR, Section III, Revisions, Clarifications, and Corrections to the Draft EIR.

2. Noise

(A) Impact Summary

(i) Project-Level On-Site Construction Noise

As detailed in Draft EIR Section IV.I, Noise, pages IV.I-25 through IV.I-30, and the Tables therein, noise impacts from Project-related construction activities occurring within or adjacent to the Project Site would be a function of the noise generated by construction equipment, the location of the equipment, the timing and duration of the noise-generating construction activities, and the relative distance to noise-sensitive receptors. Construction activities for the Project would generally include demolition, site grading and excavation for the subterranean parking garage, and building construction. Each stage of construction would involve the use of various

types of construction equipment and would, therefore, have its own distinct noise characteristics. Demolition generally involves the use of backhoes, front-end loaders, and heavy-duty trucks. Grading and excavation typically requires the use of earth-moving equipment, such as excavators, front-end loaders, and heavy-duty trucks. Building construction typically involves the use of cranes, forklifts, concrete trucks, pumps, and delivery trucks. Noise from construction equipment would generate both steady-state and episodic noise that could be heard within and adjacent to the Project Site.

As provided in Project Design Feature NOI-PDF-1, construction equipment would have proper noise muffling devices per the manufacturer's standards. Individual pieces of construction equipment anticipated to be used during construction of the Project could produce maximum noise levels (L_{max}) of 74 dBA to 90 dBA at a reference distance of 50 feet from the noise source, as shown in Table IV.I-10 on Draft EIR page IV.I-28. These maximum noise levels would occur when equipment is operating under full power conditions (i.e., the equipment engine at maximum speed). However, equipment used on construction sites often operates under less than full power conditions, or part power. To more accurately characterize construction-period noise levels, the average (hourly L_{eq}) noise level associated with each construction phase is calculated based on the quantity, type, and usage factors for each type of equipment that would be used during each construction phase. These noise levels are typically associated with multiple pieces of equipment operating on part power, simultaneously.

Table IV.I-11 on Draft EIR page IV.I-29 provides the estimated construction noise levels for various construction phases at the seven off-site noise-sensitive receptor locations (R1–R7) and the on-site Elysian apartment building. To present a conservative impact analysis, the estimated noise levels were calculated for a scenario in which all pieces of construction equipment were assumed to operate simultaneously and be located at the construction area nearest to the affected receptors. These assumptions represent the worst-case noise scenario because construction activities would typically be spread out throughout the Project Site, and, thus, some equipment would be farther away from the affected receptors. In addition, the noise modeling assumes that construction noise is constant, when, in fact, construction activities and associated noise levels are periodic and fluctuate based on the construction activities.

As discussed above, since construction activities would occur over a period longer than 10 days for all phases combined, the corresponding significance criteria used in the construction noise analysis is when the construction-related noise exceeds the ambient L_{eq} noise level of 5 dBA at a noise-sensitive use. As indicated in Table IV.I-11 on Draft EIR page IV.I-29, the estimated noise levels during all stages of Project construction combined would exceed the significance criteria at all the representative off-site receptor locations, with the exception of receptor location R4. The estimated construction-related noise would exceed the significance threshold by a range of 5.5 dBA at the uses represented by receptor location R7 to up to 22.3 dBA at the uses represented by receptor location R2, without implementation of mitigation. In addition, the estimated noise levels at the on-site Elysian apartment building would exceed the significance threshold by up to 32.7 dBA with construction equipment operating adjacent to the building. Therefore, temporary noise impacts associated with the Project's on-site construction would be significant.

(i) Project-Level Off-Site Construction Noise

As detailed in Draft EIR Section IV.I, Noise, pages IV.I-30 through IV.I-31, off-site noise sources may include materials delivery, concrete mixing, and haul trucks (construction trucks), as well as construction worker vehicles accessing the Project Site during construction. Typically, construction trucks generate higher noise levels than construction worker vehicles. The major noise sources associated with off-site construction trucks would be from the material

delivery/concrete/haul trucks. Construction haul trucks would travel between the Project Site and US-101 or I-10 via Alvarado Street, Sunset Boulevard, Cesar Chavez Avenue, Beaudry Avenue, Grand Avenue, and Mission Road. In addition, material delivery and concrete trucks would also utilize Figueroa Terrace, College Avenue, Temple Street, Figueroa Street, Alpine Street, Alameda Street and Main Street. There are no noise sensitive uses along the Bartlett Street, Beaudry Avenue (between Sunset Boulevard and Alpine Street), Mission Road, and Alameda Street roadway segments.

As discussed in Section IV.K, Transportation, of the Draft EIR, the peak period (i.e., daily number of truck trips) of construction with the highest number of construction trucks would occur during the mat foundation phase, which would occur for a duration of up to 10 days. During this phase, there would be a maximum of 700 construction trucks (700 concrete trucks) coming to and leaving the Project Site (equal to 1,400 total trips) per day. In addition, there would be a total of 150 worker trips to and from the Project Site on a daily basis during the mat foundation phase.

In Table IV.I-12 on page IV.I-32 of the Draft EIR provides the estimated number of construction-related truck trips, including haul/concrete/material delivery trucks and worker vehicles, and the estimated noise levels along the anticipated truck route(s). As indicated in Table IV.I-12, the hourly noise levels generated by construction trucks during all stages of Project construction would be consistent with the existing daytime ambient noise levels along Alvarado Street, Main Street, Temple Street, Grand Avenue, Beaudry Avenue, Sunset Boulevard, and Cesar Chavez Avenue (between the Project Site and the nearest freeway onramps) and, therefore, would be below significance criteria of 5-dBA increase over the ambient noise level. However, the estimated construction trucks noise along Alpine Street, Figueroa Terrace, and College Avenue (between the Project Site and the cement plant) would exceed the 5-dBA significance threshold during the concrete pour (Figueroa Terrace, College Avenue, and Alpine Street) and during all other construction phases (Alpine Street). Therefore, temporary noise impacts from off-site construction traffic would be significant.

(ii) Project-Level On-Site Construction Vibration (Human Annoyance)

As detailed in Draft EIR Section IV.I, Noise, pages IV.I-52 through IV.I-53, and the Tables IV.I-21 and IV.I.22, per FTA guidance, the significance criteria for human annoyance is 72 VdB for sensitive uses, including residential (receptor locations R1 to R6) and hotel (receptor location R7) uses, assuming there are a minimum of 70 vibration events occurring during a typical construction day. As indicated in IV.I-22, the estimated ground-borne vibration levels from construction equipment would be below the significance criteria for human annoyance at all off-site sensitive receptor locations, with the exception of receptor locations R1 and R2 and at the on-site Elysian residential building. The estimated ground-borne vibration levels at receptor locations R1 and R2 would be up to 74 VdB and up to 96 VdB at the on-site Elysian residential building, which would exceed the 72 VdB significance criteria during the demolition and grading/excavation phases with large construction equipment (i.e., large bulldozer, caisson drilling, and loaded trucks) operating within 80 feet of receptor locations R1 and R2 and at the Elysian residential building. Therefore, on-site vibration impacts during construction of the Project, pursuant to the significance criteria for human annoyance, would be significant.

(iii) Project-Level Off-Site Construction Vibration (Human Annoyance)

As detailed in Draft EIR Section IV.I, Noise, page IV.I-53 per FTA guidance, the significance criteria for human annoyance is 72 VdB for sensitive uses, including residential, hotel, and theater uses. It should be noted that buses and trucks rarely create vibration that exceeds 70 VdB at 50 feet from the receptor unless there are bumps in the road. The estimated vibration levels generated by construction trucks traveling along the anticipated haul route were assumed

to be within 25 feet of the sensitive use (i.e., residential and motel uses) along the anticipated truck routes (Alvarado Street, Sunset Boulevard, Cesar Chavez Avenue, Figueroa Terrace, Alpine Street, Beaudry Avenue, Temple Street, Grand Avenue, Figueroa Street, Figueroa Terrace, College Avenue, and Main Street). As indicated in the noise calculation worksheets included in Appendix K of the Draft EIR, the temporary vibration levels could reach approximately 72 VdB periodically as trucks pass sensitive receptors along the anticipated haul route(s) at 25 feet. Therefore, the residential and motel uses along the anticipate haul routes would be exposed to ground-borne vibration levels up to 72 VdB, which would be at the 72-VdB significance criteria from the construction trucks. As such, potential vibration impacts with respect to human annoyance that would result from temporary and intermittent off-site vibration from construction trucks traveling along the anticipated haul route(s) would be significant.

(iv) Cumulative On-Site Construction Noise

As discussed in Draft EIR Section IV.I, Noise, page IV.I-56,89 related projects have been identified in the vicinity of the Project Site. Noise from construction of development projects is typically localized and has the potential to affect noise-sensitive uses within 500 feet from the construction site, based on the *L.A. CEQA Thresholds Guide* screening criteria. Thus, noise from construction activities for two projects within 1,000 feet of each other can contribute to a cumulative noise impact for receptors located midway between the two construction sites. While the majority of the related projects are located a substantial distance (greater than 1,000 feet) from the Project Site, the following two related projects are within 1,000 feet of the Project Site: Related Project 29 (Sunset Everett Mixed Use) and Related Project 32 (1013 Everett Street Project). Construction-related noise levels from the related projects would be intermittent and temporary and it is anticipated that, as with the Project (under both development scenarios), the related projects would comply with the construction hours and other relevant provisions set forth in the LAMC. Noise associated with cumulative construction activities would be reduced to the degree reasonably and technically feasible through proposed mitigation measures for each individual related project and compliance with locally adopted and enforced noise ordinances. Moreover, as to Related Project 32, there are intervening buildings between that Project and the proposed Project such that cumulative on-site construction noise impacts would not be significant. Therefore, there would be potential cumulative noise impacts at the nearby sensitive uses (e.g., residential uses) located in proximity to the Project Site and Related Project No. 29, in the event of concurrent construction activities. As such, cumulative noise impacts from on-site construction would be significant, and the Project's contribution would be cumulatively considerable.

(v) Cumulative Off-Site Construction Noise

As discussed in Draft EIR Section IV.I, Noise, page IV.I-57 off-site construction haul trucks would have a potential to result in cumulative impacts, if the trucks for the related projects and the Project were to utilize the same haul route. As detailed in Table IV.I-12 on Draft EIR page IV.I-29, the estimated off-site construction noise levels would exceed the significance criteria along some of the anticipated truck routes, including Alpine Street, Figueroa Terrace, and College Avenue. Therefore, any additional number of trucks from the Project and related projects would incrementally increase the noise levels, which would contribute to cumulative impacts. Related Project No. 66 (Kaiser Medical Center) located at 765 College Street (adjacent to one of the Project's truck routes) could utilize the same truck routes (i.e., College Street and Figueroa Terrace) as the Project (construction truck route Option 5). Therefore, cumulative noise due to construction truck traffic from the Project and other related projects has the potential to increase the ambient noise levels along the truck route by 5 dBA. As such, cumulative noise impacts from off-site construction would be significant.

(vi) Cumulative Off-Site Construction Vibration (Human Annoyance)

As discussed in Draft EIR Section IV.I, Noise, page IV.I-63 Based on FTA data, the vibration generated by a typical heavy truck would be approximately 63 VdB (0.00566 PPV) at a distance of 50 feet from the truck. In addition, according to the FTA "[i]t is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads." There are existing buildings that are approximately 20 feet from the right of-way of the anticipated haul route for the Project (i.e., Cahuenga Boulevard and Hollywood Boulevard). These buildings are anticipated to be exposed to ground-borne vibration levels of approximately 0.022 PPV. Trucks from the related projects are expected to generate similar ground-borne vibration levels. Therefore, the vibration levels generated from off-site construction trucks associated with the Project and other related projects along the anticipated haul route would be below the most stringent building damage significance criteria of 0.12 PPV for buildings extremely susceptible to vibration. Therefore, potential cumulative vibration impacts with respect to building damage from off-site construction would be less than significant.

As discussed above, potential vibration impacts associated with temporary and intermittent vibration from project-related construction trucks traveling along the anticipated haul route would be significant with respect to human annoyance. As three related projects would be anticipated to use similar trucks as the Project, it is anticipated that construction trucks would generate similar vibration levels along the anticipated haul route. Therefore, to the extent that other related projects use the same haul route as the Project, potential cumulative human annoyance impacts associated with temporary and intermittent vibration from haul trucks traveling along the designated haul routes would be significant.

(B) Project Design Features

Project Design Feature NOI-PDF-1: Power construction equipment (including combustion engines), fixed or mobile, will be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards). All equipment will be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.

Project Design Feature NOI-PDF-2: All outdoor mounted mechanical equipment will be enclosed or screened from off-site noise-sensitive receptors.

Project Design Feature NOI-PDF-3: All loading docks and trash collecting areas will be acoustically screened from off-site noise-sensitive receptors.

Project Design Feature NOI-PDF-4: Project construction will not include the use of driven (impact) pile systems.

Project Design Feature NOI-PDF-5: Outdoor amplified sound systems, if any, will be designed so as not to exceed the maximum noise level of 85 dBA ($L_{eq\text{-}1hr}$) at a distance of 25 feet from the amplified speaker sound systems at the Sunset Building Roof Deck. A qualified noise consultant will provide written documentation that the design of the system complies with these maximum noise levels.

Project Design Feature NOI-PDF-6: The occupancy for the Elysian Parking outdoor roof deck will be limited to 150 people. The occupancy limitation shall be indicated on a sign that is readily visible within the outdoor roof deck.

(C) Mitigation Measures

Mitigation Measure NOI-MM-1: A temporary and impermeable sound barrier shall be erected at the locations listed below prior to the start of construction activities. At plan check, building

plans shall include documentation prepared by a noise consultant verifying compliance with this measure.

- Along the eastern property line of the Project Site between the construction areas and the residential uses on the east side of White Knoll Drive and Alpine Street east of the Project Site (receptor locations R1, R2 and R3). The temporary sound barrier shall be designed to provide a minimum 18-dBA noise reduction at the ground level of receptor location R1, 15 dBA noise reduction at receptor location R2 and 9 dBA noise reduction at the ground level of receptor location R3.
- Along the northern property line of the Project Site between the construction areas and residential use on Boylston Street (receptor location R5). The temporary sound barrier shall be designed to provide a minimum 10-dBA noise reduction at the ground level of receptor location R5.
- Along the western property line of the Project Site between the construction areas and residential uses on Sunvue Place (receptor location R6) and the motel on the west side Sunset Boulevard (receptor location R7). The temporary sound barrier shall be designed to provide a minimum 11-dBA and 6-dBA noise reduction at the ground level of receptor locations R6 and R7, respectively.
- Along the south side of the on-site Elysian residential building between the construction area. The temporary sound barrier shall be designed to provide a minimum 15-dBA noise reduction at the ground level of the Elysian residential building.

(D) Finding

(i) Project-Level On-Site Construction Noise

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding Project-Level On-Site Construction Noise. However, these effects have not been reduced to less than significant. Pursuant to Public Resources Code, section 21081(a)(3), the City finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(ii) Project-Level Off-Site Construction Noise

Pursuant to Public Resources Code, section 21081(a)(3), the City finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(iii) Project-Level On-Site Vibration (Human Annoyance)

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding Project-Level On-Site Vibration (Human Annoyance). However, these effects have not been reduced to less than significant. Pursuant to Public Resources Code, section 21081(a)(3), the City finds that specific economic, legal, social, technological, or

other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(iv) Project-Level Off-Site Vibration (Human Annoyance)

Pursuant to Public Resources Code, section 21081(a)(3), the City finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(v) Cumulative On-Site Construction Noise

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding Cumulative On-Site Construction Noise. However, these effects have not been reduced to less than significant. Pursuant to Public Resources Code, section 21081(a)(3), the City finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(vi) Cumulative Off-Site Construction Noise

Pursuant to Public Resources Code, section 21081(a)(3), the City finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(vii) Cumulative Off-Site Construction Vibration (Human Annoyance)

Pursuant to Public Resources Code, section 21081(a)(3), the City finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(E) Rationale for Finding

(i) Project-Level On-Site Construction Noise

Implementation of Mitigation Measure NOI-MM-1 would reduce the Project's construction noise levels to the extent feasible. Specifically, implementation of Mitigation Measure NOI-MM-1 (installation of temporary sound barrier) would reduce the noise generated by on-site construction activities at the off-site sensitive uses by a minimum 18 dBA at the residential uses on at the northeast corner of Beaudry Avenue and Alpine Street (receptor location R1), by 15 dBA at the residential uses on the east side of Alpine Street and White Knoll Drive (receptor location R2), by a minimum 9 dBA at the residential uses on White Knoll Drive north of Alpine Street (receptor location R3), by 10 dBA at the residential uses on Boylston Street (receptor location R5), by 11 dBA at the ground level of the residential uses on Sunvue Place (receptor location R6), by 6 dBA at the motel use on the Sunset Boulevard (receptor location R7), and by 15 dBA at the ground level of the on-site Elysian residential building. As presented in Table IV.I-20 on page IV.I-48 of the Draft EIR, the estimated construction-related noise levels at the uses represented by off-site sensitive receptor locations R1, R3, R4, R5, and R7 would be reduced to below a level of significance with implementation of Mitigation Measure NOI-MM-1. The temporary sound barrier specified for receptor location R6 would not be effective in

reducing the construction-related noise levels at the upper levels of the residential buildings along Sunvue Place (up to four stories) due to the higher ground elevation relative to the Project Site. In order to be effective, the temporary noise barrier would need to be as high as the building (i.e., four stories), which would not be feasible (i.e., cost prohibitive). Similarly, the temporary sound barrier would not be effective in reducing the construction-related noise at the upper levels of the Elysian residential building (seven stories). In order to be effective, the temporary noise barrier would need to be as high as the building (i.e., seven stories), which would not be feasible (i.e., cost prohibitive). In addition, with the implementation of Mitigation Measured NOI MM-1, the construction-related noise at receptor location R2 would still exceed the significance threshold by 7.3 dBA. There are no other feasible mitigation measures to further reduce the construction noise at receptor locations R2, R6, and the Elysian residential building to below the significance threshold. Therefore, construction noise impacts associated with on-site noise sources would remain significant and unavoidable.

(ii) Project-Level Off-Site Construction Noise

Noise impacts from off-site construction would be significant. There are no feasible mitigation measures to reduce the temporary significant noise impacts associated with the off-site construction trucks. As such, noise impacts from off-site construction would be significant and unavoidable.

(iii) Project-Level On-Site Vibration (Human Annoyance)

Implementation of Mitigation Measure NOI-MM-2 would reduce the vibration impacts with respect to human annoyance for the sensitive receptors at location R1). However, project-level vibration impacts from on-site construction activities would still exceed the 72 VdB significance criteria. Other mitigation measures considered to reduce vibration impacts from on-site construction activities with respect to human annoyance included the installation of a wave barrier, which is typically a trench or a thin wall made of sheet piles installed in the ground (essentially a subterranean sound barrier to reduce noise). However, wave barriers must be very deep and long to be effective and are not considered cost effective for temporary applications, such as construction. In addition, constructing a wave barrier to reduce the Project's construction-related vibration impacts would, in and of itself, generate ground-borne vibration from the excavation equipment. Thus, it is concluded that there are no feasible mitigation measures that could be implemented to reduce the temporary vibration impacts from on-site construction associated with human annoyance to a less-than-significant level. Therefore, project-level vibration impacts from on-site construction activities with respect to human annoyance would remain significant and unavoidable.

(iv) Project-Level Off-Site Vibration (Human Annoyance)

Vibration impacts (pursuant to the significance criteria for human annoyance) associated with off-site construction activities were determined to be significant without mitigation. There are no feasible mitigation measures to reduce the temporary significant vibration impacts associated with the off-site construction. Therefore, vibration impacts from off-site construction with respect to human annoyance would remain significant and unavoidable.

(v) Cumulative On-Site Construction Noise

Implementation of Mitigation Measure NOI-MM-1 would reduce the cumulative construction noise levels to the extent feasible. However, there would be potential cumulative noise impacts at the nearby sensitive uses (e.g., residential uses) located in proximity to the Project Site and Related Project No. 29, in the event of concurrent construction activities. Noise associated with cumulative construction activities would be reduced to the degree reasonably and technically

feasible through proposed mitigation measures (e.g., providing temporary noise barriers) for each individual related project. However, even with these mitigation measures, cumulative noise impacts would continue to occur and there are no other physical mitigation measures that would be feasible. As such, cumulative on-site noise impacts from on-site construction remain be significant and unavoidable.

(vi) Cumulative Off-Site Construction Noise

Cumulative noise impacts associated with off-site construction trucks from the Project and other related projects could occur. Conventional mitigation measures, such as providing temporary noise barrier walls to reduce the off-site construction truck traffic noise impacts, would not be feasible as the barriers would obstruct the access and visibility to the properties along the anticipated truck routes. There are no other feasible mitigation measures to reduce the temporary significant noise impacts associated with the cumulative off-site construction trucks. As such, cumulative noise impacts from off-site construction would be significant and unavoidable.

(vii) Cumulative Off-Site Construction Vibration (Human Annoyance)

Cumulative vibration levels from construction trucks would exceed the significance criteria for human annoyance at vibration sensitive receptors along the anticipated construction routes. There are no feasible mitigation measures to reduce the potential vibration human annoyance impacts. Even though impacts would be temporary, intermittent, and limited to daytime hours when haul trucks are traveling within 20 feet of a sensitive receptor, cumulative vibration impacts from off-site construction with respect to human annoyance would remain significant and unavoidable.

(F) Reference

Section IV.I, Noise, and noise calculation worksheets contained in Appendix K, of the Draft EIR; Final EIR, Section III, Revisions, Clarifications, and Corrections to the Draft EIR.

IX. ALTERNATIVES TO THE PROJECT

CEQA requires that an EIR analyze a reasonable range of feasible alternatives that could substantially reduce or avoid the significant impacts of a project while also meeting the project's basic objectives. An EIR must identify ways to substantially reduce or avoid the significant effects that a project may have on the environment (PRC Section 21002.1). Accordingly, the discussion of alternatives shall focus on alternatives to a project or its location which are capable of avoiding or substantially reducing any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly. The Draft EIR evaluated a reasonable range of six alternatives to the Project in detail, which include the (1) No Project/No Build Alternative; (2) Zoning-Compliant-Use Alternative; (3) Office Campus Alternative; (4) Retail and Residential Mixed-Use Alternative, (5) Reduced Density Alternative, and (6) Residential Townhomes Alternative. In accordance with CEQA requirements, the alternatives to the Project include a "No Project" alternative and alternatives capable of eliminating the significant adverse impacts of the project. These alternatives and their impacts, which are summarized below, are more fully described in Section V of the Draft EIR.

1. Summary of Findings

Based upon the following analysis, the City finds, pursuant to CEQA Guidelines Section 15096(g)(2), that no feasible alternative or mitigation measure will substantially lessen any significant effect of the project, reduce the significant unavoidable impacts of the project to a

level that is less than significant, or avoid any significant effect the project would have on the environment

2. Project Objectives

Section 15124(b) of the CEQA Guidelines states that a project description shall contain a "Statement of the objectives sought by the proposed project." In addition, Section 15124(b) of the CEQA Guidelines further states that "the statement of objectives should include the underlying purpose of the project."

The underlying purpose of the Project is to revitalize an underutilized site by providing a high-density, mixed-use and transit- and pedestrian-oriented development that provides a mix of new housing opportunities that are integrated with commercial and office uses that provide new employment and commercial opportunities for the surrounding community. As set forth in the CEQA Guidelines, the Project's base and fundamental objectives are:

- Advance the Central City North Community Plan's Policy 1.2-1 by providing multi-family residential development within a Project Site that is commercially zoned.

- Consistent with Central City North Community Plan Objective 1-3 to develop a project that preserves and enhances the varied and distinct residential character and integrity of existing residential neighborhoods by providing a mix of architectural structures that are compatible with the varied scale of surrounding uses.

- Consistent with the Central City North Community Plan's Objective 1-4 to promote the provision of new and adequate housing for all persons, including affordable housing units and units for rent and for sale by providing a mix of unit types, including affordable housing units.

- Promote the Central City North Community Plan's Objective 2-1 to strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services by providing a variety of commercial uses, including office space, retail and restaurant space.

- In support of Objective 1-2 and Goal 12 of the Central City North Community Plan, encourage the reduction in vehicle trips by designing a project that includes infrastructure for walking and cycling and ride-sharing hubs and transit nodes for bus and shuttle pick-up.

- In support of the Central City North Community Plan's Goal 4 to provide adequate recreation and park facilities which meet the needs of the residents in the Community Plan area, create a pedestrian-friendly project by introducing active commercial uses along the Project Site frontages, incorporate pedestrian paseos transection the Project Site, provide publicly accessible open space, and improved streetscapes around the Project Site.

3. Project Alternatives Analyzed

(A) Alternative 1 – No Project Alternative

Alternative 1, the No Project Alternative assumes that the Project would not be approved, no new permanent development would occur within the Project Site, and the existing environment would be maintained. Thus, the physical conditions of the Project Site would generally remain as they are today. Specifically, the existing vacant buildings, as well as the surface parking areas would remain on the Project Site, and no new construction would occur.

(i) Impact Summary

Alternative 1 would avoid the Project's significant and unavoidable environmental impacts, including those related to regional air quality emissions during construction, on- and off-site construction noise, and vibration from on- and off site construction with respect to the significance threshold for human annoyance. Furthermore, Alternative 1 would avoid the Project's significant and unavoidable cumulative regional air quality impacts during construction, cumulative construction noise impacts from on site and off site noise sources, and cumulative vibration impacts associated with off-site construction, pursuant to the significance threshold for human annoyance. Alternative 1 would also avoid most of the Project's remaining less-than-significant and less-than-significant with mitigation impacts, as no changes to the existing conditions would occur. However, as Alternative 1 would not implement best management practices that would improve stormwater flows, this alternative would result in a greater impact with respect to surface water quality, surface water hydrology, and groundwater hydrology during operation. In addition, without updating the existing older and more energy consuming buildings, Alternative 1 would result in a greater impact associated with energy use compared to the Project.

(ii) Finding

The City finds, pursuant to PRC Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations make infeasible the No Project Alternative, as described in the Draft EIR.

(iii) Rationale for Findings

Alternative 1 would avoid the Project's significant and unavoidable environmental impacts. However, Alternative 1 would not meet the Project's underlying purpose, or achieve any of the Project objectives. No changes to existing land uses or operations on-site would occur under Alternative 1. Alternative 1 would avoid the Project's significant and unavoidable environmental impacts, including those related to regional air quality emissions during construction, on- and off site construction noise, and vibration from on- and off site construction with respect to the significance threshold for human annoyance. Furthermore, Alternative 1 would avoid the Project's significant and unavoidable cumulative regional air quality impacts during construction, cumulative construction noise impacts from on site and off site noise sources, and cumulative vibration impacts associated with off-site construction, pursuant to the significance threshold for human annoyance. Alternative 1 would also avoid most of the Project's remaining less-than-significant and less-than-significant with mitigation impacts as no changes to the existing conditions would occur. However, as Alternative 1 would not implement best management practices that would improve stormwater flows, this alternative would result in a greater impact with respect to surface water quality, surface water hydrology, and groundwater hydrology during operation. In addition, without updating the existing older and more energy consuming buildings, Alternative 1 would result in a greater impact associated with energy use compared to the Project.

(iv) Reference

Section V, Alternatives, of the Draft EIR.

(B) Alternative 2 – Zoning Compliant Alternative

Alternative 2, the Zoning Compliant Alternative, considers development of the Project Site in accordance with the parameters set forth by the existing land use designation and zoning on the Project Site, which are General Commercial and C2-2D (Commercial Zone, Height District 2 with Development Limitation), respectively, as an additional No Project Alternative. Alternative

2 would include the development of a mixed use project, including 587 residential units, 48,000 square feet of office space, and 75,000 square feet of general commercial floor area, including food and beverage uses. As compared to the Mixed Use Development Scenario, Alternative 2 would construct 150 fewer residential units, would eliminate the hotel, and would construct 20,000 less square feet of commercial uses. As compared to the No Hotel Development Scenario, Alternative 2 would construct 240 fewer residential units and would construct 20,000 less square feet of commercial uses. Overall, Alternative 2 would construct 708,418 square feet of new floor area within the Project Site, a reduction of 285,029 square feet compared to the Project, and would result in a net FAR of 2.58:1. As with the Project, implementation of the Zoning Compliant Alternative would require the removal of the existing vacant buildings within the Project Site that together comprise approximately 114,600 square feet.

(i) Impact Summary

Alternative 2 would not eliminate any of the Project's significant and unavoidable impacts. Specifically, the Project's significant and unavoidable impacts related to regional air quality emissions during construction; on- and off-site construction noise; and vibration from on- and off-site construction with respect to the significance threshold for human annoyance would remain with the Zoning Compliant Alternative. Additionally, Alternative 2 would not avoid the Project's significant and unavoidable cumulative regional air quality impacts during construction; cumulative construction noise impacts from on-site and off-site noise sources; and cumulative vibration impacts associated with off-site construction, pursuant to the significance threshold for human annoyance. In addition, since this Alternative would result in a greater average household VMT per capita and a greater average work VMT per employee than the No-Hotel Development Scenario, Alternative 2 would result in a greater impact associated with VMT. The remaining impacts would be similar to or less than those of the Project.

(ii) Finding

The City finds, pursuant to PRC Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, make infeasible Alternative 2, as described in the Draft EIR.

(iii) Rationale for Finding

Alternative 2 would not avoid the Project's significant and unavoidable impacts. Moreover, Alternative 2 would not meet several of the Project objectives, and would meet other objectives to a lesser extent than the Project. Alternative 2 would not eliminate any of the Project's significant and unavoidable impacts. Specifically, the Project's significant and unavoidable impacts related to regional air quality emissions during construction; on- and off-site construction noise; and vibration from on- and off site construction with respect to the significance threshold for human annoyance would remain with the Zoning Compliant Alternative. Additionally, Alternative 2 would not avoid the Project's significant and unavoidable cumulative regional air quality impacts during construction; cumulative construction noise impacts from on site and off site noise sources; and cumulative vibration impacts associated with off-site construction, pursuant to the significance threshold for human annoyance. In addition, since this Alternative would result in a greater average household VMT per capita and a greater average work VMT per employee than the No-Hotel Development Scenario, Alternative 2 would result in a greater impact associated with VMT. The remaining impacts would be similar to or less than those of the Project.

With the reduction in residential and commercial uses and the elimination of the proposed hotel (under the Mixed Use Development Scenario), Alternative 2 would not fully meet the underlying purpose of the Project to provide a high-density, mixed use, and transit- and pedestrian-oriented development that includes new housing opportunities that are integrated with commercial and

office uses that provide new employment and commercial opportunities for the surrounding community, including a hotel use (under the Mixed Use Development Scenario), which Alternative 2 does not include. In addition, Alternative 2 would only partially meet most of the Project objectives, as Alternative 2 would include only office and commercial space and less residential units.

(iv) Reference

Section V, Alternatives, of the Draft EIR.

(C) Alternative 3 –Office Campus Alternative

Alternative 3, the Office Campus Alternative, would include the development of a 708,418-square-foot office campus, including 633,418 square feet of office uses and 75,000 square feet of ancillary retail and restaurant space. The Office Campus Alternative would not include any residential or hotel uses as proposed by the Project. As with the Project, the existing vacant buildings and surface parking areas within the Project Site would be removed. Overall, Alternative 3 would construct 708,418 square feet of new floor area within the Project Site, a reduction of 286,564 square feet compared to the Project's 994,982 square feet of new floor area within the Project Site, and would result in a net floor area ratio of 2.58:1.

(i) Impact Summary

The Office Campus Alternative would not avoid any of the Project's significant and unavoidable impacts. Specifically, the Project's significant and unavoidable impacts related to regional air quality during construction; on- and off-site construction noise; and vibration from on-site and off-site construction with respect to the significance threshold for human annoyance would remain with development of Alternative 3. The Office Campus Alternative also would not avoid the Project's significant and unavoidable cumulative impacts related to regional air quality during construction; construction noise from on-site and off-site noise sources; and vibration associated with off-site construction, pursuant to the significance threshold for human annoyance. In addition, since this Alternative would not provide for the synergy of uses as the Project, which could serve to reduce vehicle trips and VMT and associated air and GHG emissions, Alternative 3 would result in a greater impact associated with consistency with land use plan and policies and GHG emissions compared to the Project. All other impacts would be less than or similar to those of the Project.

(ii) Finding

The City finds, pursuant to PRC Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, make infeasible Alternative 3, as described in the Draft EIR.

(iii) Rationale for Findings

The Office Campus Alternative would not avoid any of the Project's significant and unavoidable impacts. With the elimination of the residential uses and proposed hotel use (under the Mixed Use Development Scenario), the Office Campus Alternative would not fully meet the underlying purpose of the Project to provide a high-density, mixed use, and transit- and pedestrian-oriented development. The Office Campus Alternative would not avoid any of the Project's significant and unavoidable impacts. Specifically, the Project's significant and unavoidable impacts related to regional air quality during construction; on- and off-site construction noise; and vibration from on-site and off-site construction with respect to the significance threshold for human annoyance would remain with development of Alternative 3. The Office Campus Alternative also would not avoid the Project's significant and unavoidable cumulative impacts related to regional air quality

during construction; construction noise from on-site and off-site noise sources; and vibration associated with off-site construction, pursuant to the significance threshold for human annoyance. In addition, since this Alternative would not provide for the synergy of uses as the Project, which could serve to reduce vehicle trips and VMT and associated air and GHG emissions, Alternative 3 would result in a greater impact associated with consistency with land use plan and policies and GHG emissions compared to the Project. All other impacts would be less than or similar to those of the Project.

With the elimination of the residential uses and proposed hotel use (under the Mixed Use Development Scenario), the Office Campus Alternative would not fully meet the underlying purpose of the Project to provide a high-density, mixed use and transit- and pedestrian-oriented development that includes new housing opportunities that are integrated with commercial and office uses that provide new employment and commercial opportunities for the surrounding community. In addition, Alternative 3 would not achieve the following Project objectives:

- Advance the Central City North Community Plan's Policy 1-2.1 by providing multi-family residential development within a Project Site that is commercially zoned.

- Consistent with the Central City North Community Plan's Objective 1-4 to promote the provision of new and adequate housing for all persons, including affordable housing units and units for rent and for sale.

- Support the Central City North Community Plan's Goal 4 to provide adequate recreation and park facilities which meet the needs of the residents in the Community Plan area, create a pedestrian-friendly project by introducing active commercial uses along the Project Site frontages, incorporate pedestrian paseos transecting the Project Site, provide publicly accessible open space, and improved streetscapes around the Project Site.

(iv) Reference

Section V, Alternatives, of the Draft EIR.

(D) Alternative 4 – Retail and Residential Mixed Use Alternative

Alternative 4, the Retail and Residential Mixed-Use Alternative, would eliminate the 48,000 square feet of office uses and the 180-room hotel proposed by the Project (under the Mixed Use Development Scenario) and would include the maximum number of residential units that could potentially be included as part of the Project (which, under the No-Hotel Development Scenario, could have up to 827 residential units). As with the Project, under either development scenario, 76 units would be set aside as affordable housing units. The retail/restaurant component would increase from 95,000 square feet to 200,000 square feet. Specifically, Alternative 4 would include 75,000 square feet of general retail, a 40,000-square-foot grocery store, a 25,000-square-foot health club/spa, a 30,000-square-foot restaurant, and a 30,000-square-foot movie theater. Overall, the Retail and Residential Mixed-Use Alternative would construct 994,447 square feet of new floor area within the Project Site with a net FAR of 3.65:1.

(i) Impact Summary

The Retail and Residential Mixed Use Alternative would not avoid any of the Project's significant and unavoidable impacts. Specifically, the Project's significant and unavoidable impacts related to regional air quality during construction, on- and off-site construction noise, and vibration from on- and off-site construction with respect to the significance threshold for human annoyance would remain significant with development of Alternative 4. The Retail and Residential Mixed Use Alternative also would not avoid the Project's significant and unavoidable cumulative

impacts related to regional air quality during construction, construction noise from on site and off site noise sources, and vibration associated with off-site construction pursuant to the significance threshold for human annoyance. Additionally, since this Alternative would not provide for the synergy of uses as the Project, which could serve to reduce vehicle trips and VMT and associated air and GHG emissions, Alternative 4 would result in a greater impact associated with land use consistency and GHG emissions compared to the Project. Furthermore, as a result of the increase in vehicle trips, Alternative 4 would result in significant and unavoidable impacts with respect to off-site operational noise. All other impacts would be similar to or less than those of the Project.

(ii) Finding

The City finds, pursuant to PRC Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, make infeasible Alternative 4, as described in the Draft EIR.

(iii) Rationale for Findings

The Retail and Residential Mixed Use Alternative would not avoid any of the Project's significant and unavoidable impacts. Specifically, the Project's significant and unavoidable impacts related to regional air quality during construction, on- and off-site construction noise, and vibration from on- and off-site construction with respect to the significance threshold for human annoyance would remain significant with development of Alternative 4. The Retail and Residential Mixed Use Alternative also would not avoid the Project's significant and unavoidable cumulative impacts related to regional air quality during construction, construction noise from on site and off site noise sources, and vibration associated with off-site construction pursuant to the significance threshold for human annoyance. In addition, impacts related to surface water hydrology during operation could be greater than those of the Project due to the increased impervious surfaces and employee population, respectively. Additionally, since this Alternative would not provide for the synergy of uses as the Project, which could serve to reduce vehicle trips and VMT and associated air and GHG emissions, Alternative 4 would result in a greater impact associated with land use consistency and GHG emissions compared to the Project. Furthermore, as a result of the increase in vehicle trips, Alternative 4 would result in significant and unavoidable impacts with respect to off-site operational noise. All other impacts would be similar to or less than those of the Project.

Alternative 4 would include the development of a mixed use project, including 827 residential units and 200,000 square feet of commercial uses. As compared to the Mixed Use Development Scenario, Alternative 4 would construct 90 more residential units, increase the commercial square footage by 105,000 square feet, and eliminate the office and hotel uses. As compared to the No-Hotel Development Scenario, Alternative 4 would increase the commercial square footage by 105,000 square feet and would eliminate the office and hotel uses. Overall, Alternative 4 would not meet the underlying purpose of the Project to provide a high-density, mixed use, and transit- and pedestrian-oriented development that includes new housing opportunities that are integrated with commercial and office uses that provide new employment and commercial opportunities for the surrounding community. In addition, without the office uses and proposed hotel (under the Mixed Use Development Scenario) uses proposed by the Project, Alternative 4 would not achieve the following Project objective to the same extent as the Project:

- Promote the Central City North Community Plan's Objective 2-1 to strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services by providing a variety of commercial uses, including office space, retail, and restaurant space.

(iv) Reference

Section V, Alternatives, of the Draft EIR.

(E) Alternative 5 – Reduced Density Alternative

Alternative 5, the Reduced Density Alternative, would reduce the amount of total new floor area proposed by the Project (under the Mixed Use Development Scenario) by approximately 35 percent. Specifically, Alternative 5 proposes the development of 479 dwelling units (none of which are affordable units), a 117-room hotel, 61,750 square feet of commercial uses, and 31,200 square feet of office uses. Overall, the Reduced Density Alternative would construct 646,738 square feet of new floor area (a reduction of 346,709 square feet compared to the Project) and would result in a net FAR of 2.37:1 compared to the Project's net FAR of 3.65:1.

(i) Impact Summary

The Reduced Density Alternative would not avoid the Project's significant and unavoidable impacts related to regional air quality emissions during construction, on- and off-site construction noise, and vibration from on- and off-site construction with respect to the significance threshold for human annoyance would remain with development of the Reduced Density Alternative. Alternative 5 also would not avoid the Project's significant and unavoidable cumulative impacts related to regional air quality during construction, construction noise from on site and off site noise sources, and vibration impacts associated with off-site construction, pursuant to the significance threshold for human annoyance. In addition, since this Alternative would result in a greater average household VMT per capita and a greater average work VMT per employee, Alternative 5 would result in a greater impact associated with VMT. All other impacts would be similar to or less than those of the Project.

(ii) Finding

The City finds, pursuant to PRC Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, =make infeasible Alternative 5, as described in the Draft EIR.

(iii) Rationale for Findings

The Reduced Density Alternative would not avoid any of the Project's significant and unavoidable impacts. In addition, since this Alternative would result in a greater average household VMT per capita and a greater average work VMT per employee, Alternative 5 would result in a greater impact associated with VMT. Alternative 5 would mostly meet the underlying purpose, but with the reduction in uses and elimination of affordable housing units, the Reduced Density Alternative would not achieve certain of the objectives to the same extent as the Project. Specifically, the Project's significant and unavoidable impacts related to regional air quality emissions during construction, on- and off-site construction noise, and vibration from on- and off site construction with respect to the significance threshold for human annoyance would remain with development of the Reduced Density Alternative. Alternative 5 also would not avoid the Project's significant and unavoidable cumulative impacts related to regional air quality during construction, construction noise from on site and off site noise sources, and vibration impacts associated with off-site construction, pursuant to the significance threshold for human annoyance. In addition, since this Alternative would result in a greater average household VMT per capita and a greater average work VMT per employee, Alternative 5 would result in a greater impact associated with VMT. All other impacts would be similar to or less than those of the Project.

With a similar mix of uses as the Mixed Use Development Scenario and the No-Hotel Development Scenario, Alternative 5 would mostly meet the underlying purpose of the Project to provide a high-density, mixed use, and transit- and pedestrian-oriented development that includes new housing opportunities that are integrated with commercial and office uses that provide new employment and commercial opportunities for the surrounding community. However, with the reduction in uses and elimination of affordable housing units, the Reduced Density Alternative would not achieve the following objectives to the same extent as the Project:

- Consistent with the Central City North Community Plan's Objective 1-4, promote the provision of new and adequate housing for all persons, including affordable housing units and units for rent and for sale.

- Promote the Central City North Community Plan's Objective 2-1 to strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services by providing a variety of commercial uses, including office space, retail, and restaurant space

(iv) Reference

Section V, Alternatives, of the Draft EIR.

(F) Alternative 6: Residential Townhomes Alternative

Alternative 6, the Residential Townhomes Alternative, would include the development of 250 multi-family residential townhome units. The Residential Townhomes Alternative would not include affordable housing units and would not develop any retail, office, or hotel uses proposed by the Project. As with the Project, the existing vacant buildings and surface parking areas within the Project Site would be removed. Alternative 6 would construct 300,000 square feet of new floor area within the Project Site, a reduction of 693,447 square feet compared to the Project's 994,982 square feet of new floor area within the Project Site, and would result in a net FAR of 1.10:1.

(i) Impact Summary

Alternative 6 would not eliminate any of the Project's significant and unavoidable impacts. Specifically, the Project's significant and unavoidable impacts related to regional air quality emissions during construction; on- and off-site construction noise; and vibration from on- and off-site construction with respect to the significance threshold for human annoyance would remain with the Residential Townhomes Alternative. Furthermore, Alternative 6 would not avoid the Project's significant and unavoidable cumulative regional air quality impacts during construction; cumulative construction noise impacts from on-site and off-site noise sources; cumulative and vibration impacts associated with off-site construction, pursuant to the significance threshold for human annoyance. In addition, since this Alternative would not provide for the synergy of uses as the Project, which could serve to reduce vehicle trips and associated air emissions, Alternative 6 would result in a greater impact associated with land use consistency and VMT compared to the Project. The remaining impacts would be similar to or less than those of the Project.

(ii) Finding

The City finds, pursuant to PRC Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, make infeasible Alternative 6, as described in the Draft EIR.

(iii) Rationale for Findings

Alternative 6 would not eliminate any of the Project's significant and unavoidable impacts. Specifically, the Project's significant and unavoidable impacts related to regional air quality emissions during construction; on- and off site construction noise; and vibration from on- and off site construction with respect to the significance threshold for human annoyance would remain with the Residential Townhomes Alternative. Furthermore, Alternative 6 would not avoid the Project's significant and unavoidable cumulative regional air quality impacts during construction; cumulative construction noise impacts from on site and off site noise sources; cumulative and vibration impacts associated with off-site construction, pursuant to the significance threshold for human annoyance. In addition, since this Alternative would not provide for the synergy of uses as the Project, which could serve to reduce vehicle trips and associated air emissions, Alternative 6 would result in a greater impact associated with land use consistency and VMT compared to the Project. The remaining impacts would be similar to or less than those of the Project.

With the reduction in residential units and the elimination of the non-residential uses proposed by the Mixed Use Development and the No-Hotel Development Scenario, Alternative 6 would not fully meet the underlying purpose of the Project to provide a high-density, mixed use, and transit- and pedestrian-oriented development that includes new housing opportunities (including affordable housing) that are integrated with commercial and office uses that provide new employment and commercial opportunities for the surrounding community. In addition, Alternative 6 would only generally meet the following objectives of the Project, as Alternative 6 would include only residential units:

- Advance the Central City North Community Plan's Policy 1-2.1 by providing multi-family residential development within a Project Site that is commercially zoned.

- Consistent with Central City North Community Plan Objective 1-3, to develop a project that preserves and enhances the varied and distinct residential character and integrity of existing residential neighborhoods by providing a mix of architectural structures that are compatible with the varied scale of surrounding uses.

- Be consistent with the Central City North Community Plan's Objective 1-4, and promote the provision of new and adequate housing for all persons, including affordable housing units and units for rent and for sale.

The Residential Townhomes Alternative would only partially meet the following Project objective:

- Support the Central City North Community Plan's Goal 4 to provide adequate recreation and park facilities which meet the needs of the residents in the Community Plan area, create a pedestrian-friendly project by introducing active commercial uses along the Project Site frontages, incorporate pedestrian paseos transecting the Project Site, provide publicly accessible open space, and improved streetscapes around the Project Site.

The Residential Townhomes Alternative would not achieve the following Project objective:

- Promote the Central City North Community Plan's Objective 2-1 to strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services by providing a variety of commercial uses, including office space, retail, and restaurant space.

- In support of Objective 1-2 and Goal 12 of the Central City North Community Plan, encourage the reduction in vehicle trips by designing a project that includes infrastructure for walking and cycling and ride-sharing hubs and transit nodes for bus and shuttle pick-up.

(iv) Reference

Section V, Alternatives, of the Draft EIR.

4. Project Alternatives Considered and Rejected

As set forth in CEQA Guidelines Section 15126.6(c), an EIR should identify any alternatives that were considered for analysis, but rejected as infeasible, and briefly explain the reasons for their rejection. According to the CEQA Guidelines, among the factors that may be used to eliminate an alternative from detailed consideration are the alternative's failure to meet most of the basic project objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts. Alternatives to the Project that were considered and rejected as infeasible include the following:

(A) Alternative Project Site

The results of a search to find an alternative site on which the Project could be built determined that suitable similar locations are not available to meet the underlying purpose and objectives of the Project to redevelop the Project Site in proximity to other existing community-serving uses. Further, it is not expected that the Applicant can reasonably acquire, control, or have access to an alternative site of similar size. Therefore, an alternative site is not considered feasible, as it is not expected that the Applicant can reasonably acquire, control or have access to a suitable alternative site that would provide for the uses and square footage proposed by the Project. In addition, if a suitable alternative site could be found, it is anticipated that the significant and unavoidable impacts with respect to regional air quality during construction; on site and off site noise sources during construction; and vibration from on-site and off-site construction with respect to the significance threshold for human annoyance would still occur. Specifically, given that maximum daily conditions are used for measuring impact significance, regional impacts with regard to construction emissions on these days would be similar to those of the Project. In addition, since the alternative site would also likely be an infill site with nearby sensitive receptors and since noise levels during maximum daily activity days are used for measuring impacts, noise levels associated with on- and off site construction activities would be similar to those of the Project. Furthermore, since construction vibration impacts are evaluated based on the maximum (peak) vibration levels generated by each type of construction equipment, vibration levels associated with on- and off site construction activities would be similar to the Project. Thus, in accordance with Section 15126.6(f) of the State CEQA Guidelines, this alternative was rejected from further consideration.

(B) Alternative To Eliminate Significant Noise and Vibration Impacts During Construction

Various alternatives were considered with the goal of avoiding the Project's short-term significant and unavoidable construction-related noise and vibration (human annoyance) impact.

However, none of the considered approaches would substantially reduce or avoid the significant unavoidable construction-related on site noise and both on- and off site vibration (human annoyance) impacts of the Project. This is because the significant unavoidable construction-related noise and vibration impacts of the Project are heavily influenced by the close proximity of the Project Site and the proposed haul route to existing noise- and vibration-sensitive uses rather than the amount or duration of Project construction activities. Therefore, an alternative that includes one or more of the considered approaches would not substantially reduce or eliminate the significant noise and vibration impacts of the Project.

5. Environmentally Superior Alternative

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives to a project shall identify an Environmentally Superior Alternative among the alternatives evaluated in an EIR. The CEQA Guidelines also state that should it be determined that the No Project Alternative is the Environmentally Superior Alternative, the EIR shall identify another Environmentally Superior Alternative among the remaining alternatives.

Of the alternatives analyzed in this Draft EIR, Alternative 1, the No Project/No Build Alternative would avoid all of the Project's significant environmental impacts, including the Project's significant and unavoidable impacts related to regional air quality emissions during construction, on- and off-site construction noise, and vibration from on- and off-site construction with respect to the significance threshold for human annoyance. Alternative 1 would also avoid the Project's significant and unavoidable cumulative impacts related to regional air quality emissions during construction, cumulative construction noise from on-site and off-site noise sources, cumulative vibration impacts associated with off-site construction, pursuant to the significance threshold for human annoyance. Alternative 1 would also avoid most of the Project's remaining less-than-significant and less-than-significant with mitigation impacts, as no changes to the existing conditions would occur. However, as Alternative 1 would not implement best management practices that would improve existing stormwater flows, this alternative would result in a greater impact with respect to surface water quality, surface water hydrology, and groundwater hydrology during operation. In addition, without updating the existing older and more energy consuming buildings, Alternative 1 would result in a greater impact associated with energy use compared to the Project.

In accordance with the CEQA Guidelines requirement to identify an Environmentally Superior Alternative other than the No Project Alternative, a comparative evaluation of the remaining alternatives indicates that Alternative 6, the Residential Townhomes Alternative, would be the Environmentally Superior Alternative. Although Alternative 6 would not include affordable housing units or the range of housing types, other than the No Project Alternative, Alternative 6 is the only alternative that would eliminate the Project's significant and unavoidable impacts related to regional air quality emissions during construction. In addition, other than the No Project Alternative, Alternative 6 is the only alternative that would reduce the Project's significant and unavoidable impacts related to on- and off-site construction noise and vibration from on- and off-site construction with respect to the significance threshold for human annoyance, but even then, those impacts would remain significant and unavoidable. Furthermore, Alternative 6 would also reduce most of the Project's remaining impacts. Thus, of the range of alternatives analyzed, Alternative 6, the Residential Townhomes Alternative, would be the Environmentally Superior Alternative.

XI. Significant Irreversible Environmental Changes

Section 15126.2(c) of the CEQA Guidelines indicates that an EIR should evaluate any significant irreversible environmental changes that would occur should the proposed project be implemented. The types and level of development associated with the project would consume limited, slowly renewable, and non-renewable resources. This consumption would occur during

construction of the project and would continue throughout its operational lifetime. The development of the Project would require a commitment of resources that would include: (1) building materials and associated solid waste disposal effects on landfills; (2) water; and (3) energy resources (e.g., fossil fuels) for electricity, natural gas, and transportation. For the reasons set forth in Section VI of the Draft EIR, the Project's irreversible changes to the environment related to the consumption of nonrenewable resources would not be significant, and the limited use of nonrenewable resources is justified.

(1) Building Materials and Solid Waste

Construction of the Project would require consumption of resources that do not replenish themselves or which may renew so slowly as to be considered non-renewable. These resources would include certain types of lumber and other forest products, aggregate materials used in concrete and asphalt (e.g., sand, gravel, and stone), metals (e.g., steel, copper, and lead), and petrochemical construction materials (e.g., plastics).

Pursuant to the requirements of SB 1374, the Project would implement a construction waste management plan to recycle and/or salvage a minimum of 75 percent of non-hazardous demolition and construction debris. In addition, the Project would provide adequate storage areas in accordance with the City of Los Angeles Space Allocation Ordinance (Ordinance No. 171,687), which requires that development projects include an on-site recycling area or room of specified size. The Project would also comply with AB 939, AB 341, AB 1826 and City waste diversion goals, as applicable, by providing clearly marked, source-sorted receptacles to facilitate recycling. Thus, the consumption of non-renewable building materials, such as lumber, aggregate materials, and plastics, would be reduced. Furthermore, as discussed in the Initial Study prepared for the Project and included as Appendix A of the Draft EIR, Project impacts with respect to solid waste generation and compliance with federal, state, and local solid waste regulations would be less than significant.

(2) Water

Consumption of water during construction and operation of the Project is addressed in Section IV.N.1, Utilities and Service Systems—Water Supply and Infrastructure, of the Draft EIR. As evaluated therein, during construction of the Project, water would be required intermittently for dust control, equipment cleaning, and soil grading and preparation during the early construction phases. The latter phases of construction normally require less water usage. Given the temporary nature of construction activities, the short-term and intermittent water use during construction of the Project would be less than the new water demand estimated for the Project at buildout. As part of the Project, a new water distribution system consisting of new water distribution lines would be required to supply water to the proposed uses. Prior to buildout of the new water distribution system, temporary water supply needs during construction may be obtained from existing metered water connections or fire hydrants, with approval from Los Angeles Department of Water and Power (LADWP) and the City. As concluded in Section IV.N.1, Utilities and Service Systems—Water Supply and Infrastructure, of the Draft EIR, the existing off site LADWP water infrastructure system would be adequate to provide for the water flow necessary to serve the Project during construction.

During operation, the estimated water demand for the Project would not exceed the available supplies projected by LADWP. Specifically, it is estimated by the Water Supply Assessment (WSA) prepared for the Project that the Project under the Mixed Use Development Scenario would result in an average daily water demand of approximately 224,374 gallons per day, including water savings as required by the LAMC and additional water saving features as set forth in Project Design Feature WAT-PDF-1. Project Design Feature WAT-PDF-1 includes implementation of additional water conservation measures beyond those required by the LAMC, as amended by Ordinance No. 184,248. The WSA for the Project concluded that the projected

water supplies for normal, single-dry, and multiple-dry years reported in LADWP's 2015 Urban Water Management Plan would be sufficient to meet the Project's estimated water demand, in addition to the existing and planned future water demands within LADWP's service area through the year 2040. Therefore, with respect to water supply during operation, the impacts would be less than significant.

Thus, as evaluated in Section IV.N.1, Utilities and Service Systems—Water Supply and Infrastructure, of the Draft EIR, while Project construction and operation would result in some irreversible consumption of water, the Project would not result in a significant impact related to water supply.

(3) Energy Consumption

During ongoing operation of the Project, non-renewable fossil fuels would represent the primary energy source, and, thus, the existing finite supplies of these resources would be incrementally reduced. Fossil fuels, such as diesel, gasoline, and oil, would also be consumed in the use of construction vehicles and equipment. As discussed in Section IV.C, Energy, of this Draft EIR, construction activities for the Project would not require the consumption of natural gas, but would require the use of electricity and fossil fuels. The electricity demand at any given time would vary throughout the construction period based on the construction activities being performed and would cease upon completion of construction. When not in use, electric equipment would be powered off, so as to avoid unnecessary energy consumption. In addition, trucks and equipment used during construction activities would comply with CARB's anti-idling regulations, as well as the In-Use Off-Road Diesel-Fueled Fleets regulation. Further, on-road vehicles (i.e., haul trucks, worker vehicles) would be subject to federal fuel efficiency requirements. Therefore, the Project would not result in the wasteful, inefficient, and unnecessary consumption of energy resources.

During operation, the Project's increase in electricity and natural gas demand would be within the anticipated service capabilities of LADWP and the Southern California Gas Company (SoCalGas), respectively. Specifically, the Project's electricity demand would represent 0.03 percent, respectively, of LADWP and SoCalGas' projected sales in 2024. The Project would implement various project design features to reduce electricity consumption. For example, the Project would comply with the City's EV charging requirements which specify that 10 percent of new parking spaces would require EV charging equipment. In addition, 30 percent of all new parking spaces would be required to be EV "ready," which would be capable of supporting future EV charging equipment. It is anticipated that these measures would further reduce the Project's energy demand. In addition, the Project would incorporate energy-efficient design methods and technologies, when feasible, including, but not limited to, high-efficiency plumbing fixtures and weather-based controller and drip irrigation systems to promote a reduction of indoor and outdoor water use; Energy Star–labeled appliances; and water efficient landscape design. Therefore, the Project would not cause the wasteful, inefficient, and unnecessary consumption of electricity during operation.

With regard to natural gas, in addition to complying with applicable regulatory requirements regarding energy conservation (e.g., California Building Energy Efficiency Standards and CALGreen), the Project would implement project design features to further reduce energy use. Therefore, the Project would not cause the wasteful, inefficient, and unnecessary consumption of natural gas during operation.

With regard to transportation fuel, Project characteristics, including increasing density, increasing the diversity of urban and suburban developments, increasing destination accessibility, increasing transit accessibility, improving design of development, providing pedestrian network improvements, and incorporating traffic calming measures would reduce VMT. In addition, the Project Site is located in an area well-served by public transit provided by

Metro and LADOT. The Project would also encourage and promote bicycle use by providing the number of Code required long and short term bicycle parking spaces, as well as through the dedicated curb-side passenger loading areas and an off-street pick-up/drop-off area in front of the Sunset Building. In addition, as part of the Project, a dedicated Transportation Center would be placed near pedestrian access to the commercial uses to provide support for and access to alternative transportation modes, such as a Metro Bike Share station and/or other personal transportation modes. Additionally, the Project Site was designed to encourage walkability. Based on the above, the Project would not cause the wasteful, inefficient, and unnecessary consumption of energy and would be consistent with the intent of Appendix F to the CEQA Guidelines. In addition, Project operations would not conflict with adopted energy conservation plans.

(4) Environmental Hazards

The Project's potential use of hazardous materials is evaluated in Section IV.F, Hazards and Hazardous Materials, of the Draft EIR. As discussed therein, during demolition, on site grading, and building construction, hazardous materials, such as fuel and oils associated with construction equipment, as well as coatings, paints, adhesives, and caustic or acidic cleaners, could be used, handled, and stored on the Project Site. During operation, the Project would use potentially hazardous materials typical of those used in residential and commercial uses. The use, handling, and storage of these materials could increase the potential for hazardous materials releases and, subsequently, the exposure of people and the environment to hazardous materials. However, all potentially hazardous materials would be used and stored in accordance with manufacturers' specifications and instructions, thereby reducing the risk of hazardous materials use. In addition, the Project would be in full compliance with all applicable federal, state, and local requirements concerning the use, storage, and management of hazardous materials. Therefore, it is not expected that the Project would cause irreversible damage from environmental accidents associated with the use of typical, potentially hazardous materials.

(5) Growth Inducing Impacts

Section 15126.2(d) of the CEQA Guidelines requires a discussion of the ways in which a proposed project could induce growth. This includes ways in which a project would foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

The Project proposes two development scenarios—the Mixed Use Development Scenario and the No-Hotel Development Scenario. Under the Mixed Use Development Scenario, up to 737 residential units, up to 180 hotel rooms, up to 48,000 square feet of office space, and up to 95,000 square feet of general commercial floor area are proposed. Under the No-Hotel Development Scenario, a maximum of up to 827 residential units would be constructed along with up to 48,000 square feet of office space, and up to 95,000 square feet of general commercial floor area. Based on a household size factor of 2.41 persons per household, the Mixed Use Development Scenario is anticipated to generate a residential population of approximately 1,771 persons at full buildout. Based on SCAG's 2016–2040 RTP/SCS, the estimated population of 1,771 persons generated by the Mixed Use Development Scenario would represent approximately 0.13 percent of the projected growth in the SCAG region between 2018 and 2028 (i.e., the Project's baseline and buildout years), and 0.65 percent of the projected growth in the City of Los Angeles during the same period. As such, the 1,771 new residents constitute a small percentage of City and regional growth and would be consistent with contemplated growth in the region.

By switching out the hotel floor area proposed under the Mixed Use Development Scenario for residential floor area, the No-Hotel Development Scenario would result in approximately 217

more permanent residents on the Project Site compared to the Mixed Use Development Scenario. Specifically, based on a household size factor of 2.41 persons per household, the No-Hotel Development Scenario is anticipated to generate a residential population of approximately 1,988 persons at full buildout.

Based on SCAG's 2016–2040 RTP/SCS, the estimated population of 1,771 persons generated by the Mixed Use Development Scenario would represent approximately 0.13 percent of the projected growth in the SCAG region between 2018 and 2028 (i.e., the Project's baseline and buildout years), and 0.65 percent of the projected growth in the City of Los Angeles during the same period. As such, the 1,771 new residents constitute a small percentage of City and regional growth and would be consistent with contemplated growth in the region.

Based on SCAG's 2016–2040 RTP/SCS, the estimated population of 1,988 persons generated by the No-Hotel Development Scenario would represent approximately 0.14 percent of the projected growth in the SCAG region between 2018 and 2028 (i.e., the Project's baseline and buildout years), and 0.73 percent of the projected growth in the City of Los Angeles during the same period. As such, the 1,999 new residents constitute a small percentage of City and regional growth and would be consistent with contemplated growth in the region.

With regard to housing, the 737 residential units proposed under the Mixed Use Development Scenario would represent approximately 0.14 percent of the projected household growth in the SCAG region between 2018 and 2028 and 0.57 percent of the projected household growth in the City of Los Angeles during the same period. Up to 827 residential units proposed under the No-Hotel Development Scenario would represent approximately 0.15 percent of the projected household growth in the SCAG region between 2018 and 2028 and 0.63 percent of the projected household growth in the City of Los Angeles during the same period. Therefore, Project-related household growth under both development scenarios would be consistent with contemplated growth in the region. Accordingly, both development scenarios would not cause housing growth to exceed projected/planned levels for the Project's buildout year.

With regard to indirect growth, construction workers would not be expected to relocate their households' places of residence as a direct consequence of working on the Project. The work requirements of most construction projects are highly specialized so that construction workers remain at a job site only for the time in which their specific skills are needed to complete a particular phase of the construction process. Therefore, given the availability of construction workers throughout the region, the Project would not be considered growth-inducing from a short-term employment perspective, but rather the Project would provide a public benefit by providing new employment opportunities during the construction period.

Based on the generation rates provided by the City of Los Angeles VMT Calculator Documentation, the Mixed Use Development Scenario would generate approximately 582 employees. The additional 582 employees generated by the Mixed Use Development Scenario would represent approximately 0.07 percent of the employment growth forecasted in the SCAG region between 2018 and 2028 and 0.34 percent of the employment growth forecasted in the City during the same period. The No-Hotel Development Scenario would generate approximately 492 employees. The additional 492 employees generated by the No-Hotel Development Scenario would represent approximately 0.06 percent of the employment growth forecasted in the SCAG region and 0.29 percent of the employment growth forecasted in the City between 2018 and 2028. Therefore, Project-related employment generation would be consistent with SCAG's employment forecasts for the SCAG Region and the City of Los Angeles.

Both the uses proposed under the Mixed Use Development Scenario and the No-Hotel Development Scenario would include a range of permanent and part-time positions that may be filled, in part, by persons already residing in the vicinity of the workplace and who generally do

not relocate their households due to such employment opportunities and other persons who would commute to the Project Site from other communities in and outside of the City. As such, the Project would not indirectly induce substantial population growth.

XIII. STATEMENT OF OVERRIDING CONSIDERATIONS

The EIR identifies unavoidable significant impacts that would result from implementation of the Project. Section 21081 of the California Public Resources Code and Section 15093(b) of the CEQA Guidelines provide that when a decision of a public agency allows the occurrence of significant impacts that are identified in the EIR, but are not at least substantially mitigated to an insignificant level or eliminated, the lead agency must state in writing the reasons to support its action based on the EIR and/or other information in the record. The State CEQA Guidelines require, pursuant to CEQA Guidelines Section 15093(b), that the decision-maker adopt a Statement of Overriding Considerations at the time of approval of a project, if it finds that significant adverse environmental effects have been identified in the EIR that cannot be substantially mitigated to an insignificant level or be eliminated. These findings and the Statement of Overriding Considerations are based on the documents and materials that constitute the record of proceedings, including, but not limited to, the Final EIR and all technical appendices attached thereto.

Based on the analysis provided in Section IV, Environmental Impact Analysis, of the Draft EIR, implementation of the Project would result in significant impacts that cannot be mitigated with respect to regional air quality during construction; on-site and off-site noise sources during construction; and vibration from on-site and off-site construction with respect to the significance threshold for human annoyance. Furthermore, the following cumulative impacts would be significant and unavoidable: regional air quality impacts during construction; construction noise impacts from on-site and off-site noise sources; and vibration impacts associated with off-site construction, pursuant to the significance threshold for human annoyance.

Accordingly, the City adopts the following Statement of Overriding Considerations. The City recognizes that significant and unavoidable impacts would result from implementation of the Project. Having (i) adopted all feasible mitigation measures, (ii) rejected as infeasible the alternatives to the Project discussed above, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the Project against the Project's significant and unavoidable impacts, the City hereby finds that each of the Project's benefits, as listed below, outweigh and override the significant unavoidable impacts listed above.

The below stated reasons summarize the benefits, goals and objectives of the Project, and provide the detailed rationale for the benefits of the Project. These overriding considerations of economic, social, aesthetic, and environmental benefits for the Project justify adoption of the Project and certification of the completed EIR. Each of the listed project benefits set forth in this Statement of Overriding Considerations provides a separate and independent ground for the City's decision to approve the project despite the project's identified temporary significant and unavoidable environmental impacts. Each of the following overriding consideration separately and independently (i) outweighs the adverse environmental impacts of the Project, and (ii) justifies adoption of the Project and certification of the completed EIR. In particular, achieving the underlying purpose for the Project would be sufficient to override the significant environmental impacts of the Project.

- **The Project would support city and regional housing goals.** The Project is providing a range of housing opportunities, including affordable housing units and units for rent and for sale, by providing up to 737 residential units, including up to 76 restricted affordable housing units under the Mixed Use Development Scenario and up to 827 residential units, including 76 affordable housing units under the No-Hotel Development Scenario.

- **The Project supports Smart Growth policies**. As an infill development, the Project will revitalize an underutilized site by providing a high-density, mixed use and transit- and pedestrian-oriented development. The Project would represent the intensification of urban density in close proximity to the highly urbanized Downtown Los Angeles area within a City-designated TPA and in close proximity to transit. Furthermore, the Project would not require the extension of roads or utility infrastructure, and would not result in urban sprawl. The Project would also provide housing in close proximity to existing jobs, thereby contributing to jobs-housing balance. These characteristics are consistent with good planning practice, and would reduce VMT, fuel consumption, and associated greenhouse gas emissions.

- **The Project will have a positive economic impact** on the City by generating revenue for the City in the form of sales and property taxes from construction and operation of the Project. The Project will also generate temporary and permanent employment opportunities for the local community and surrounding area by providing for new hotel and commercial uses that will generate approximately 582 permanent jobs under the Mixed Use Development Scenario and 492 permanent jobs under the No-Hotel Development Scenario. The Project will also would introduce new residents into the neighborhood to patronize local retail, services, and restaurants. The Project will provide up to 180 hotel rooms under the Mixed Use Development Scenario, as well as up to 48,000 square feet of office space, and up to 95,000 square feet of general commercial floor area under both development scenarios in accordance with the Central City North Community Plan's objective to conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services.

- **The Project will encourage physical, social, and economic diversity** through the inclusion of a wide range of home types, sizes and prices, including 76 Very Low-Income affordable units on site. According to the recently issued RHNA numbers,3 the City of Los Angeles must build approximately 456,000 new homes in the next housing cycle. Of those units, approximately 115,900 need to be built for Very-Low Income Households, while another approximately 196,800 units need to be built above the moderate income level. According to these metrics provided by the Southern California Associations of Governments, the Project is providing units in one of the two income levels with the greatest need.

- **Site Redevelopment**. The Project would substantially improve the existing conditions on the Project Site, by transforming the site into an infill mixed-use development, offering new housing, market-rate multi-family residential units, deed-restricted affordable housing, office, hotel rooms, and neighborhood serving retail and restaurant uses. The Project would incorporate a pedestrian-oriented building design, providing a substantially amount of publicly accessible open space and an improved streetscape, and improving security and building lighting that would enhance the aesthetic and character of the Project Site. In this respect, the Project is an opportunity to implement a redevelopment project strategically positioned in proximity to mass transit and the downtown area.

XIV. GENERAL FINDINGS.

1. The City, acting through the Department of City Planning, is the "Lead Agency" for the Project that is evaluated in the EIR. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has

3 SCAG, SCAG 6th Cycle Final RHNA Allocation Plan, https://scag.ca.gov/sites/main/files/file-attachments/6th-cycle-rhna-final-allocation-plan.pdf?1625161899.

independently reviewed and analyzed the EIR for the Project, that the Draft EIR which was circulated for public review reflected its independent judgment, and that the Final EIR reflects the independent judgment of the City.

2. The EIR evaluated the following potential project and cumulative environmental impacts: Air Quality; Cultural Resources; Energy; Geology and Soils; Greenhouse Gas Emissions; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use; Noise; Population, Housing, and Employment, Public Services; Transportation; Tribal Cultural Resources; and Utilities. Additionally, the EIR considered Growth Inducing Impacts and Significant Irreversible Environmental Changes. The significant environmental impacts of the Project and the alternatives were identified in the EIR.

3. The City finds that the EIR provides objective information to assist the decision- makers and the public at large in their consideration of the environmental consequences of the Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review period and responds to comments made during the public review period.

4. Textual refinements and the Erratum were compiled and presented to the decision-makers for review and consideration. The City staff has made every effort to notify the decision-makers and the interested public/agencies of each textual change in the various documents associated with Project review. These textual refinements arose for a variety of reasons. First, it is inevitable that draft documents would contain errors and would require clarifications and corrections. Second, textual clarifications were necessitated to describe refinements suggested as part of the public participation process.

5. The Department of City Planning evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the Department of City Planning prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned response to the comments. The Department of City Planning reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR. The Lead Agency has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental impacts identified and analyzed in the EIR.

6. The Final EIR documents changes to the Draft EIR. The Final EIR provides additional information that was not included in the Draft EIR. Having reviewed the information contained in the Draft EIR and the Final EIR and in the administrative record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the City finds that there are no new significant impacts, substantial increase in the severity of a previously disclosed impact, significant information in the record of proceedings, or other criteria under CEQA that would require recirculation of the Draft EIR, or preparation of a supplemental or subsequent EIR. Specifically, the City finds that:

    a. The Responses to Comments contained in the Final EIR fully considered and responded to comments claiming that the project would have significant impacts or more severe impacts not disclosed in the Draft EIR and include substantial evidence that none of these comments provided substantial evidence that the Project would result in changed circumstances, significant new information,

considerably different mitigation measures, or new or more severe significant impacts than were discussed in the Draft EIR.

b. The City has thoroughly reviewed the public comments received regarding the Project and the Final EIR as it relates to the Project to determine whether under the requirements of CEQA, any of the public comments provide substantial evidence that would require recirculation of the EIR prior to its adoption and has determined that recirculation of the EIR is not required.

c. None of the information submitted after publication of the Final EIR, including testimony at and documents submitted for the public hearings on the Project, constitutes significant new information or otherwise requires preparation of a supplemental or subsequent EIR. The City does not find this information and testimony to be credible evidence of a significant impact, a substantial increase in the severity of an impact disclosed in the Final EIR, or a feasible mitigation measure or alternative not included in the Final EIR.

d. The mitigation measures identified for the Project were included in the Draft and Final EIRs. As revised, the final mitigation measures for the Project are described in the Mitigation Monitoring Program (MMP). Each of the mitigation measures identified in the MMP is incorporated into the Project. The City finds that the impacts of the Project have been mitigated to less than significance by the feasible mitigation measures identified in the MMP.

8. CEQA requires the Lead Agency approving a project to adopt an MMP or the changes to the project which it has adopted or made a condition of project approval to ensure compliance with the mitigation measures during project implementation. The mitigation measures included in the EIR as certified by the City serve that function. The MMP includes all the mitigation measures and project design features adopted by the City in connection with the approval of the Project and has been designed to ensure compliance with such measures during implementation of the Project. In accordance with CEQA, the MMP provides the means to ensure that the mitigation measures are fully enforceable. In accordance with the requirements of PRC Section 21081.6, the City hereby adopts the MMP.

9. In accordance with the requirements of PRC Section 21081.6, the City hereby adopts each of the mitigation measures expressly set forth herein as conditions of approval for the Project.

10. The custodian of the documents or other material which constitute the record of proceedings upon which the City's decision is based is the City Department of City Planning, Environmental Review Section, 221 North Figueroa Street, Room 1350, Los Angeles, California 90012.

11. The City finds and declares that substantial evidence for each and every finding made herein is contained in the EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.

12. The City is certifying an EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the EIR as comprising the Project.

13. The EIR is a project EIR for purposes of environmental analysis of the Project. A project EIR examines the environmental effects of a specific project. The EIR serves as the primary environmental compliance document for entitlement decisions regarding the Project by the City and other regulatory jurisdictions.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 80315, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

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

The subdivision of land is regulated pursuant to Article 7 of the LAMC. Pursuant to LAMC Section 17.05 C, tract maps are to be designed in conformance with the tract map regulations to ensure compliance with the various elements of the General Plan, including the Zoning Code. Additionally, the maps are to be designed in conformance with the Street Standards established pursuant to LAMC Section 17.05 B. The Project Site is located within the Central City North Community Plan, which designates the Project Site for General Commercial land uses, with a corresponding zone of C2. The Project Site is zoned C2-2D which is consistent with the land use designation. The C2 Zone generally allows for commercial and residential uses at a residential density of one dwelling unit per 400 square feet of lot area or one guest room per 200 square feet of lot area. Height District 2 imposes no height limit and permits an FAR of 6:1. However, the Project Site's FAR is further restricted to 3:1 by a site-specific "D" limitation established by Ordinance 174,327. It is also noted that Footnote No. 4 of the Central City North Community Plan limits the Project Site to a 3:1 FAR. The Project Site is located within the East Los Angeles Transit Priority Area, a State Enterprise Zone, and is subject to the Freeway Adjacent Advisory Notice for Sensitive Uses. The Project Site is not located within a specific plan area.

The Project Applicant is requesting a Density Bonus Compliance Review for a Housing Development Project with up to 827 dwelling units in lieu of the 683 dwelling units permitted, by setting aside 11 percent of the units (up to 76 units) for Very Low-Income Households.

As noted above, the C2 Zone permits a maximum of one dwelling unit for every 400 square feet of lot area or one guest room per 200 square feet of lot area. In conjunction with the proposed street dedications associated with the proposed VTTM for the Project and one of the off-menu Density Bonus Incentives allowing for a portion of over-dedicated public-right-away along Sunset Boulevard and Beaudry Avenue to be counted toward the Site's lot area and permitted density, the net lot area of the Project Site (272,908) permits a maximum density of 683 dwelling units or 1,365 hotel guest rooms. The Project Applicant is also seeking a 35 percent Density Bonus which would allow for up to 827 dwelling units by setting aside 11 percent of the units (up to 76 units) for Very Low-Income Households. Contingent upon the approval of the Project's requested entitlements, the Project would be permitted a maximum 4.19:1 FAR. The Density Bonus requests would also allow for reduced building separation distances. Therefore, the

proposed merger and re-subdivision of the Project Site into one (1) master lot and 17 airspace lots, including merging portions of Beaudry Street and Sunset Boulevard (3,290 square feet) and the Beaudry pedestrian triangle (3,808 square feet) for a mixed-use development would be consistent with these regulations.

Pursuant to LAMC Section 17.06 B, a VTTM must be prepared by or under the direction of a licensed land surveyor or registered civil engineer. It is required to contain information regarding the boundaries of the Project Site, as well as the abutting public rights-of-ways, hillside contours for hillside properties, location of existing buildings, existing and proposed dedication, and improvements of the tract map. The VTTM indicates the map number, notes, legal description, contact information for the owner, applicant, and engineer, as well as other pertinent information as required by LAMC Section 17.06 B. Additionally, LAMC Section 17.15 B requires that vesting tentative tract maps provide the proposed building envelope, height, size, and number of units, as well as the approximate location of buildings, driveways, and proposed exterior garden walls. The VTTM provides the building envelope, height, number of units, and approximate location of the building and driveways among other required map elements. Therefore, the proposed map demonstrates compliance with LAMC Sections 17.05 C, 17.06 B, 17.15 B and would be consistent with the applicable General Plan.

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

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

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

As indicated in Finding (a), LAMC Section 17.05 C requires that the tract map be designed in conformance with the zoning regulations of the Project Site. The Project Site is zoned C2-2D. The C2 zoning designation generally allows for commercial and residential uses at a residential density of one dwelling unit per 400 square feet of lot area or one guest room per 200 square feet of lot area. Height District 2 imposes no height limit and permits an FAR of 6:1. However, the Project Site’s FAR is further restricted to 3:1 by a site-specific “D” limitation established by Ordinance 174,327. It is also noted that Footnote No. 4 of the Central City North Community Plan limits the Project Site to a 3:1 FAR.

The Project Applicant is requesting a Density Bonus Compliance Review for a Housing Development Project totaling with up to 827 dwelling units in lieu of the 683 dwelling units permitted, by setting aside 11 percent of the units (up to 76 units) for Very Low-Income Households, and allowing for a portion of over-dedicated public-right-away along Sunset Boulevard and Beaudry Avenue to be counted toward the Site's lot area and permitted density and a FAR increase of 40 percent. The Density Bonus requests would also allow for reduced building separation distances. Contingent upon approval of the Project's requested entitlements, the Project would be in conformance with the zoning regulations for the Site.

As the VTTM for Project includes the merger and re-subdivision of the Project Site into one (1) master lot and 17 airspace lots, including merging portions of Beaudry Street and Sunset Boulevard (3,290 square feet) and the Beaudry pedestrian triangle (3,808 square feet) for a mixed-use development would be consistent with these regulations, the VTTM would be consistent with the density and floor area permitted by the Zone.

The design and layout of the map is also consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the LAMC. The VTTM was distributed to and reviewed by the various City agencies of the Subdivision Committee, including, but not limited to, the Bureau of Engineering, Department of Building and Safety, Grading Division and Zoning Division, Bureau of Street Lighting, Department of Recreation and Parks, that have the authority to make dedication, and/or improvement recommendations. Several public agencies found the subdivision design satisfactory, with imposed improvement requirements and/or conditions of approval. Specifically, the Bureau of Engineering reviewed the VTTM for compliance with the Street Design Standards and has recommended improvements to the public rights-of-ways along West Sunset Boulevard, portions of North White Knoll Drive, and Alpine Street in accordance with Avenue I and Collector Street Standards of the Mobility Plan 2035, respectively. All necessary street improvements will be made to comply with the Americans with Disabilities Act (ADA) of 2010. In addition, the Bureau of Sanitation has reviewed the sewer/storm drain lines serving the subject tract, and found no potential problems to structures or maintenance. The Department of Building and Safety – Grading Division reviewed the site grading and deemed it appropriate provided the conditions included in the Soils Approval Letter dated November 6, 2020 are complied with. The Bureau of Street Lighting determined that if BOE requires street widening improvements, street lighting improvements shall include the construction of new street lights on Sunset Boulevard, White Knoll Drive, Alpine Street, and Beaudry Avenue. All Conditions of Approval for the design and improvement of the subdivision are required to be performed prior to the recordation of the tentative map, building permit, grading permit, or certificate of occupancy.

Therefore, as conditioned and upon approval of the entitlement requests, the design and improvements of the proposed subdivision would be consistent with the applicable General Plan.

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

The Project Site is currently improved with four vacant buildings that comprise approximately 114,600 square feet, surface parking and the Elysian apartment building, which is not part of the Project, but located on the Project Site. The request before the Deputy Advisory Agency is a VTTM for a Project that includes the demolition of the four vacant buildings and surface parking, and construction of a multi-building, mixed use development with up to 994,982 square feet of new floor area on a 6.19 net acre site.

The Project proposes two development scenarios: The Mixed Use Development Scenario and the No-Hotel Development Scenario. Under the Mixed Use Development Scenario, up to 737 residential units (including up to 76 Very Low Income units), 180 hotel guest rooms, 48,000 square feet of office, and 95,000 square feet of general commercial floor area would be constructed. Under the No Hotel Development Scenario, up to 827 residential units (including up to 76 Very Low Income units), 48,000 square feet of office, and 95,000 square feet of general commercial floor area would be constructed. The additional 90 residential units (under the No-Hotel Development Scenario) would replace the 180 hotel guest rooms proposed under the Mixed Use Development Scenario and would be located in the same building. Under either scenario, the proposed uses would be built within four primary structures above a screened six-level parking podium, which would be partially below grade and partially above grade, including two residential towers (Tower A and Tower B), a hotel/residential tower (the Sunset Building), and a commercial building that could include office, retail, restaurant, and parking uses (the Courtyard Building). Separate from the four primary structures, three low-rise, non-residential structures would be oriented towards Sunset Boulevard and Beaudry Avenue. In addition, a portion of the proposed residential uses would be located in low-rise residential buildings (not part of Tower A and B) dispersed throughout the eastern and southern portions of the Project Site around the base of Towers A and B. The existing Elysian apartment building, which is located on the Project Site, would remain, is not part of the Project and its surface parking will be relocated with a newly constructed parking facility.

There are currently 105 trees within the Project Site and 40 off-site street trees. The 105 on-site trees are proposed to be removed to accommodate the development of the Project, and nine street trees would also be removed. The remaining 31 off-site street trees would be able to remain in place despite minor construction encroachments. On-site replacement trees would be provided at a minimum 1:1 ratio for the 104 Non-Protected Trees and a 4:1 ratio for the one on-site Protected Tree. The removal of the nine street tree would be subject to the street tree replacement requirements of the City's Urban Forestry Division, subject to the approval of the Board of Public Works.

The Project Site is located within an urbanized area. The Project Site is not located in a Very High Fire Hazard Severity Zone, Alquist Priolo Zone, Fault Rupture Study Area, Flood Zone, Landslide, Liquefaction, or Tsunami Inundation Zone. The Project Site is located within a designated hillside area, a BOE Special Grading Area, Methane Zone, and within the East Field portion of the Los Angeles City Oil Field. The topography of the Project Site exhibits a downward slope from the highest elevation at the northern portion on White Knoll Drive to the lowest elevation on Beaudry Avenue with a grade differential of approximately 48 feet. The oval-shaped Site has approximately 365 feet of frontage along West Sunset Boulevard, 300 feet of frontage along White Knoll Drive, 672 feet of frontage along Alpine Street, and 511 feet of frontage along Beaudry Avenue.

As noted in the Conditions of Approval, the Los Angeles Department of Building and Safety, Grading Division, has reviewed the geology/soils reports prepared for the Project and issued a Soils Approval Letter dated November 6, 2020. The Soils Approval Letter includes specific design and engineering conditions that will ensure the Project can be built safely and that the site will be suitable for the proposed development.

As stated above, the Project Site is located within the East Field portion of the Los Angeles City Oil Field. Based on a review of the historical documents and in general accordance with CalGEM's records, there is a reasonable basis to assume the presence of six oil wells, as indicated on the CalGEM's online database, along the southern and eastern Site boundary. The oil wells are listed as buried/idle (buried wells are typically

older wells that were not abandoned to current standards/idle wells have been inactive for a period of 24 consecutive months) in the CalGEM database. Based on correspondence with CalGEM, the oil wells are likely not to have been abandoned in accordance with current CalGEM standards. Further, a subsurface investigation on the southern portion of the Site conducted in 2015 identified petroleum hydrocarbons and methane concentrations in the soil.

The Phase I Environmental Site Assessment (ESA) completed for the Project Site included a database search which listed the Site on eight databases, including Hazardous Waste Information System (HAZNET), Resources Conservation and Recovery Act-Small Quality Generators (RCRA-SQG), Underground Storage Tanks (UST), Statewide Environmental Evaluation and Planning System Underground Storage Tanks (SWEEPS UST), California's Facility Inventory Database for Underground Storage Tanks (CA FID UST), Facility Index System Data Systems (FINDS) Enforcement and Compliance History Online (ECHO), and Emissions Inventory Data (EMI). As provided in the database records search the HAZNET listing was due to the generation of asbestos waste, which was generated on the Project Site and disposed of in 1995 and 2008, as well as other unreported wastes that were generated and disposed off-site in 2012. The RCRA-SQG listing is associated with the previous tenant's operation on the Site and the generation of small quantities of hazardous waste defined as the generation of more than 100 kilograms and less than 1,000 kilograms of hazardous waste during any calendar month. The UST, SWEEPS UST, and CA FID UST, listings are associated with the location of at least one UST within the Project Site which was originally used by a previous tenant and is now used by the Elysian apartment building for a backup generator. The FINDS listing refers to the the EPA's Facility Index System, which is a central inventory of facilities monitored or regulated by the EPA. Similarly the ECHO, listing is EPA's tool, which allows a user to search for facilities by address or name or review violations. The EMI listing refers to Emissions Inventory Data associated with the emissions of air pollutants in 1990 and 1995.

Hazardous materials are not being used or generated by the four vacant on-site buildings. The Elysian apartment building is occupied, however any hazardous materials used or wastes generated by the Elysian apartment building would be consistent with those typically used in mixed-use developments, such as pesticides for landscaping and cleaning solvents for maintenance. During the Project Site 2016 reconnaissance, completed as part of the Phase I ESA, no recognized environmental conditions such as leaks, stains, spills, or distressed vegetation were observed on-site. In addition, no hazardous substances, drums, hazardous waste generation, petroleum products, or other chemical containers were observed.

As construction is proposed in the area of the potential six oil wells, applicable CalGEM requirements would be followed. Additionally, implementation of Mitigation Measure HAZ-MM-1 and HAZ-MM-2 would require an additional surface geophysical survey to be completed to attempt to locate the oil wells after demolition of the on-site buildings and if located, HAZ-MM-2 would require the wells to be unearthed and inspected by a licensed Petroleum Engineer and reported to CalGEM to assess and prescribe abandonment procedures based on their observed condition, as well as the Petroleum Administrator and the Los Angeles Certified Unified Program Agency (LACUPA). As concluded in the Methane Report prepared for the Project, the Project would implement Mitigation Measures HAZ-MM-4 and HAZ-MM-5 to ensure potential impacts related to subsurface gasses and impacts to soils and groundwater are less than significant. Both Mitigation Measures would establish controls during construction activities to mitigate any effects from subsurface gasses on workers and the public. Prior to operation, all new buildings

and paved areas located in the Methane Zone would comply with the City's Methane Mitigation Ordinance and implement the necessary methane controls.

Therefore, development of the Project Site would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Finally, prior to the issuance of any permits, the Project would be required to be reviewed and approved by the Department of Building and Safety and the Fire Department to ensure compliance with building, fire, and safety codes. Therefore, based on the above and as conditioned, the Project Site would be physically suitable for the proposed type of development.

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

The General Plan identifies, through its Community and Specific Plans, geographic locations where planned and anticipated densities are permitted. Zoning standards for density are applied to sites throughout the city and are allocated based on the type of land use, physical suitability, and future population growth expected to occur. The adopted Central City North Community Plan designates the Project Site for General Commercial land uses. The Project Site is zoned C2-2D. The C2 zoning designation generally allows for commercial and residential uses at a residential density of one dwelling unit per 400 square feet of lot area or one guest room per 200 square feet of lot area. Height District 2 imposes no height limit and permits an FAR of 6:1. However, the Project Site's FAR is further restricted to 3:1 by a site-specific "D" limitation established by Ordinance 174,327. It is also noted that Footnote No. 4 of the Central City North Community Plan limits the Project Site to a 3:1 FAR. The Project Site is located within the East Los Angeles Transit Priority Area, a State Enterprise Zone, and is subject to the Freeway Adjacent Advisory Notice for Sensitive Uses. The Project Site is not located within a specific plan area.

The Project Applicant is seeking a 35 percent Density Bonus which would allow for up to 827 dwelling units by setting aside 11 percent of the units (up to 76 units) for Very Low-Income Households and allowing for a portion of over-dedicated public-right-away along Sunset Boulevard and Beaudry Avenue to be counted toward the Site's lot area and permitted density as well as a 40 percent increase in allowable floor area. Contingent upon the approval of the Project's requested entitlements, the Project would be permitted a maximum 4.19:1 FAR. The Density Bonus requests would also allow for reduced building separation distances. Therefore, the proposed merger and re-subdivision of the Project Site into one (1) master lot and 17 airspace lots, including merging portions of Beaudry Street and Sunset Boulevard (3,290 square feet) and the Beaudry pedestrian triangle (3,808 square feet) for a mixed-use development would be consistent with these regulations.

The Project vicinity is characterized by a concentration of commercial and residential uses in the form of one to three-story structures. To the north of the Project Site across White Knoll Drive are two-story multifamily residential uses and a one-story commercial structure. The multifamily residential structures are designated for General Commercial, Medium Residential, and Low Medium II Residential land uses and are within the C2-1VL, [Q]R3-1VL, and RD1.5-1 Zones. The commercial structure is designated for General Commercial and is within the C2-1VL Zone. To the east of the Project Site across Alpine Street are one to three-story multifamily residential and single-family uses. These properties are designated for Medium Residential land uses and are within the

R3-1 Zone. To the south of the Project Site across Beaudry Avenue are structured parking and one to two-story commercial uses. These properties are designated for General Commercial land uses within the C1-1, C2-2D, and R4P-1. To the west of the Project Site across West Sunset Boulevard are one-story commercial uses with surface parking. The commercial uses are designated for General Commercial and are within the C2-1VL Zone.

The Project's floor area, density, and massing are appropriately scaled and situated given these uses in the surrounding area. The site is a sloped infill lot in a developed urban area with adequate infrastructure. The area is easily accessible via improved streets and highways. Therefore, the Project Site is physically suitable for the proposed density of development.

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

The Project Site does not contain wetlands or riparian areas, does not have significant value as a wildlife habitat, and implementation of the Project would not harm protected species. The Project is situated in an established, fully-developed mixed-use corridor, adjacent to a large boulevard, and nearby employment uses. The commercially zoned Project Site is currently developed with four vacant structures, surface parking, and the Elysian apartment building, which is not part of the Project but located on the Site. The Project Site does not contain any natural open spaces with water courses such as streams or lakes within and adjacent to the Project Site, the Project Site and vicinity do not support any riparian or wetland habitat, as defined by Section 404 of the Clean Water Act.

Furthermore, the Project Site is not located in or adjacent to a Biological Resource Area as defined by the City. Moreover, the Project Site and immediately surrounding area are not within or near a designated Significant Ecological Area. The Project Site does not contain any natural open spaces, act as a wildlife corridor, migratory corridors, conflict with a Habitat Conservation Plan, nor possess any areas of significant biological resource value.

With regard to trees, as discussed in the associated Tree Report, the Project Site has been operating as an urban use for decades. There are currently 104 Non-Protected trees and one Protected Tree within the Project Site and 40 off-site street trees. The 104 Non-Protected trees and one Protected on-site tree are proposed to be removed to accommodate the development of the Project, and nine street tree would also be removed. The remaining 31 off-site street trees would be able to remain in place despite minor construction encroachments. On-site replacement trees would be provided at a minimum 1:1 ratio for the Non-Protected trees and 4:1 for the one Protected tree. The removal of the nine street trees would be subject to the street tree replacement requirements of the City's Urban Forestry Division, subject to the approval of the Board of Public Works. In addition, the Project vicinity is highly urbanized and does not support habitat for candidate, sensitive, or special status plant species. Therefore, no impacts to candidate, sensitive, or special status plant species would occur.

Therefore, as noted above, the Project Site is presently improved with existing vacant commercial and an occupied residential building, and does not contain any natural open spaces, act as a wildlife corridor, contain riparian habitat, wetland habitat, or migratory corridors. The Project would not conflict with any protected tree ordinance or Habitat